[TO BE INTRODUCED IN THE SENATE]

A

BILL

further to amend the Abandoned Properties (Management) Act, 1975

WHEREAS it is expedient further to amend the Abandoned Properties (Management) Act, 1975 (XX of 1975) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.**- (1) This Act may be called the Abandoned Properties (Management) (Amendment) Act, 2024.

(2) It shall come into force at once.

2. **Amendment of section 16, Act XX of 1975.-** In the Abandoned Properties (Management) Act, 1975 (XX of 1975), hereafter referred to as the said Act, in section 16, in sub-section (2), clause (l) shall be omitted.

3. **Amendment of section 29, Act XX of 1975.-** In the said Act, section 29 shall be re-numbered as sub-section (1) of that section and thereafter the following new sub-section shall be added, namely:—

"(2) The sale proceeds of abandoned property, including the amounts already received, shall be deposited in the Federal Consolidated Fund:

Provided that the deposited amounts shall in the prescribed manner may be refunded in the light of any court order, international settlement, etc."

STATEMENT OF OBJECTS AND REASONS

The Abandoned Properties (Management) Act, 1975 deals with matters related to administration of abandoned properties in Pakistan. The intent of the law as amended vide Section (8) of the Finance Act, 2019 was to transfer all amounts of sale proceeds to Federal Consolidated Fund. This has now been reversed through the Finance Act, 2024. The law needs to be brought in line with Public Finance (Management) Act, 2019.

The amendment made vide Section 6 of Finance Act, 2024 inserts a new sub-clause (l) in Section 16(2). This sub-clause was originally sub-clause (k) which was omitted vide section 8 of Finance Act, 2019. The re-insertion of this omitted sub-clause (k) as sub-clause (l) is conflicting with existing legal framework. Similarly, vide Finance Act, 2019. The Abandoned Properties (Management) Act, 1975 was amended to ensure that the amounts received through the sale proceeds of abandoned property including the amounts already received shall be deposited in the Federal Consolidated Fund. The clause has now been omitted thereby allowing the Administrator to reinvest such amounts which is against the spirit and scheme of existing legal framework. Hence, the proposed amendment is reverting to the amendments made vide Finance Act, 2019 to ensure that all the amounts received shall be deposited in Federal Consolidated Fund and not retained or invested at the discretion of Administrator.

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

SENATOR ANUSHA RAHMAN AHMAD KHAN
MEMBER IN CHARGE