

**REPORT OF THE STANDING COMMITTEE ON
INTERIOR & NARCOTICS CONTROL**

**"The National Counter Terrorism Authority (Amendment)
Bill, 2016 referred by the House on 7th March, 2016 to the
Standing Committee"**

Report No.6

PRESENTED BY

**SENATOR A. REHMAN MALIK
CHAIRMAN**

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EXECUTIVE SUMMARY

The Committee while discussing the amendment in the Bill "The National Counter Terrorism Authority (Amendment) Bill, 2016" observed that the Bill provides rationale for amendment. The Board of Governor (BOG) headed by the Prime Minister is primarily responsible for policy making. It is a body that reviews the policy intermittently to make it more comprehensive and pragmatic. The existing provision that Board of Governor must meet every quarter is deemed un-realistic in the eyes of the Mover of the Bill. The Committee agreed with the contention of the Mover that to hold the meeting of Board of Governors every quarter is un-realistic and this is the cogent reason that the Board could not meet during past one year. The proposed amendment is drafted as, "The Board may meet as and when required but it shall meet at least once a year."

The Committee also agreed to the reason given by the Member-In-Charge that the Executive Committee being an implementing body should be bound to meet at regular intervals. The existing law reflects lacunae in the sense that it does not bind the Executive Committee to meet frequently. So the proposed amendment makes it imperative for the Executive Committee to meet at least once in each quarter of a year and also at any time as and when required. In this way frequent meetings of the Executive Committee will enable the Committee to implement the policy and also monitor the performance in a progressive way. Such interventions on part of the Executive Committee will help in removing the weaknesses and achieving the targets.

SENATE SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON INTERIOR AND NARCOTICS CONTROL ON "THE NATIONAL COUNTER TERRORISM AUTHORITY (AMENDMENT) BILL, 2016"

I, Senator A. Rehman Malik, Chairman of the Standing Committee on Interior and Narcotics Control have the honour to present, on behalf of the Committee, the report on "The National Counter Terrorism Authority (Amendment) Bill, 2016" introduced in the Senate on 7th March, 2016 and referred to the Standing Committee for consideration and report.

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

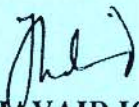
1. Senator A. Rehman Malik	Chairman
2. Senator Shahi Syed	Member
3. Senator Mir Israrullah Khan Zehri	Member
4. Senator Muhammad Saleh Shah	Member
5. Senator Muhammad Talha Mehmood	Member
6. Senator Col. (R) Syed Tahir Hussain Mashhadi	Member
7. Senator Dr. Jehanzeb Jamaldini	Member
8. Senator Chaudhary Tanvir Khan	Member
9. Senator Muhammad Javed Abbasi	Member
10. Senator Muhammad Ali Khan Saif	Member
11. Senator Mukhtiar Ahmed Dhamrah @ Aajiz	Member
12. Senator Syed Shibli Faraz	Member
13. Minister for Interior	Ex-officio Member

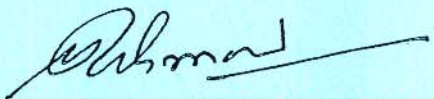
3. The Committee considered the Bill in its meeting held on 9th May, 2016, at Parliament House, Islamabad. The following members attended the meeting: -

1. Senator Shahi Syed	Member
2. Senator Muhammad Javed Abbasi	Member
3. Senator Muhammad Ali Khan Saif	Member
4. Senator Syed Shibli Faraz	Member
5. Senator Dr. Jehanzeb Jamaldini	Member

Recommendation

4. No objection was raised in the Committee so the Bill was passed unanimously by the Committee and the Report is submitted to the House for further deliberation and process. The Bill is annexed.


(JAVAID IQBAL)
Secretary Committee


(SENATOR A. REHMAN MALIK)
Chairman

Islamabad, the 14th May, 2016

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[TO BE INTRODUCED IN THE SENATE]

**A
BILL**

to amend the National Counter Terrorism Authority Act, 2013

WHEREAS it is expedient to amend the National Counter Terrorism Authority Act, 2013 (XIX of 2013) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the National Counter Terrorism Authority (Amendment) Act, 2016.

(2) It shall come into force at once.

2. Amendment of section 6, Act XIX of 2013.- In the National Counter Terrorism Authority Act, 2013 (XIX of 2013), hereinafter referred to as the said Act, in section 6, in sub-section (4), the words "each quarter of" shall be omitted.

3. Amendment of section 8, Act XIX of 2013.- In the said Act, in section 8, after sub-section (6), the following new sub-section (7) shall be added, namely:-

“(7) The Executive Committee may meet as and when required but it shall meet at least once in each quarter of a year.”.

STATEMENT OF OBJECTS AND REASONS

Ever since the National Counter Terrorism Authority (NACTA) Act was passed the Board of Governors has not met even once the Board of Governors headed by the Prime Minister and including about twenty-five members rarely has time to meet. The Board of Governors is a policy making and review body. It should meet whenever it is necessary for it and at least once a year. The existing provision that Board of Governors must meet every quarter is unrealistic and this is one reason that it has not met even once during the past over one year. The Executive Committee which is the implementing body should be required to meet at regular intervals. In the existing law there is no mention of how often the Executive Committee should meet. This has left a lacunae in the law.

The existing amendment seeks to remove the lacunae, binds the Executive Committee to meet at any time as and when necessary and at least once in each quarter of a year. Also the Board of Governors has been mandated to meet as and when required and at least once in a year.

SENATOR FARHATULLAH BABAR

Member-in-charge

**ORIGINAL SECTIONS OF THE NATIONAL COUNTER TERRORISM
AUTHORITY ACT, 2013 (XIX OF 2013), WHICH THE NATIONAL
COUNTER TERRORISM AUTHORITY (AMENDMENT) BILL, 2016,
SEEKS TO AMEND [MOVED BY SENATOR FARHATULLAH BABAR]**

6. Procedure of the meeting of the Board.- (1) The Prime Minister Azad Jammu and Kashmir or the Chief Ministers shall attend the meeting themselves, however, in case of un-avoidable circumstances, may nominate a member of their cabinet to attend the meeting of the Board to represent them.

(2) The Federal Ministers shall attend the meeting themselves, however, in case of un-avoidable circumstances, the Secretary of their Ministry shall attend the meeting.

(3) The quorum to hold a meeting shall be fifty per cent of the total membership:

Provided that notwithstanding anything contained in sub-clause (6), the presence of heads of various intelligence agencies who are members of the Board shall be mandatory in every meeting of the Board while taking decision on any policy matter.

(4) The Board may meet as and when required but it shall meet at least once in each quarter of a year.

(5) No act or proceedings of the Board shall be invalid by reasons only of the existence of a vacancy in, or defect in the constitution of the Board.

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8. Executive Committee.- (1) The Board shall be assisted by an Executive Committee comprising of the following, namely:-

(a) Minister for Interior	-	Chairman
(b) Secretary, Ministry of Interior	-	Member
(c) Secretary, Ministry of Finance	-	Member
(d) Secretary, Ministry of Law and Justice	-	Member
(e) Secretary, Ministry of Foreign Affairs	-	Member
(f) Secretary, Ministry of Defence	-	Member
(g) National Coordinator	-	Member
(h) Additional Chief Secretary (FATA)	-	Member

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| (i) | Chief Secretaries of Provinces, Gilgit Baltistan and Azad Jammu and Kashmir | - | Members |
| (j) | Secretaries Home Department of the Provinces, Gilgit Baltistan and Azad Jammu and Kashmir | - | Members |
| (k) | Additional Inspector General Incharge of Counter-Terrorism Departments of the Provinces, Gilgit Baltistan and Azad Jammu and Kashmir | - | Members |

(2) The National Coordinator shall also act as Secretary of the Executive Committee.

(3) The quorum to hold meeting of the Executive Committee shall be fifty per cent of the total membership.

(4) The Executive Committee may co-opt any other relevant person to the Executive Committee.

(5) The Executive Committee shall ensure effective implementation of the decisions of the Board.

(6) The Executive Committee shall perform such other functions as are assigned to it by the Board.

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