



SENATE SECRETARIAT

Report No. 05

REPORT OF THE SENATE STANDING COMMITTEE ON LAW AND JUSTICE



“THE FEDERAL OMBUDSMAN INSTITUTIONAL REFORMS (AMENDMENT) BILL, 2018”

PRESENTED BY

**Senator Muhammad Javed Abbasi
Chairman
Standing Committee on Law and Justice**

SENATE SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON “THE FEDERAL OMBUDSMAN INSTITUTIONAL REFORMS (AMENDMENT) BILL, 2018”

I, Chairman of the Standing Committee on Law and Justice, have the honour to present report on “The Federal Ombudsman Institutional Reforms (Amendment) Bill, 2018” introduced by Minister for Law and Justice in the Senate sitting held on 12th April, 2018. The Bill, upon introduction, was referred to the Standing Committee for consideration and report.

2. The composition of the Standing Committee on Law and Justice is as under:-

1.	Senator Muhammad Javed Abbasi	Chairman
2.	Senator Mian Raza Rabbani	Member
3.	Senator Farooq Hamid Naek	Member
4.	Senator Mir Hasil Khan Bizenjo	Member
5.	Senator Siraj ul Haq	Member
6.	Senator Syed Muzafar Hussain Shah	Member
7.	Senator Ayesha Raza Farooq	Member
8.	Senator Dr. Muhammad Farogh Naseem	Member
9.	Senator Musadik Masood Malik	Member
10.	Senator Dr. Ghous Muhammad Khan Niazi	Member
11.	Senator Mustafa Nawaz Khokar	Member
12.	Senator Sana Jamali	Member
13.	Senator Walid Iqbal	Member
14.	Minister for Law and Justice	Ex-Officio Member

3. The Committee considered the Bill in its meeting held on 5th September, 2018 and 14th January, 2019, under the Chairmanship of Senator Muhammad Javed Abbasi. Final consideration of the Bill was held in the meeting dated 14th January, 2019, which was attended by the following members:-

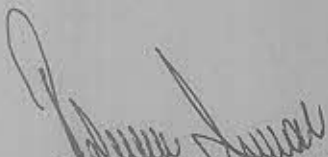
- i. Senator Muhammad Javed Abbasi
- ii. Senator Mian Raza Rabbani

- iii. Senator Mir Hasil Khan Bizenjo
- iv. Senator Siraj ul Haq
- v. Senator Ayesha Raza Farooq
- vi. Senator Dr. Muhammad Farogh Naseem
- vii. Senator Musadik Masood Malik
- viii. Senator Dr. Ghous Muhammad Khan Niazi
- ix. Senator Mustafa Nawaz Khokar
- x. Senator Sana Jamali

4. The Bill seeks to amend Sections 3 and 8 of the Federal Ombudsman Institutional Reforms Act, 2013, so that in case of vacancy, the incumbent Ombudsman may not continue for an indefinite period. Similarly, President may have the option to assign the function of oath taking to another person under section 8 of Act.

5. Minister for Law and Justice briefed the Committee that the instant Bill was introduced by the previous Government, however, after detailed review and examination the Government does not want to pursue the Bill further and the Bill will be withdrawn as per rule 115 of the Rules of Procedure and Conduct of Business, 2012.

6. In terms of the statement made by the Minister for Law and Justice, the Committee recommends that the House may grant leave to Minister for Law and Justice to withdraw "The Federal Ombudsman Institutional Reforms (Amendment) Bill, 2018", in terms of rule 115 of the Rules of Procedure and Conduct of Business in the Senate, 2012. (Copy of Bill is annexed).


 (RABEEA ANWAR)
 J.S / Secretary Committee


 (SENATOR MUHAMMAD JAVED ABBASI)
 Chairman
 Standing Committee on Law & Justice

[TO BE INTRODUCED IN THE SENATE]

A

Bill

to amend the Federal Ombudsman Institutional Reforms Act, 2013 (XIV of 2013).

WHEREAS it is expedient to amend the Federal Ombudsman Institutional Reforms Act, 2013 (XIV of 2013) for the purpose hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called Federal Ombudsman Institutional Reforms (Amendment) Act, 2018.

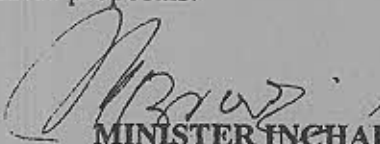
(2) It shall come into force at once.

2. **Amendment in section 3 of Act XIV of 2013.**—In the Federal Ombudsman Institutional Reform Act, 2013 (XIV of 2013), hereinafter referred to as “the said Act”, in section 3, for the “colon”, a “full stop” shall be substituted and thereafter, the proviso shall be omitted.

3. **Amendment in section 8 of Act XIV of 2013.**— In the said Act, in section 8, after the word “President” the words “or a person nominated by the President” shall be inserted.

STATEMENT OF OBJECTS AND REASONS

Under section 3 of the Federal Ombudsman Institutional Reform Act 2013, the Ombudsman may continue to hold office after expiry of his tenure till his successor enters upon the office. While section 4 of the same Act provides an elaborate system of Acting Ombudsman if, at any time, the office of the Ombudsman is vacant or he is unable to perform the functions. In view of this, section 3 of Act needs to be revisited so that in case of a vacancy, the incumbent Ombudsman may not continue for an indefinite period. Similarly, President may have the option to assign the function of oath taking to another person under section 8 of Act. This Bill gives effect to these proposals.


MINISTER INCHARGE

22/3/18