

[AS PASSED BY THE SENATE]

A

Bill

to amend the Prevention of Smuggling of Migrants Act, 2018

WHEREAS it is expedient to amend the Prevention of Smuggling of Migrants Act, 2018 (XXVIII of 2018) for the purposes and the manner hereinafter appearing;

It is hereby enacted as follows:—

1. Short title and commencement.— (1) This Act shall be called the Prevention of Smuggling of Migrants (Amendment) Act, 202~~5~~.

(2) It shall come into force at once.

2. Amendment of section 3, Act XXVIII of 2018.— In the Prevention of Smuggling of Migrants Act, 2018 (XXVIII of 2018), hereinafter referred to as the said Act, in section 3, for the words “which may extend to five years but which shall not be less than three years and with fine up to one”, the words “shall be punished with imprisonment which may extend to ten years and with fine up to ten” shall be substituted.

3. Amendment of section 4, Act XXVIII of 2018.— In the said Act, in section 4, in sub-section (2), for the words “three years but which shall not be less than one year and with fine up to one”, the words “ten years but shall not be less than three year and with fine up to five” shall be substituted.

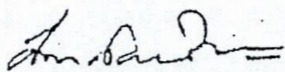
4. Amendment of section 5, Act XXVIII of 2018.— In the said Act, in section 5, for the words “three years but which shall not be less than one year and with fine up to one”, the words “five years but shall not be less than two year and with fine up to two” shall be substituted.

5. Amendment of section 6, Act XXVIII of 2018.- In the said Act, in section 6, for the words "a term which may extend to fourteen years but which shall not be less than five years and with fine upto two", the words "a term which extend to fourteen years but shall not be less than seven years and with fine up to ten" shall be substituted.

6. Amendment of section 10, Act XXVIII of 2018.- In the said Act, in section 10, for the words "a Magistrate of the First Class", the expression "Special Court (Central) constituted under the Pakistan Criminal Law Amendment Act, 1958 (XL of 1958)" shall be substituted.

Statement of Objects and Reasons

The Prevention of Smuggling of Migrants Act, 2018 has been enacted to prevent and combat migrant smuggling in Pakistan. It provides for penalties, investigation, and prosecution of offenses, while protecting the rights of migrants. To effectively enforce the provisions of the Act, 2018, and to create further deterrence amongst culprits by enhancing the punishments, and to monitor the activities of the members of the Criminal Organized Group and other connected individuals as a preventive measure, and to conduct trials by the Special Court (Central) constituted under the Pakistan Criminal Law Amendment Act, 1958 (XL of 1958) for speedy trials, it has been divulged that amendments in sections 3, 4, 5, 6 and 10 in the Prevention of Smuggling of Migrants Act, 2018 are required.


(Minister In-charge)