

BILL

further to amend the Elections Act, 2017

WHEREAS, it is expedient further to amend the Elections Act, 2017 (XXXIII of 2017), in the manner and for the purposes hereinafter appearing;

It is hereby enacted as follows: -

1. Short title and commencement. — (1) This Act shall be called the Elections (Amendment) Act, 2023.

(2) It shall come into force at once.

2. Amendment of section 57, Act XXXIII of 2017.— In the Election Act, 2017 (XXXIII of 2017), hereinafter referred to as the said Act, in section 57, for sub-section (1), the following shall be substituted, namely: -

"(1) Subject to the Constitution the Commission shall by notification in the official gazette announce the date or dates, as the case may be, of the general elections."

3. Amendment of section 58, Act XXXIII of 2017.— In the said Act, in section 58, for sub-section (1), the following shall be substituted, namely: -

"(1) Subject to the Constitution Notwithstanding anything contained in section 57, the Commission may, at any time after the issuance of the notification under sub-section (1) of that section, make such alterations in the election programme announced in that notification for different stages of the election or may issue a fresh election programme with fresh poll date or dates as may, in its opinion to be recorded in writing, be necessary for the purposes of this Act."

Minister-in-Charge

STATEMENT OF OBJECTS AND REASONS

Article 218 (3) of the Constitution envisages duty of the Election Commission of Pakistan to organize and conduct the elections and to make such arrangements as are necessary to ensure that the election is conducted honestly, justly, fairly and in accordance with law and that corrupt practices are guarded against. The Election Commission of Pakistan enjoys administrative and functional autonomy under the provisions of the Constitution and the Elections Act, 2017 which facilitate the ECP in fulfilling its core obligation of free and fair elections. To further strengthen the Commission, amendments in Section 57(1) and 58(1) are required to be made allowing ECP to announce poll date(s) for general election at its own, subject to the Constitution.

2. Parliamentary Committee constituted by the Chairman of the Senate, also examined the proposed amendments and recommended that the Federal Government shall initiate the process of tabling the legislation for the purpose, subject to the Constitution.

3. The Bill seeks to achieve the above objects.



(MURTAZA JAVED ABBASI)
Minister for Parliamentary Affairs