

[AS INTRODUCED IN THE SENATE]

**A
Bill**

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 and commencement. - (1) This Act may be called the Constitution (Amendment) Act, 2023.

(2) It shall come into force at once.

2. Amendment of Article 84 of the Constitution.- In the Constitution of the Islamic Republic of Pakistan, in Article 84, after the expression "**Annual Budget Statement.**", occurring at the end, the expression "**Supplementary Budget Statement shall require prior approval of the National Assembly.**" shall be added.

STATEMENT OF OBJECTS AND REASONS

1. Article 84 of the Constitution is interpreted by successive Governments as the power provided to the Executive to approve supplementary grants without prior approval of or even intimation to the Parliament. According to research, this power to approve the supplementary grants is not available to the Executive anywhere in the world except Bangladesh, which probably has inherited this provision from the Constitution of Pakistan.

2. In a Parliamentary democracy formulation of laws is the prerogative of the Parliament. The budget is a law in Parliamentary democracies. In Pakistan's Constitution the Money Bill has to be approved by the National Assembly and later assented to by the President, and given the status of a law (Articles 73-75). Once the budget is approved by the National Assembly and assented to by the President, it becomes a law. In any democracy, a law cannot be changed without ex-ante approval of the Legislature.

3. The proposed amendment is meant to empower the Parliament to consider and, if considered appropriate, approve any supplementary grant prior to giving effect to the supplementary grant.

**SENATOR SANIA NISHTAR
MEMBER IN CHARGE**