

[AS PASSED BY THE SENATE]

A

BILL

to amend the Pakistan Hotels and Restaurants Act, 1976 to the extent of the Islamabad Capital Territory

WHEREAS it is expedient further to amend the Pakistan Hotels and Restaurants Act, 1976 (LXXXI of 1976) to the extent of the Islamabad Capital Territory, in the manner and for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.** - (1) This Act shall be called the Pakistan Hotels and Restaurants (Amendment) Act, 2024.

(2) It shall come into force at once.

2. **Amendment of section 1, Act LXXXI of 1976.** - In the Pakistan Hotels and Restaurants Act, 1976 (LXXXI of 1976), hereinafter referred to as the said act, in section 1, in sub-subsection (2), for the word "Pakistan", the words "Islamabad Capital Territory" shall be substituted.

3. **Amendment of section 2, Act LXXXI of 1976.** - In the said Act, in section 2,-

(a) in clause (b), for the words "Federal Government", the words "Secretary of the division concerned" shall be substituted;

(b) in clause (c), for the words "Federal Government", the words "Secretary of the division concerned" shall be substituted;

(c) after clause (d), the following new clause shall be inserted, namely:-

"(da) 'division concerned' mean the division to which business this Act stands allocated;"

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(d) in clause (g), for the word "ten", the word "five" shall be substituted;

4. Amendment of section 3, Act LXXXI of 1976.- In the said Act, in section 3, for the words "Federal Government", wherever occurring, the words "Secretary of the division concerned" shall be substituted.

5. Amendment of section 4, Act LXXXI of 1976.- In the said Act, in section 4, for the words "Federal Government", wherever occurring, the words "Secretary of the division concerned" shall be substituted.

6. Amendment of section 5, Act LXXXI of 1976.- In the said Act, in section 5, in sub-section (2), in clause (c), after the word "against", the expression "environmental hazards, earthquake," shall be inserted.

7. Amendment of section 6, Act LXXXI of 1976. - In the said Act, in section 6, for the words "Federal Government", the words "Secretary of the division concerned" shall be substituted.

8. Amendment of section 14, Act LXXXI of 1976.- In the said Act, in section 14, for the words "Federal Government", wherever occurring, the words "Secretary of the division concerned" shall be substituted.

9. Amendment of section 22, Act LXXXI of 1976.- In said Act, in section 22,-

(a) in sub-section (1), for the words "five thousand", the words "two hundred fifty thousand" and for the word "one", the word "ten" shall be substituted;

(b) in sub-section (2), for the word "one", the word "ten" shall be substituted;

(c) in sub-section (3) for the word "one", the word "ten" shall be substituted;

(d) in sub-section (4), for the word "one", the word "ten" and for the word "two", the word "twenty" shall be substituted;

(e) in sub-section (5), for the words "five thousand" the words "one hundred twenty five thousand" shall be substituted;

(f) for sub-section (6), for the word "one", the word "ten" and for the word "hundred", the word "thousand" shall be substituted;

(g) after sub-section (6), amended as aforesaid, the following new sub-section shall be inserted, namely :-

"(6A) keeping in view the consumer price index or inflation, the amounts of penalties may be enhanced as may be prescribed; and

(h) In sub-section (7), -

(i) in clause (b), the word "and" shall be omitted; and

(ii) in clause (c), for full stop at the end, a semi colon and the word "and" shall be substituted and thereafter the following new clause shall be inserted, namely:-

"(d) seal the premises through departmental staff with the assistance of local administration and police."

10. Amendment of section 25, Act LXXXI of 1976.- In the said Act, in section 25, -

(a) the existing rider clause shall be numbered as sub-section (1) thereof;

(b) sub-section (2), for the words "Federal Government", the words "Secretary of the division concerned" shall be substituted;

11. Amendment of section 28, Act LXXXI of 1976.-In the said Act, in section 28,-

- (a) in sub-section (1), for the words "Federal Government", wherever occurring, the words "Secretary of the division concerned" shall be substituted; and
- (b) sub-section (2) shall be omitted

Statement of Objects and Reasons

The Federal Government in Case No. 419/19/2017 dated 08th September, 2017 decided that Word "Federal Government" in all Acts & Rules may be replaced with the word "Appropriate Authority".

The Department of Tourist Services Islamabad under the Ministry of Inter Provincial Coordination operates under the following three statutes:

- i. The Pakistan Tourist Guide Act, 1976
- ii. The Travel Agencies Act, 1976
- iii. The Pakistan Hotels and Restaurants Act, 1976

It is therefore necessary that the word "Federal Government" may be replaced with the word "Appropriate Authority" and revision of penalties. Accordingly three bills to incorporate the amendment in the Acts have been framed in consultation with Law & Justice Division and all relevant stakeholders.

The Bills have been designed to achieve the aforesaid objectives.

(Minister in charge)