

# SENATE OF PAKISTAN



## TENTH QUARTERLY REPORT OF THE COMMITTEE

### ON DELEGATED LEGISLATION

PRESENTED BY

**SENATOR AYESHA RAZA FAROOQ**  
CHAIRPERSON COMMITTEE

**QUARTERLY REPORT OF THE**  
**COMMITTEE ON DELEGATED**  
**LEGISLATION**  
**(AUGUST – OCTOBER 2018)**

I, Chairperson of the Senate Committee on Delegated Legislation, have the honor to present the tenth quarterly report of the Committee on Delegated Legislation under Rule 172E (3) of the Rules of Procedure and Conduct of Business in the Senate, 2012, for the period of August to October 2018.

2. The composition of the Committee is as follows: -

1.	Senator Ayesha Raza Farooq	Chairperson
2.	Senator Hasil Khan Bizenjo	Member
3.	Senator Kalsoom Perveen	Member
4.	Senator Mian Raza Rabbani	Member
5.	Senator Dr. Asad Ashraf	Member
6.	Senator Robina Khalid	Member
7.	Senator Rukhsana Zuberi	Member
8.	Senator Dr. Muhammad Farogh Naseem	Member
9.	Senator Raja Muhammad Zafar-ul-Haq	Member
10.	Senator Muhammad Azam Khan Swati	Member
11.	Senator Saleem Zia	Member

3. Meeting of the Committee on Delegated Legislation was held on 10<sup>th</sup> August 2018. The following members of the Committee attended the aforementioned meeting:

i.	Senator Ayesha Raza Farooq	Chairman
ii.	Senator Mian Raza Rabbani	Member
iii.	Senator Kalsoom Perveen	Member
iv.	Senator Hasil Khan Bizenjo	Member
v.	Senator Dr. Asad Ashraf	Member
vi.	Senator Rukhsana Zuberi	Member
vii.	Senator Robina Khalid	Member
viii.	Senator Saleem Zia	Member
ix.	Justice (R) Muhammad Raza Khan	Advisor (LDU)

4. The Committee at the very outset deliberated upon the way forward and decided that the Committee would review the delegated legislation by dividing it into three periods, (i) the pre-partition period (ii) the period from Independence to the 18<sup>th</sup> Amendment and (iii) the post 18<sup>th</sup> Amendment period. Two sub-committees were constituted for the first two periods, with the mandate to point out the parent legislation for which rules / regulations were not framed by the concerned Ministry / Division / Department or if framed, whether such rules were ultra vires of the Constitution or the parent Act. Sub-committees will also consult the alphabetical catalogue of Federal Laws of Pakistan (1836-2014) compiled by former Senator Chaudhary Mohammad Anwar Bhinder. It was decided that the third period will be analyzed by the main Committee.



5. The Committee also discussed the Report of the Legislative Drafting Unit (LDU), which was a comprehensive review of Delegated Legislation for the period from 2015-2018. Out of eighteen rules reviewed by the LDU, the committee discussed the following rules, deliberated upon amendments concerned, and decided to take input from the concerned quarters on these rules in the next meetings.

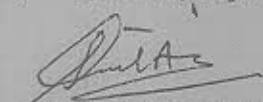
- i. *Underwriter Rules, 2015*
- ii. *Insurance Rules, 2017*
- iii. *NEPRA (Market Operator Registration, Standards and Procedure) Rules, 2015*
- iv. *Pakistan Oil (Refining, Blending, Transportation, Storage and Marketing) Rules, 2016*
- v. *Premium Prize Bond (Registered) Rules, 2017*

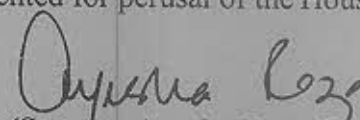
6. The Committee also discussed the "Report on Academic Seminar Co-organized by the Institute for Advanced Legal Studies, University of London and Westminster Foundation for Democracy" furnished by Senator Mian Raza Rabbani. The Committee lauded Senator Mian Raza Rabbani for his participation in the seminar and presentation of a paper on behalf of Pakistan at the seminar. The Committee endorsed the London Declaration unanimously, which stresses upon empowering Parliament for post-legislative scrutiny of laws.

7. In this period, a meeting of the Sub-Committee of the Committee on Delegated Legislation on Pre-Legislative era was held on 5<sup>th</sup> October 2018 under the convenorship of Senator Saleem Zia with Senator Rukhsana Zuberi present. The sub-committee discussed the way forward and decided to review the subordinate legislation of pre-partition period in reverse order and in first phase, from the years 1935 to 1947, the subcommittee decided to call a list of the statutes and delegated legislation framed during pre-partition period from the concerned quarters.

8. Apart from the above, two meetings of sub-committee on Delegated Legislation on Post-Partition period held on 8<sup>th</sup> October 2018 & 25<sup>th</sup> October 2018 under the convenorship of Senator Robina Khalid with Senator Kulsoom Parveen present. The sub-committee was briefed by officials of the M/o Information Technology and Telecommunication, and M/o National Health Services, Regulations and Coordination. The sub-committee recommended that a summary should be moved to the Cabinet for making NITB as an autonomous body. The sub-committee decided to call the Establishment Division in the next meeting to discuss the issue of Service Rules of NITB. The sub-committee suggested the DRAP to review the medication rules to curtail all substandard medicines, to improve the medicine storage system and to provide mechanism for monitoring facilities in the stores regularly. The Sub-Committee recommended that DRAP should comprise of qualified experts having no concern with the business of pharmaceutical manufacturing, distribution, etc. The Sub-Committee directed that copies of all the relevant rules should be provided to the Committee at the earliest, while rules under process should be expedited and a time limit be given to frame and complete such rules. The sub-committee decided to take further input from the concerned ministries in the next meeting and decided to hold its meetings on weekly basis.

9. In terms of Rule 172E (3) of the Rules of Procedure and Conduct of Business in the Senate, 2012, the quarterly report of the Committee is presented for perusal of the House.

  
(Chaudhary Salamat Ali)  
Secretary Committee

  
(Senator Ayesha Raza Parooq)  
Chairperson