

SENATE OF PAKISTAN



SEVENTETH PARLIAMENTARY YEAR 2019-2020

REPORT NO. 01 OF 2019

REPORT OF THE SENATE STANDING COMMITTEE ON
POSTAL SERVICES

ON

"THE PAKISTAN COURIER AND LOGISTICS REGULATORY AUTHORITY
BILL, 2018", INTRODUCED BY SENATOR KHUSHBAKHT SHUJAT, IN THE
SENATE, IN IS SITTING HELD ON 4TH MARCH, 2019.

PRESENTED BY:

SENATOR BAHRAMAND KHAN TANGI

SENATE SECRETARIAT

REPORT OF THE SENATE STANDING COMMITTEE ON POSTAL SERVICES REGARDING CONSIDERATION OF THE PAKISTAN COURIER AND LOGISTICS REGULATORY AUTHORITY BILL, 2018 INTRODUCED BY SENATOR KHUSHBAKHT SHUJAT IN THE SENATE, IN ITS SITTING HELD ON 4TH MARCH, 2019.

I, Senator Bahramand Khan Tangi, Acting Chairman, Senate Standing Committee on Postal Services, have the honour to submit, on behalf of the Committee, this report on the matter regarding Pakistan Courier and Logistics Regulatory Authority Bill, 2018 introduced by Senator Khushbakht Shujat in the Senate, in its sitting held on 4th March, 2019 which was subsequently referred to the Committee.


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

1. Senator Khushbakht Shujat	Chairperson
2. Senator Mirza Muhammad Afridi	Member
3. Senator Rana Mahmood ul Hassan	Member
4. Senator Rana Maqbool Ahmad	Member
5. Senator Mushtaq Ahmed	Member
6. Senator Naseebullah Bazai	Member
7. Senator Mir Kabeer Ahmed Muhammad Shahi	Member
8. Senator Anwar Lal Dean	Member
9. Senator Bahramand Khan Tangi	Member
10. Senator Islamuddin shaikh	Member
11. Senator Mohsin Aziz	Member
12. Murad Saeed, Minister for Postal Services	Ex-Officio Member

3. For the purpose of consideration and deliberation upon the Bill, the Committee met twice, i.e., 27-03-2019 and 22-04-2019.

4. Following Members of the Committee attended the meeting held on 27-03-2019:-

1. Senator Mushtaq Ahmed	Acting Chairman/Member
2. Senator Mirza Muhammad Afridi	Member
3. Senator Naseebullah Bazai	Member
4. Senator Anwar Lal Dean	Member
5. Senator Behramand Khan Tangi	Member
6. Senator Mir Kabeer Ahmed Muhammad Shahi	Member
7. Senator Khushbakht Shujat	Mover/Attended the meeting as Member



Handwritten signatures and initials, including a large signature and the name 'Anwar' with a small '1' next to it.

5. Following Members of the Committee attended the meeting held on 22-04-2019:
- | | |
|----------------------------------|--------------------------------------|
| 1. Senator Behramand Khan Tangi | Acting Chairman/Member |
| 2. Senator Mirza Muhammad Afridi | Member |
| 3. Senator Naseebullah Bazai | Member |
| 4. Senator Anwar Lal Dean | Member |
| 5. Senator Khushbakht Shujat | Mover/Attended the meeting as Member |

6. Since Senator Khushbakht Shujat is a mover of this Bill, she disassociated herself from the Chair and the Committee unanimously agreed to allow Senators Mushtaq Ahmed and Behramand Khan Tangi to preside over the above said meetings.

7. After having threadbare discussion in the above meetings, the Committee made some changes in the introduced Bill and unanimously approved it. Then the Committee came to the conclusion and recommended that this Bill may be referred to the Senate for its passage. The reported Bill is also attached herewith at Annexure 'B'.

8. The Bill, as introduced in the Senate on 4th March, 2019 is annexed. The Committee gave approval for presentation of the report of this Bill to the House.



(Faheem Ahmed)
D.G./Secretary Committee
25-09-2018



(Senator Bahramand Khan Tangi)
Acting Chairman Committee on Postal Services

SENATE SECRETARIAT

MINUTES OF THE MEETING OF THE SENATE STANDING COMMITTEE ON
POSTAL SERVICES HELD ON 22-4-2019.

A meeting of the Senate Standing Committee on Postal Services was held on 27th March, 2019 at 02:00 A.M. in Committee Room No.4, Parliament House, Islamabad under the Chairpersonship of Senator Bahramand Khan Tangi. This meeting was in continuation of the previous meeting held on 27-03-2019. In both the meetings, due to the reason of time constraint, the Committee restrain only to agenda item No.ii, that is, Consideration of "The Pakistan Courier and Logistics Regulatory Authority Bill, 2018", introduced by Senator Khushbakht Shujat in the Senate, in its sitting held on 4th March, 2019.

2. The following Members of the Committee attended the meeting:-

1. Senator Khushbakht Shujat	Chairperson / Mover
2. Senator Anwar Lal Dean	Member
3. Senator Bahramand Khan Tangi	Member
4. Senator Naseebullah Bazai	Member
5. Senator Mirza Muhammad Afridi	Member

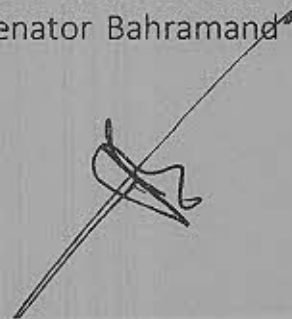

List of the participants/representatives from Ministry of Postal Services and Pakistan Post Office Department is enclosed.

3. The agenda before the Committee was as under:-

- (i) Consideration of " The Post Office Bill, 2019", introduced by Senator Khushbakht Shujat, in the Senate, in its sitting held on 4th March, 2019. and referred to the Committee for consideration and report.
- (ii) Consideration of "The Pakistan Courier and Logistics Regulatory Authority Bill, 2018", introduced by Senator Khushbakht Shujat, in the Senate, in its sitting held on 4th March, 2019.
- (iii) Any other item with permission of the Chair.

4. Meeting started with the recitation from the Holy Quran. At the outset of the meeting, the Chairperson of the Committee welcomed all the Committee members and participants from the Ministry of Postal Services and Pakistan Post Office Department.

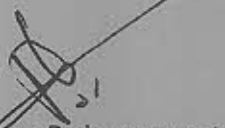
5. Then the Chairperson of the Committee disassociated herself from the Chair which was consequently occupied by Senator Bahramand Khan Tangi with the consensus of the Committee.



6. At this stage the Acting Chairman of the Committee offered the representatives of the Private Courier Services to share their views on the agenda.
7. After giving patient hearing of the representatives Senator Mirza Muhammad Afridi assured them on behalf of the Committee to safeguard the interest of private companies.
8. At this stage the Acting Chairman of the Committee allowed the representatives of the Private Courier Services to leave the Committee.
9. After discussion on the agenda item No.i, Secretary Postal Services proposed the amendment in the Bill that the words "Ministry of Communications" may be replaced with the words "*Ministry of Postal Services*" in the entire Bill. On the advice of the Advisor from the Law Ministry the Committee unanimously deleted the sub Clause (s) of Clause 8.
10. Secretary Postal Services further proposed that the words "or the person authorized by at and" falling after the words "with the approval of the Government" may be deleted and the Committee consequently acceded to.
11. After having thorough discussion and deliberations the Committee unanimously approved the reported Bill of Pakistan Courier and Logistic Authority with the amendments mentioned above and allowed in the previous meeting held on 27-3-2019 and referred it back to the Senate for its passage.
12. The Committee ended with the vote of thanks to Chair.



(Faheem Ahmed)
D.G./Secretary Committee



(Senator Bahramand Khan Tangi)
Acting Chairman Standing
Committee on Postal Services

[AS INTRODUCED IN THE SENATE]

A

BILL

to provide for establishment of Pakistan Courier and Logistic Authority

WHEREAS it is expedient to establish the Pakistan Courier and Logistics Regulatory Authority and to regulate by law the operations of Pakistan courier and logistics service providers and to provide for the matters connected therewith or incidental thereto.

It is enacted as follows:—

1. Short title, extent and commencement.— (1) This Act may be called the Pakistan Courier and Logistics Regulatory Authority Act, 2018.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions.— In this Act, unless there is anything repugnant in the subject or context. —

- (a) "Act" means the Pakistan Courier and Logistics Regulatory Authority Act, 2018;
- (b) "code of conduct" means the code of conduct to be prescribed by the Authority under its rules for courier and logistics service providers;
- (c) "cargo" means any shipment, consignment or goods intended for transmission by rail, road, ship, boat, aircraft or any other mode including operating as a cargo agent, as a freight forwarder, cargo consolidating, terminal operation and any other transport intermediary or incendiary services thereto for cargo;
- (d) "Chairperson" means the Chairperson of the Pakistan Courier and Logistics Regulatory Authority;

- (e) "civil servant" means civil servant as defined in the Civil Servants Act, 1973(LXXI of 1973);
- (f) "common carrier" means any person or entity who makes directly or indirectly on commercial basis arrangements for the purpose of receiving, collecting, carrying, conveying and tendering cargo and logistics service which also includes packets, parcels, shipments, consignments and goods, operating as a cargo agent, as a freight forwarder, cargo consolidation, terminal operation in Pakistan or abroad and any person who acts in Pakistan as an agent or subsidiary of a foreign courier and logistics service providing company;
- (g) "company" means a company as defined in the Companies Act, 2017 (XIX of 2017);
- (h) "courier and logistics service provider" means any person or entity by whatever name called, who makes directly or indirectly on commercial basis, arrangements for the purpose of receiving, collecting, carrying, conveying, tendering or delivering packets, parcels, shipments, consignments and goods in Pakistan or abroad including cargo and logistics service through any mode, operating as a cargo agent, as a freight forwarder, cargo consolidation, terminal operation and any person who acts in Pakistan as an agent or subsidiary of a foreign courier and logistics service providing company;
- (i) "Director General" means the Director General appointed under section 7;
- (j) "Fund" means Pakistan Courier and Logistics service Regulatory Authority Fund;
- (k) "Government" means the Federal Government;
- (l) "inland mail" means letters, parcels, packets or any other kind of communication sent by one post office to another in Pakistan;

- (m) "letter" means a communication by one person to another including opened or closed envelopes, postcards and documents sent in writing, printed or typed;
- (n) "licence" means licence granted under this Act;
- (o) "licensee" means a holder of a licence under this Act;
- (p) "logistics service" means service provided by any person or entity by whatever name called, who makes directly or indirectly on commercial basis, arrangements for the purpose of receiving, collecting, carrying, conveying, tendering logistics service which also includes packets, parcels, shipments, consignments and goods, operating as a cargo agent, as a freight forwarder, cargo consolidation, terminal operation in Pakistan or abroad and any person who acts in Pakistan as an agent or subsidiary of a foreign courier and logistics service providing company;
- (q) "mail" includes inland, foreign and transit letters, parcels, packets or any other kind of communication sent by one post office to another in Pakistan or abroad;
- (r) "member" means the member of the Pakistan Courier and Logistics Regulatory Authority including the Chairperson;
- (s) "Ministry of Communications" means Ministry of Communications of the Government;
- (t) "post office" shall have the same meaning as assigned to it in the Post Office Act, 1898 (VI of 1898);
- (u) "regulations" means the regulations made under this Act; and
- (v) "rules" means rules made under this Act.

3. Establishment of Authority.— (1) As soon as may be, but not later than sixty days of the commencement of this Act, the Ministry of Communications shall, by notification in the official Gazette, establish an Authority to be known as Pakistan Courier and Logistics Regulatory Authority for accomplishment of the purposes of this Act.

(2) The Authority shall be a body corporate having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property both moveable and immoveable and shall by its name specified in sub-section (1) sue and be sued.

(3) The Authority shall exercise powers subject to the provisions of this Act.

(4) The principal office of the Authority shall be at Islamabad and it may set up as many offices in other parts of the country as it deems necessary.

4. Composition of Authority.— (1) The Authority shall consist of the following members, namely to be appointed by the Government or a person authorised by it in this behalf:-

(a)	a suitable and an eminent professional having rich experience in business, management, finance or economics;	<i>Chairperson</i>
(b)	two persons from Pakistan courier and logistics service providers;	<i>Members</i>
(c)	one person who shall be member Legal having excellent legal expertise in the relevant field to assist the Authority in legal matters;	<i>Member</i>
(d)	A nominee not below the rank of Joint Secretary of the Division to which subject of communications stands allocated;	<i>Member</i>
(e)	A nominee not below the rank of Joint Secretary of the Division to which subject of commerce stands allocated;	<i>Member</i>
(f)	A nominee not below the rank of Joint Secretary of the Division to which subject of ports and shipping stands allocated;	<i>Member</i>
(g)	A nominee not below the rank of Joint Secretary of the Division to which subject of railways stands allocated;	<i>Member</i>
(h)	A nominee not below the rank of Joint Secretary of the Division to which subject of finance stands allocated;	<i>Member</i>

