

INTRODUCED ON 24.07.2023.
[AS INTRODUCED IN THE SENATE]

A
BILL

further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement. - (1) This Act may be called the Constitution (Amendment) Act, 2023.

(2) It shall come into force at once.

2. Insertion of Article 100A in the Constitution. - In the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, after Article 100, the following new Article shall be inserted, namely:-

"100A. Acting Attorney-General.- At any time, when-

- (a) The office of Attorney-General is vacant, or
 - (b) The Attorney-General is absent or is unable to perform the functions of his office or any other cause,
- the President shall appoint the senior most Additional Attorney-General to act as Attorney-General for Pakistan who will exercise the same authority as vested in the position of Attorney-General under the Constitution."

3. Insertion of Article 140A in the Constitution. - In the Constitution, the existing Article 140A, shall be re-numbered as Article 140B and after Article 140, the following new Article 140A shall be inserted, namely:-

"140A. Acting Advocate-General.- At any time, when-

- (a) The office of Advocate-General is vacant, or
 - (b) The Advocate-General is absent or is unable to perform the functions of his office or any other cause,
- the Governor shall appoint the senior most Additional Advocate-General to act as Advocate-General for Province who will exercise the same authority as vested in the position of Advocate-General under the Constitution."

STATEMENT OF OBJECTS AND REASONS

The Offices of the Attorney-General and Advocate-General are constitutional posts created under Articles 100 and 140 of the Constitution of the Islamic Republic of Pakistan and are headed by an Attorney-General in the Federation and Advocate-General in the Provinces respectively. They are assisted by a team of law officers, consisting of Additional Attorneys-General/ Additional Advocate-General, Deputy Attorneys-General and Assistant Attorneys-General/Assistant Advocate-General for Federal and Provincial Governments.

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However, there are no provisions in the Constitution regarding Acting Attorney-General and Acting Advocate General. Hence, this amendment has been brought to provide such provisions in the Constitution, so that work of offices of Attorney-General and Advocate General would not be affected and halted, until and unless, regular appointments are made to these posts.

2. This Bill is aimed to achieve the above-said objective.

**SENATOR RANA MAQBOOL AHMAD
MEMBER IN CHARGE**