

[AS PASSED BY THE SENATE]

A

Bill

further to amend the Supreme Court (Practice and Procedure) Act, 2023

WHEREAS it is expedient further to amend the Supreme Court (Practice and Procedure) Act, 2023 (XVII of 2023) for the purposes hereinafter appearing;

It is hereby enacted as follows:

1. Short title and commencement.- (1) This Act shall be called the Supreme Court (Practice and Procedure) Amendment Act, 2025;

(2) It shall come into force at once and shall be deemed to have taken effect on and from the date of commencement of the Constitution (Twenty-seventh Amendment) Act, 2025 (XXXII of 2025).

2. Amendment of preamble, Act XVII of 2023.- In the Supreme Court (Practice and Procedure) Act, 2023 (XVII of 2023), hereinafter referred to as "the said Act", in the preamble,-

- (a) the expression "and 191A" shall be omitted; and
- (b) the words and comma "including, Constitutional Benches thereof" shall be omitted.

3. Substitution of section 2, Act XVII of 2023.- In the said Act, for section 2, the following shall be substituted, namely:-

"2. Practice and Procedure of the Supreme Court.- (1) Every cause, matter, petition, appeal or review application before the Supreme Court, shall be heard and disposed of by a Bench constituted by the Committee comprising the Chief Justice, the next senior most Judge in order of seniority and a Judge to be nominated by the Chief Justice:

Provided that if a member for any reason is unable to attend meeting of the Committee, the Chief Justice may nominate any other Judge of the Supreme Court as a member of the Committee.

(2) The decisions of the Committee shall be by majority."

4. Omission of section 5, Act XVII of 2023.- In the said Act, section 5 shall be omitted.

STATEMENT OF OBJECTS AND REASONS

The Constitution (Twenty-Seventh Amendment) Act, 2025 has been enacted by the Majlis-e-Shoora (Parliament). Accordingly, under Article 175B of the Constitution of the Islamic Republic of Pakistan a Federal Constitutional Court has been established

2. The Constitution of the Islamic Republic of Pakistan provides that subject to the Constitution and law, the Federal Constitution Court may make rules regulating the practice and procedure of the Federal Constitution Court.

3. This Bill has been designed to achieve the aforesaid objective.

Azam Nazeer Tarar
Minister-in-charge