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[TO BE INTRODUCED IN THE SENATE]

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BILL

further to amend the Pakistan Arms Ordinance, 1965 to the extent of Islamabad Capital Territory

WHEREAS it is expedient further to amend the Pakistan Arms Ordinance, 1965 (W.P. Ord. XX of 1965), to the extent of Islamabad Capital Territory for the purpose hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act shall be called the Pakistan Arms (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Insertion of Section 11AA, W.P. Ordinance No. XX of 1965.- In the Pakistan Arms Ordinance, 1965 (W.P. Ord. XX of 1965), hereinafter referred to as the said Ordinance, after section 11A, following new section shall be inserted, namely:-

"11AA. Powers of Prime Minister and Secretary Interior Division:

1. Notwithstanding sub-section (2) of section 11A, the Secretary Interior Division shall have the power to issue the licenses for arms and ammunition to the Senators, Members of National Assembly, Members of Provincial Assemblies and officers of Grade 22, for personal use.

2. The Prime Minister shall have the power to issue the licenses for arms and ammunition to persons other than provided in sub-section (1), for personal use."

3. Insertion of Section 28A, W.P. Ordinance No. XX of 1965.- In the said Ordinance, after Section 28, the following new section shall be inserted, namely:-

"28A. Saving for previous decisions, agreements, directions and licenses issued : All prohibited bore and non-prohibited bore arms licenses issued, cancelled, suspended or modified, actions done, powers exercised appointments made, persons authorized, agreements made, prior to commencement of the Pakistan Arms (Amendment) Act, 2020, shall be deemed to have validly been issued, cancelled, suspended, modified, done exercised, made and authorized under this Ordinance."

STATEMENT OF OBJECTS AND REASONS

Under section 11A(2) and (3) of Pakistan Arms Ordinance, 1965, Federal Government is the Authority to issue Arms Licenses in Prohibited Bore (PB) and Non-Prohibited Bore (NPB) category. As per Arms Policy, 2012, Prime Minister is the Authority for PB, while Minister for Interior / Secretary is the authority for NPB Arms Licenses. Supreme Court vide its Judgment dated 18-08-2016, in Mustafa Impex case declared Federal Government as Cabinet, hence, in accordance with aforementioned Sections of Pakistan Arms Ordinance, 1965 the powers to issue licenses rest with the Cabinet. However, issuance of Arms Licenses continued as per Arms Policy, 2012, despite the above said judgment of Supreme Court. The instant Bill is hereby aims at provision of amendment in the Pakistan Arms Ordinance, 1965, by empowering the Prime Minister and Secretary Interior Division to validate the issuance of arms licenses, to specified persons for personal use.

**SENATOR MIRZA MUHAMMAD AFRIDI
AND
SENATOR KAUDA BABAR
Members-in-Charge**