

[TO BE INTRODUCED IN THE SENATE]

A

BILL

further to amend the Legal Practitioners and Bar Councils Act, 1973

WHEREAS it is expedient to amend the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973) for the purposes hereinafter appearing;

It is hereby enacted as follows: —

1. **Short title and commencement.** — (1) This Act shall be called the Legal Practitioners and Bar Councils (Second Amendment) Act, 2025.

(2) It shall come into force at once.
2. **Amendment of Section 13, Act XXXV of 1973.**— In the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973), hereinafter referred to as the said Act, in section 13,—
 - (i) in sub-section (1),—
 - (a) in paragraph (b), after the words “practice before”, the words **“the Federal Constitutional Court and”** shall be inserted;
 - (b) in paragraph (c), after the words “against advocates of”, the words **“the Federal Constitutional Court and”** shall be inserted; and
 - (c) in paragraph (lc), after the words and comma “derecognise,”, the words and comma **“the Federal Constitutional Court Bar Association,”** shall be inserted; and
 - (ii) in sub-section (2), after the words and comma “Islamabad Bar Council,”, the words and comma **“the Federal Constitutional Court bar association,”** shall be inserted.

3. **Amendment of Section 15, Act XXXV of 1973.**-In the said Act, for section 15,-

(i) in Sub-section (1),-

(a) for paragraph (a), the following shall be substituted, namely:-

“(a) a disciplinary Committee consisting of a Judge of the Federal Constitutional Court or a Judge of the Supreme Court, as nominated by the Chief Justice of Pakistan, who shall be its Chairman, and four other members elected by the Council from amongst its members:”; and

(b) for paragraph (c), the following shall be substituted, namely:-

“(c) an enrolment Committee consisting of a Judge of the Federal Constitutional Court or a judge of the Supreme Court, as nominated by the Chief Justice of Pakistan, who shall be its Chairman, and two other members elected by the Council from amongst it members.

4. **Amendment of Section 21, Act XXXV of 1973.**- In the said Act, in section 21, in the rider clause , -

(i) in paragraph (a), for the words and semi colon “the Supreme Court;”, the words and semi colon “ **the Federal Constitutional Court and the Supreme Court;**” shall be substituted; and

(ii) in paragraph (b), for the words and semi colon “the Supreme Court;”, the words and semi colon “ **the Federal Constitutional Court and the Supreme Court;**” shall be inserted.

5. **Amendment of Section 22, Act XXXV of 1973.**- In the said Act, in section 22, in sub-section (2), in paragraphs (a) & (b), for the words “the Supreme Court”, wherever occurring, the words “ **the Federal Constitutional Court and the Supreme Court**” shall be substituted.

6. **Substitution of Section 23, Act XXXV of 1973.**- In the said Act, for section 23, the following shall be substituted, namely: -

“23. Roll of advocates of the Federal Constitutional Court and the Supreme Court.- The Pakistan Bar Council shall prepare and maintain a roll of advocates of the Federal Constitutional Court and the Supreme Court in which shall be entered the names of all persons who are senior advocates or advocates including advocates-on-record, entitled to practice in the Federal Constitutional Court and the Supreme Court.”

7. Amendment of Section 28, Act XXXV of 1973.- In the said Act, in section 28,-

- (i) in the marginal-note , after the words “advocates of”, the words **“the Federal Constitutional Court and”**, shall be inserted; and
- (ii) in the rider clause, after the words “advocate of” the words **“the Federal Constitutional Court or ”**, shall be inserted.

8. Amendment of Section 30, Act XXXV of 1973.- In the said Act, in section 30, for the words and comma “an advocate of the Supreme Court,”, occurring twice, the words and comma **“an advocate of the Federal Constitutional Court or the Supreme Court,”** shall be inserted.

9. Amendment of Section 34, Act XXXV of 1973.- In the said Act, in section 34, in sub-section (1).-

- (i) for paragraph (b), the following shall be substituted, namely: -

“(b) fee for enrolment as an advocate of the Federal Constitutional Court or the Supreme Court which shall be fixed after consultation with the Federal Constitutional Court or the Supreme Court, as the case may be, to be paid to the Pakistan Bar Council; and”

- (ii) in paragraph (c), in the proviso, after the words “the High Court or an advocate of”, the words **“the Federal Constitutional Court or”**, shall be inserted.

10. Amendment of Section 35, Act XXXV of 1973.- In the said Act, in section 35, in subsection (1).-

- (i) in paragraph (b), after the words “the High Court or an advocate of”, the words **“the Federal Constitutional Court or”**, shall be inserted; and
- (ii) in the proviso, occurring after paragraph (b), for the full stop, at the end, a colon shall be substituted and thereafter the following proviso shall be inserted, namely:-

“Provided further that the seniority of an advocate of the Federal Constitutional Court enrolled before the commencement of the Legal Practitioners and Bar Councils (Second Amendment) Act, 2025 , shall be determined from the date of his enrolment as an advocate of Supreme Court.”

11. Amendment of Section 37, Act XXXV of 1973.- In the said Act, in section 37,-

- (i) in the marginal note, for the words “the Supreme Court” the words comma **“the Federal Constitutional Court, the Supreme Court”** shall be substituted ; and
- (ii) in sub-section (1), for the words “the Supreme Court” occurring twice, the words and comma **“the Federal Constitutional Court or the Supreme Court, as the case may be,”** shall be substituted.

12. Amendment of Section 39B, Act XXXV of 1973.- In the said Act, in section 39B, in the rider clause, in paragraph (a) , for the words “a senior advocate of the Supreme Court or advocate of the Supreme Court”, the words and comma **“a senior advocate or an advocate of the Federal Constitutional Court or the Supreme Court, as the case may be, ”**, shall be substituted.

13. Amendment of Section 41, Act XXXV of 1973.- In the said Act, in section 41,-

- (i) in sub-section (2), in paragraph (a), for the words “the Supreme Court” the words **“the Federal Constitutional Court or the Supreme Court”** shall be substituted; and

(ii) in sub-section (4), in the first proviso, for the words "the Supreme Court" the words comma **"the Federal Constitutional Court, the Supreme Court"** shall be substituted .

14. **Amendment of Section 42, Act XXXV of 1973.**- In the said Act, in section 42, in sub-section (1), for the words and comma "a Judge of the Supreme Court nominated by the Chief Justice of Pakistan," the words and comma **"the Federal Constitutional Court or a Judge of the Supreme Court, as nominated by the Chief Justice of Pakistan,"** shall be substituted.

15. **Amendment of Section 43, Act XXXV of 1973.**- In the said Act, in section 43, in sub-section (8), for the words "the Supreme Court" the words **"the Federal Constitutional Court or the Supreme Court"** shall be substituted.

16. **Amendment of Section 44, Act XXV of 1973.**- In the said Act, in section 44, in sub-section (3), in paragraph (a), for the words and semi colon "the Supreme Court;", the words and semi colon **"the Federal Constitutional Court or the Supreme Court, as the case may be;"** shall be substituted.

17. **Amendment of Section 48, Act XXXV of 1973.**- In the said Act, in section 48, for the words "the Supreme Court" occurring twice, both in the marginal note and the rider clause, the words **"the Federal Constitutional Court or the Supreme Court"** shall be substituted.

18. **Amendment of Section 50, Act XXXV of 1973.**- In the said Act, in section 50, in the rider clause, for the words "the Supreme Court" the words **"the Federal Constitutional Court or the Supreme Court"** shall be substituted.

19. **Amendment of Section 52, Act XXXV of 1973.**- In the said Act, in section 52, in the rider clause, in paragraph (a), for the words and semi colon "the Supreme Court;", the words and semi colon **"the Federal Constitutional Court or the Supreme Court, as the case may be;"** shall be substituted.

20. **Amendment of Section 54, Act XXXV of 1973.**- In the said Act, in section 54, the word "Supreme Court" occurring twice, both in the marginal note and sub-section (1), the words **" Federal Constitutional Court or the Supreme Court"** shall be substituted.

21. Amendment of Section 55, Act XXXV of 1973.- In the said Act, in section 55, in the rider clause,-

(i) in paragraph (m), for the words "the Supreme Court" the words and comma **"the Federal Constitutional Court or the Supreme Court, as the case may be,"** shall be substituted;

(ii) in paragraph (n), for the words and commas "advocate of Supreme Court, senior advocate of Supreme Court," the words and commas **"advocate of the Federal Constitutional Court or the Supreme Court, senior advocate of Federal Constitutional Court or the Supreme Court,"** shall be substituted;

(iii) in paragraph (o), for the words and semi colon "the Supreme Court;" the words and semi colon **"the Federal Constitutional Court or the Supreme Court, as the case may be;"** shall be substituted; and

(iv) in paragraph (u), for the words "Supreme Court Bar Association", the words and comma **"Federal Constitutional Bar Association, Supreme Court Bar Association "** shall be substituted.

22. Amendment of Section 58, Act XXXV of 1973.- In the said Act, in section 58, in sub-section (1), for the words and comma "the Supreme Court," the words and comma **"the Federal Constitutional Court or the Supreme Court, "** shall be substituted.

23. Amendment of Section 61, Act XXXV of 1973.- In the said Act, in section 61, in sub-section (1), for the words "the Supreme Court", the words and comma **"the Federal Constitutional Court or the Supreme Court, as the case may be,"** shall be substituted.

24. Amendment of Section 62, Act XXXV of 1973.- In the said Act, in section 62,-

(i) in sub-section (2), in paragraph (a), for the words "the Supreme Court", the words and comma **"the Federal Constitutional Court or the Supreme Court, as the case may be,"** shall be substituted; and

(ii) in sub-section (5), for the words and full-stop "the Supreme Court of Pakistan.", the words and full-stop "**the Federal Constitutional Court or the Supreme Court, as the case may be.**" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The 27th Amendment to the Constitution of Islamic Republic of Pakistan, restructures judicial appointments and establishes a Federal Constitutional Court replacing the Supreme Court in constitutional matters. Therefore, this consequential amendment to the Legal Practitioners and Bar Councils Act, 1973, aims at ensuring the compatibility of the Legal Practitioners and Bar Councils Act with the new constitutional framework.

SENATOR SHAHADAT AWAN

Member-In- Charge