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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 16th May, 1977

The following Acts of Parliament received the assent of the President on the 13th May, 1977, and are hereby published for general information :

Act No. XXI of 1977

In Act further to amend certain laws relating to the privileges of the members of the National and Provincial Assemblies.

WHEREAS it is expedient further to amend certain laws relating to the privileges of the members of the National and Provincial Assemblies for the purposes hereinafter appearing :

AND WHEREAS the Proclamation of Emergency referred to in Article 250 of the Constitution of the Islamic Republic of Pakistan as varied by the Proclamation of Emergency issued on the 21st day of April, 1977, under Article 236 of the said Constitution, is in force :

It is hereby enacted as follows :

1. **Short title and commencement.** (1) This Act may be called the Privileges of Members of the National and Provincial Assemblies (Amendment) Act, 1977.

(2) It shall come into force at once and shall be deemed to have taken effect on the 18th day of March, 1977.

2. **Amendment of certain laws.** The laws specified in column 3 of the Schedule are hereby amended to the extent specified in column 4 thereof.

3. **Repeal.**—The Privileges of Members of the National and Provincial Assemblies (Amendment) Ordinance, 1977 (XII of 1977), is hereby repealed.

(25)

Price : Rs. 25

THE SCHEDULE

(See section 2)

Year of the statute	No. of the Statute	Short title of the statute	Amendments
1	2	3	4
1963	IX	The Members of the National Assembly (Exemption from Preventive Detention and Personal Appearance) Ordinance, 1963.	<p>1. In section 3, in sub-section (1), the words and comma "or before any Election Tribunal." shall be omitted.</p> <p>2. In Section 4,—</p> <p>(a) in sub-section (1),—</p> <p>(i) the commas and words "and no Election Tribunal." shall be omitted; and</p> <p>(ii) the words and commas "or Tribunal, as the case may be," shall be omitted; and</p> <p>(b) in sub-section (2),—</p> <p>(i) the commas and words "or before any Election Tribunal." shall be omitted; and</p> <p>(ii) the words "or Tribunal" shall be omitted.</p>
1972.	Punjab Act II.	The Provincial Assembly of the Punjab Privileges Act, 1972.	<p>1. In section 4, in sub-section (1),—</p> <p>(a) the words "or Election Tribunal" shall be omitted; and</p> <p>(b) for the comma and words "Commission or Tribunal" the words "or Commission" shall be substituted.</p> <p>2. In section 5,—</p> <p>(a) in sub-section (1),—</p> <p>(i) the words "or Election Tribunal" shall be omitted; and</p> <p>(ii) for the comma and words "Commission or Tribunal" the words "or Commission" shall be substituted; and</p> <p>(b) in sub-section (2),—</p> <p>(i) the words "or Election Tribunal" shall be omitted; and</p> <p>(ii) for the comma and words "Commission or Tribunal" the words "or Commission" shall be substituted.</p>

1	2	3	4
1973. NWFP Act XVII.	The Provincial Assembly of the North-West Frontier Province Privileges Act, 1973.	<p>1. In section 4, in sub-section (1),—</p> <p>(a) the words "or Election Tribunal" shall be omitted; and</p> <p>(b) for the comma and words "Commission or Tribunal" the words "or Commission" shall be substituted; and</p> <p>2. In section 5,—</p> <p>(a) in sub-section (1),—</p> <p>(i) the words "or Election Tribunal" shall be omitted; and</p> <p>(ii) for the comma and words "Commission or Tribunal" the words "or Commission" shall be substituted; and</p> <p>(b) in sub-section (2),—</p> <p>(i) the words "or Election Tribunal" shall be omitted; and</p> <p>(ii) for the comma and words "Commission or Tribunal" the words "or Commission" shall be substituted.</p>	
1975. Sind Act XI.	The Sind Provincial Assembly (Members) Privileges Act, 1975.	In section 6, for the comma and words "Commission or Tribunal", twice occurring, the words "or Commission" shall be substituted.	
1975. Baluchistan Act VI.	The Provincial Assembly of Baluchistan Privileges Act, 1975.	<p>1. In section 4, in sub-section (1),—</p> <p>(a) the words "or Election Tribunal" shall be omitted; and</p> <p>(b) for the comma and words "Commission or Tribunal" the words "or Commission" shall be substituted.</p> <p>2. In section 5,—</p> <p>(a) in sub-section (1),—</p> <p>(i) the words "or Election Tribunal" shall be omitted; and</p> <p>(ii) for the comma and words "Commission or Tribunal" the words "or Commission" shall be substituted; and</p> <p>(b) in sub-section (2),—</p> <p>(i) the words "or Election Tribunal" shall be omitted; and</p> <p>(ii) for the comma and words "Commission or Tribunal" the words "or Commission" shall be substituted.</p>	

ACT No. XXII of 1977

In Act further to amend the Land Reforms (Baluchistan Pat Feeder Canal) Regulation, 1972.

WHEREAS it is expedient further to amend the Land Reforms (Baluchistan Pat Feeder Canal) Regulation, 1972, for the purpose hereinafter appearing :

AND WHEREAS the Proclamation of Emergency referred to in Article 280 of the Constitution of the Islamic Republic of Pakistan is in force :

It is hereby enacted as follows :

1. Short title and commencement. (1) This Act may be called the Land Reforms (Baluchistan Pat Feeder Canal) (Amendment) Act, 1977.

(2) It shall come into force at once.

2. Amendment of paragraph 17 of Land Reforms (Baluchistan Pat Feeder Canal) Regulation.—In the Land Reforms (Baluchistan Pat Feeder Canal) Regulation, 1972, in paragraph 17, in clause (a) of the third proviso, for the figures, letters, words and comma "31st day of March, 1977" the figures, letters, words and comma "31st day of March, 1978" shall be substituted and shall be deemed to have been so substituted on the first day of April, 1977.

3. Repeal.—The Land Reforms (Baluchistan Pat Feeder Canal) (Amendment) Ordinance, 1977 (XIX of 1977), is hereby repealed.

Islamabad, the 16th May, 1977

The following Act of Parliament received the assent of the President on the 16th May, 1977, and is hereby published for general information:—

ACT No. XXIII of 1977

In Act further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purposes hereinafter appearing :

It is hereby enacted as follows :

1. Short title, commencement and duration. (1) This Act may be called the Constitution (Seventh Amendment) Act, 1977.

(2) It shall come into force at once and section 4 shall be deemed to have taken effect on the twenty-first day of April, 1977.

(3) Section 2 shall cease to be in force on the thirtieth day of September, 1977.

2. Insertion of new Article 96A in the Constitution.—In the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, after Article 96, the following new Article shall be inserted, namely:—

*** 96A. Referendum as to confidence in Prime Minister.**—(1) If at any time the Prime Minister considers it necessary to obtain a vote of confidence of the people of Pakistan through a referendum, he may advise the President to cause the matter to be referred to a referendum in accordance with law made by Parliament.

- (2) The law referred to in clause (1) shall provide for the constitution of a Referendum Commission and the manner and mode of holding a referendum.
- (3) On receipt of the advice of the Prime Minister under clause (1), the President shall call upon the Referendum Commission to conduct a referendum amongst the persons whose names appear on the electoral rolls for the immediately preceding general elections to the National Assembly as revised up-to-date.
- (4) Any dispute arising in connection with the counting of votes at a referendum shall be finally determined by the Referendum Commission or a member thereof authorised by it and, save as aforesaid, no dispute arising in connection with a referendum or the result thereof shall be raised or permitted to be raised before any court or other authority whatsoever.
- (5) If, on the final count of the votes cast at the referendum, the Prime Minister fails to secure majority of the total votes cast in the matter of the confidence of the people of Pakistan, he shall be deemed to have tendered his resignation within the meaning of Article 94."

3. **Amendment of Article 101 of the Constitution.**—In the Constitution, in Article 101, in clause (2A), for the words, brackets, letter and figures "an Order under paragraph (c) of clause (2) of Article 232 or a Proclamation under" the words and figure "a Proclamation under Article 232 or" shall be substituted.

4. **Amendment of Article 245 of the Constitution.**—In the Constitution, Article 245 shall be renumbered as clause (1) of that Article and, after clause (1) renumbered as aforesaid, the following new clauses shall be added, namely:—

- (2) The validity of any direction issued by the Federal Government under clause (1) shall not be called in question in any court.
- (3) A High Court shall not exercise any jurisdiction under Article 199 in relation to any area in which the Armed Forces of Pakistan are, for the time being, acting in aid of civil power in pursuance of Article 245:

Provided that this clause shall not be deemed to affect the jurisdiction of the High Court in respect of any proceeding pending immediately before the day on which the Armed Forces start acting in aid of civil power.

- (4) Any proceeding in relation to an area referred to in clause (3) instituted on or after the day the Armed Forces start acting in aid of civil power and pending in any High Court shall remain suspended for the period during which the Armed Forces are so acting."

M. A. HAQ.
Secretary.