

[AS PASSED BY THE SENATE]

A

BILL

further to amend the Pakistan Penal Code, 1860

WHEREAS it is expedient further to amend the Pakistan Penal Code, 1860 (XLV of 1860), in its application to the Islamabad Capital Territory, for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title, extent and commencement.- (1) This Act may be called the Pakistan Penal Code (Amendment) Act, 2026.

(2) It shall extend to the Islamabad Capital Territory.

(3) It shall come into force at once.

2. Amendment of section 361, Act XLV of 1860.- In the Pakistan Penal Code, 1860, (XLV of 1860), hereinafter referred to as the said Code, in section 361, for the words, "sixteen years", the words "eighteen years" shall be substituted.

3. Amendment of section 375, Act XLV of 1860.- In the said Code, in section 375, in paragraph (d), in description 'sixthly', for the words, 'sixteen years', the words "eighteen years" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The purpose of this Bill is to enhance the minimum age of protection for minors in relation to kidnapping and rape from sixteen years to eighteen years. At present, sections 361 and 375 of the Pakistan Penal Code, 1860, set the age threshold at sixteen years, which creates a legal gap and does not align with international standards. Pakistan is a signatory to the United Nations Convention on the Rights of the Child (UNCRC), which defines a child as every person below the age of eighteen years. International best practices

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and domestic legislation, such as the Islamabad Capital Territory Child Protection Act, 2018, also recognize eighteen years as the appropriate threshold of childhood. The proposed amendment will harmonize the Pakistan Penal Code with these obligations and ensure stronger protection for children against kidnapping, abduction, and sexual exploitation. It will also fulfill Pakistan's commitments under international conventions and provide greater safeguards to vulnerable children, particularly young girls, who are often subjected to exploitation due to ambiguities in the law. By raising the age limit, the law will provide comprehensive protection and ensure that the rights of children are effectively safeguarded.

2. The Bill is designed to achieve the aforesaid object.

SENATOR SARMAD ALI
Member-In-Charge