

INTRODUCED ON 24.07.2023.

[AS INTRODUCED IN THE SENATE]

**A
BILL**

further to amend the Prevention of Electronic Crimes Act, 2016

WHEREAS it is expedient further to amend the Prevention of Electronic Crimes Act, 2016 (XL of 2016) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement. - (1) This Act may be called the Prevention of Electronic Crimes (Amendment) Act, 2023.

(2) It shall come into force at once.

2. Amendment of section 22, Act XL of 2016. - In the Prevention of Electronic Crimes Act, 2016 (XL of 2016), in section 22, in sub-section (1), after paragraph (d), for the phrase, "which may extend to seven years, or with fine which may extend to five million rupees or with both.", the phrase "of fourteen years, which may extend up to twenty years and with a fine which shall not be less than one million rupees, but may extend up to five million rupees or with both." shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Islamabad High Court (IHC), in its judgment, Muhammad Shahzad Khaliq verses The State, given on 29th November, 2021 declared that section 22 of the Prevention of Electronic Crimes Act, 2016 (PECA) and sections 292-B and 292-C of the Pakistan Penal Code, 1860 (PPC) deals with the same subject i.e. child pornography, but definition and punishment of the said crime in the PPC is more comprehensive in nature than PECA, so, as both described the same offence, with few differences, there is need to bring harmony among both laws, and for that reason, punishment for offence of child pornography must be enhanced in the Prevention of Electronic Crimes Act, 2016 and need to bring at par with the punishment provided in the Pakistan Penal Code, 1860 being the same crime. Hence, in the light of the afore-said, the said amendment has been brought.

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

**SENATOR RANA MAQBOOL AHMAD
MEMBER IN CHARGE**