

[AS PASSED BY THE SENATE]

A

Bill

further to amend the Imports and Exports (Control) Act, 1950

WHEREAS it is expedient further to amend the Imports and Exports (Control) Act, 1950 (XXXIX of 1950) 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 Imports and Exports (Control) (Amendment) Act, 2023.

(2) It shall come into force at once.

2. Amendment in section 3 Act XXXIX of 1950. — In the Imports and Exports (Control) Act, 1950 (XXXIX of 1950), in section 3, in sub-section (1) for the full stop at the end, a colon shall be substituted and thereafter the following proviso shall be added, namely:-

“Provided that the Minister-in-charge may, by notification in the official Gazette, for reasons to be recorded in writing, on case-to-case basis and in the interest of trade and commerce of Pakistan, allow one-time permission to import, re-import, export or re-export goods in relaxation of the prohibition or restrictions contained in the order made under this sub-section for the time being in force”.

STATEMENT OF OBJECTS AND REASONS

The Import and Export (Control) Act, 1950 is the primary legal instrument which provides the legal basis for the conduct of International trade of Pakistan. Imports and Exports of the goods are regulated through Import Policy Order (IPO) and Export Order (EPO), respectively, issued under Section 3(1) of the Act. Keeping in view the ex-agencies of trade and industry, IPO and EPO are framed and amended, from time to time with the approval of the Cabinet. Under the Act, the Federal Government is empowered i) to make/ issue new IPO and EPO, ii) to make amendments in IPO and EPO and iii) to grant permission, on one-time basis, for imports and exports of the goods by relaxing the prohibition/ restrictions contained in the above said orders.

2. The powers to relax prohibition and restriction, however, imposed on imports and exports under the IPO/EPO, in cases of urgency or in public interest, are also vested in the Federal Government. As such, all cases of relaxation, on one-time basis, have to be submitted to the Cabinet for consideration. To improve administrative efficiency and to secure interest of trade and commerce of Pakistan, it is proposed that the said powers to grant one-time relaxation may be vested in the Federal Minister for Commerce. As such, the Federal Minister/ Minister-in-Charge shall be responsible for actions both to the Cabinet and the Parliament.

3. The proposed amendments will enable to address hardship cases, received from the business community and other quarters for one time relaxation of import / export related prohibitions and restrictions. Moreover, the amendment will make a compliance with the direction of the Cabinet in Case No. 64/05/2022 dated 15-02-2022 and Case No. 419/19/2017 dated 08-11-2017 whereby the Cabinet has directed all Federal (government agencies to substitute the words "Federal Government" with appropriate authority in their respective laws, rules etc.

Sd/-

(Syed Naveed Qamar)

Minister for Commerce