

AS
[TO BE INTRODUCED IN SENATE]

A

Bill

to regulate the manufacture, import, export and sale of general cosmetics

WHEREAS it is expedient to regulate the import, export and sale of general cosmetics to ensure the quality and safety for human use;

AND WHEREAS it is in the public interest to establish a regulatory framework for general cosmetics to ensure standardization, certification, labelling, marking to ensure suitability for human use and matters connected therewith and ancillary thereto;

It is hereby enacted as follows:

1. **Short title, extent and commencement.-** (1) This Act shall be called the Pakistan General Cosmetics Act, 2026.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Definitions.-** In this Act, unless there is anything repugnant in the subject or context,—

(a) "Association" means the Pakistan Cosmetics Manufacturers Association registered under the Trade Organizations Act, 2013 (II of 2013);

(b) "Authority" means the Pakistan General Cosmetics Regulatory Authority established under section 3 of this Act;

(c) "certificate of registration" means the certificate of registration issued by the Authority under this Act to the manufacturer for factory establishment, import of general cosmetics and e-business of general Cosmetics;

"Chairman" means the Chairman of the Authority;


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- (e) "Code" means the Code of Criminal Procedure, 1898 (Act V of 1898);
- (f) "conformity standard license" means a conformity standard license of product issued by the Pakistan Standards and Quality Control Authority under the Pakistan Standards and Quality Control Act, 1996 (VI of 1996);
- (g) "counterfeit cosmetics" means general cosmetics manufactured, processed and packed in violation of the registered trade marks, label, design, patent, industrial designs, trade secrets and any intellectual property right under the applicable law;
- (h) "Division concerned" means the division to which the business of this Act stands allocated;
- (i) "free sale certificate" means a certificate issued by the Authority for export of the general cosmetics;
- (j) "general cosmetics" shall mean any product intended for beautification or other cosmetic purpose and includes any substance or mixture intended to be applied to the external parts of the human body, including the skin (epidermis), hair, nails, lips, or to the teeth and mucous membranes of the oral cavity, with the primary or exclusive purpose of cleaning, perfuming, altering appearance, protecting, maintaining them in good condition, correcting body odors, or for any other purpose as may be prescribed but does not include pharmaceutical cosmetic products;
- (k) "Government" means the Federal Government of Pakistan;
- (l) "laboratory" means any accredited public or private testing facility notified by the Authority from time to time and includes an appellate laboratory;
- (m) "prescribed" means prescribed by rules made under this Act;
- (n) "Regulations" means regulations made under this Act;
- (o) "Rules" means rules made under this Act; and


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- (p) "spurious general cosmetics" means any general cosmetic or related cosmetic product that is deliberately manufactured, processed, packaged, labeled or distributed with intent to deceive as to its identity, origin, quality, composition or regulatory approval and whose falsely or misrepresentation poses or is reasonably capable of posing a danger to public health or consumer safety.

3. **Establishment of the Authority.**- (1) The Division concerned shall, within sixty days of the commencement of this Act, by notification in the Official Gazette, establish an Authority to be known as the Pakistan General Cosmetics Regulatory Authority for carrying out the purposes of this Act.

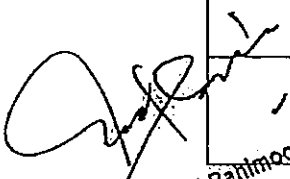
(2) The Authority shall be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property and shall sue and be sued in its own name.

(3) The head office of the Authority shall be at Islamabad and the Authority may establish regional or such offices in such other parts of Pakistan, as it may deem necessary.

4. **Composition of the Authority.**- (1) The Authority shall consist of the following members, namely:-

Table

Sr No.	Name	Designation
(1)	(2)	(3)
1.	Chairman	Member
2.	One member from the Division concerned with the affairs of the National Health Services, Regulations and Coordination not below the rank of BPS-20.	- Ex-Officio Member
3.	One member from the Division concerned with the affairs of	- Ex-Officio Member


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	Commerce not below the rank of BPS-20	
4.	One member from the Division concerned with the affairs of Science and Technology not below the rank of BPS-20	- Ex-Officio Member
5.	One member nominated by the Association	- Member
6.	President of the Federation of Pakistan Chambers of Commerce and Industry or his nominee.	- Member
7.	One Dermatologist shall be appointed by the Division concerned on the recommendations of the College of Physicians and Surgeons of Pakistan	- Member
8.	One General Chemist, possessing a Ph.D degree in Chemistry and having not less than fifteen years' experience in the field of cosmetics, shall be appointed by the Division concerned on the recommendations by the Ministry of National Health Services, Regulations and Coordination.	- Member

(2) An officer of the authority not below the rank of BPS-17 or equivalent nominated by the Chairman of the Authority shall act as secretary of the Authority.

(3) The Authority may determine its procedure for meetings and related affairs.

(4) The division concerned shall call first meeting of the Authority within thirty days after its constitution under sub-section (1).

(5) A member, other than an ex-officio member, shall hold office for a term of three years from the date on which the member enters upon office and may be re-nominated for one further term of three years.

(6) A member, other than an ex-officio member, may, at any time, resign from

writing under his hand addressed to the Chairman.

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5. **Meetings of the Authority.-** (1) The Authority may meet either on the requisition of the Chairman or at requisition of at least fifty per cent of the members but shall meet at least twice in a year.

(2) The quorum of the Authority's meeting shall be fifty per cent of the total membership.

(3) A meeting of the Authority shall be presided over by the Chairman. In the absence of the Chairman, a member nominated by the Chairman shall preside over the meeting. A meeting of the Authority may also be convened virtually.

(4) The Secretary shall, at least five days prior to the meeting, circulate to all the members working papers of each agenda item to be discussed in the meeting along with proposed actions on which decisions of the Authority is required. All decisions in the meeting shall be made with majority of the members present. The Chairman or the member presiding the meeting, as the case may be, shall not have second vote.

6. **Functions of the Authority.-** The functions of the Authority shall be—

- (a) to regulate and monitor all matters relating to the manufacture, import, export, sale and quality of general cosmetics;
 - (b) to enforce the standards of general cosmetics as may be prescribed from time to time;
 - (c) to grant, renew, suspend or revoke certificate of registration in accordance with this Act;
 - (d) to formulate policies for the development, standardization, regulation and promotion of the general cosmetics sector, including matters relating to import, export and domestic trade and international trade;
 - (e) notify a list of those general cosmetics which are prohibited for use or which may be used subject to such restrictions and conditions as may be specified in the said notification;
- to facilitate the research and development for advancement, modernization and up-gradation of the general cosmetics sector in order to meet national and international standards;


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- (g) to approve the annual budget of the Authority;
- (h) to ensure that no department or authority interferes in the affairs of the Authority except in accordance with law; and
- (i) to perform such other functions as may be necessary for carrying out the purposes of this Act.

7. **Chairman of the Authority.**-(1) There shall be a Chairman of the Authority to be appointed by the Prime Minister for a term of three years on such terms and conditions as may be prescribed by regulations. The Chairman shall be eligible for reappointment for another similar term or terms, as the case may be.

(2) The Chairman shall be a professional of known integrity and eminence with a minimum of fifteen years of related experience in the field of pharmaceuticals, medicine, finance or commerce.

(3) The Chairman shall not be removed from the office prior to the expiry of the term unless he is guilty of gross misconduct; or is incapable of properly performing the duties of his office by reason of physical or mental incapacity:

Provided that no proceedings under this sub-section shall be initiated unless a show cause notice, including an opportunity of being heard, is given to such person.

(4) The Chairman may tender his resignation under his own hand to the Prime Minister.

(5) In the absence of the Chairman, any other member with the consent of the majority of the members, may perform functions of the Chairman under this Act.

8. **Functions and powers of the Chairman.**- The Chairman shall exercise general control and supervision over the affairs of the Authority and shall ensure that the provisions of this Act, and the rules, regulations, policies and directions of the Authority are duly and properly carried out.

9. **Appointment of officers, staff etc., by the Authority.**-(1) The Authority, may create posts and appoint such officers, staff, experts or consultants, on contract basis, in accordance with the Government policy, on such terms and condition as may be prescribed from time to time.


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(2) The Authority shall provide for the appointment, promotion and transfer of its officers, staff, experts and consultants, their terms and conditions of service including additional financial incentives such as special salaries and allowances, in the manner, as may be prescribed from time to time.

10. Registration of general cosmetics.- (1) Every manufacturer, importer or exporter of general cosmetic shall apply for and obtain certificate of registration from the Authority in the manner prescribed by Rules.

(2) No cosmetics shall be manufactured, imported or distributed, offered for sale or otherwise placed on the market in Pakistan or outside the Pakistan, unless it is registered under this Act.

(3) The Authority shall prescribe by Rules procedures for the grant, renewal, imposition of fee, suspension or cancellation of certificate of registration.

(4) Every manufacturer, importer and exporter within one year from the commencement of this Act, shall apply and obtain certificate of registration from the Authority under this section:

Provided that upon the expiry of the period specified above, the Authority may, for reasons to be recorded in writing, extend the registration for a further period not exceeding one year.

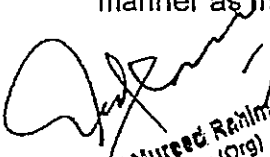
(5) The power to grant certificate of registration shall vest solely in the Authority under this Act.

11. Procedure for inspection, sampling and seizure.- (1) Any authorized officer of the Authority after prior notice may inspect any premises where general cosmetics are manufactured, stored or sold and take samples.

(2) Testing and verification of general cosmetics shall be carried out through laboratories.

(3) In case during the inspection, non-compliance with the provisions of this Act is found, the designated officer of the Authority may order the seizure, recall or confiscation, as the case may be, in such manner as may be prescribed by the rule.

(4) Fees may be charged for the functions performed under this Act in the manner as may be prescribed by the Authority from time to time.


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12. **Grant or refusal of certificate of registration.-** (1) The Authority may, upon receipt of an application for the grant of a certificate of registration and if satisfied that the applicant fulfills the requirements as may be prescribed by the rules, issue the certificate within thirty days.

(2) The applicant may prefer review to the Authority, within thirty days, if such application under sub-section (1) is refused.

(3) Any party aggrieved with the decision of the review under sub-section (2) may prefer a representation before the Secretary of the Division concerned.

13. **Prohibitions.-** No person shall—

- (a) manufacture, sell, distribute or import or export any general cosmetics which is not registered under this Act;
- (b) manufacture or sell sub-standard, spurious or counterfeit general cosmetics; or
- (c) falsely label or misbrand any product of any other registered product under this Act.

14. **Offences and penalties.-** (1) Any person who contravenes any provision of this Act shall be liable to imprisonment for a term which may extend to seven years, or a fine up to five million rupees, or both.

(2) The premises, where these products are produced, handled or stored shall be sealed and the machinery shall also be confiscated.

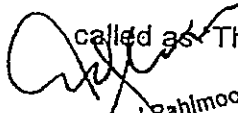
15. **Cognizance and prosecution.-** (1) Cognizance of the offence shall be taken in accordance with the Code on the complaint received from an aggrieved person.

(2) The trial of an offence under this Act shall be conducted by the Magistrate of the first Class.

16. **Funds of the Authority.-** The Authority shall have its own fund, to be

called as "The Pakistan General Cosmetics Authority Fund" comprising—

grants or loans from the Federal Government;


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- (b) fees collected under this Act;
- (c) income from testing or certification services;
- (d) donations from Association; and
- (e) such loans, donations or aid from national or international agencies which are approved by the Federal Government.

17. Accounts and Audit.- The accounts of the Authority shall be maintained in accordance with the Regulations and audited by the Auditor General of Pakistan annually.

18. Power to make Rules.- The Federal Government may, by notification, make rules to carry out the purposes of this Act.

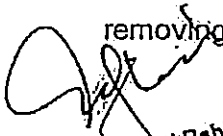
19. Power to make Regulations.- The Authority may, in consultation with the Division concerned and with the prior approval of the Federal Government, by notification in the official Gazette, make regulations not inconsistent with this Act or the rules made thereunder.

20. Provisions of this Act to Prevail.- Notwithstanding anything contained in any other law for the time being in force, the provisions of this Act shall prevail in case of conflict with any other law.

21. Protection of acts done in good faith.- No suit, prosecution, or other legal proceedings shall lie against any person for anything done in good faith under this Act.

22. Repeal.- The Pakistan General Cosmetics Act, 2023 (XLIII of 2023) shall stand hereby repealed.

23. Power to remove difficulties.- The Federal Government may, by order published in the official Gazette, make such provisions as may appear necessary for removing any difficulty in giving effect to the provisions of this Act.

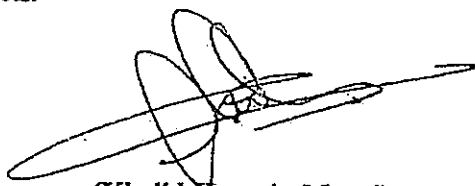

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STATEMENT OF OBJECTIVES AND REASONS

Pakistan General Cosmetics Regulatory Authority (PGCRA) was established under the act of parliament i.e. the Pakistan General Cosmetics Act, 2023 (XLIII of 2023) promulgated on 03.08.2023. The Cabinet's Committee on Rightsizing of the Federal Government decided to wind-up PGCRA in its meeting held on 01.01.2025. However, the Honourable Prime Minister of Pakistan constituted a Ministerial committee to review the winding up of PGCRA, chaired by the Federal Minister for Law and Justice with Federal Minister for Defence Production and Federal Minister for Science and Technology as members alongwith others. The Committee was mandated to review the background, legal status, and functions of the PGCRA, and assess the benefits, relevance, and continued need of PGCRA for the trade and industry and to examine pros and cons of restructuring, reform, or continuation of PGCRA. After thorough consultation and deliberation with all the stakeholders, the committee presented its report to the Honourable Prime Minister. The Prime Minister has very kindly approved the recommendations of the Committee and directed this Ministry for implementation of the recommendations including winding-up/closure of PGCRA and formulation of a comprehensive proposal for establishment of a new autonomous Cosmetics Regulatory Authority through fresh legislation with clearly defined mandate, governance structure and regulatory framework in accordance with the decision of the Cabinet Committee on Rightsizing.

Accordingly, this Bill is being introduced to in the public interest to establish a regulatory framework for general cosmetics to ensure standardization, certification, labelling, marking to ensure suitability for human use and matters connected therewith and ancillary thereto. "The Pakistan General Cosmetics Act, 2023 (XLIII of 2023)" will be repealed by the enactment of this Bill as "the Pakistan General Cosmetics Act, 2026".

The Bill seeks to achieve the above said objects.



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