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PART III

**Other Notifications, Orders, etc.**

**NATIONAL ASSEMBLY SECRETARIAT**

*Islamabad, the 11th August, 2020*

**No. F. 23(48)/2020-Legis.**—The following Private Members Bills have been introduced in the National Assembly on 11th August, 2020.

N. A. BILL NO. 81 OF 2020

A

BILL

*further to amend the Constitution of the Islamic Republic of Pakistan*

WHEREAS, it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Constitution (Amendment) Act, 2020.

(2) It shall come into force at once.

1299 (1—7)

*Price: Rs. 10.00*

[5967(2020)/Ex. Gaz.]

2. **Insertion of new Article 27A, in the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, after Article 27, the following new Article shall be inserted, namely:—

“27A. **Social Security and Provision of Basic Necessitates of Life.**—(1) The state shall provide for all the persons employed in the service of Pakistan or otherwise social security by compulsory social insurance or by other means.

(2) The state shall also provide the basic necessities of life, such as food, clothing, housing, education and medical relief, for all such citizens, irrespective of sex, caste creed or race as are permanently or temporarily unable to earn their livelihood on account of infirmity, sickness and in employment.

3. **Amendment of Article 38 of the Constitution.**— In the Constitution of the Islamic Republic of Pakistan, in Article 38, paragraph (c) and (d) shall be omitted.

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#### STATEMENT OF OBJECTS AND REASONS

Millions of workers in Pakistan have either lost their jobs or they are set to lose their jobs because of the Corona virus crises and most would not get not financial support to ease the blow. Currently, social protection was not a fundamental right and as a result, only a select few from the working class were registered with institutions offering social security and old-age benefits. According to data, just 7.12 million workers are registered with state-run social security institution including the Employees Old-Age Benefit Institution (EOBI) and Worker Welfare Fund. An overwhelming majority of workers, not register with any such institution, remains deprived of health, education, housing, death and dowry grants, as well as pension. To ensure the provision of social security to workers across Pakistan, it is need of hour to include social security and provision of basic necessities of life in the chapter of fundamental rights.

Sd/-  
SYED AGHA RAFIULLAH,  
*Member-in-Charge.*

N. A. BILL NO. 82 OF 2020

A

BILL

*further to amend the Elections Act, 2017*

WHEREAS it is expedient further to amend the Elections Act, 2017 (XXXIII of 2017), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Election (Amendment) Act, 2020.

2. It shall come into force at once.

2. **Amendment in section 60, XXXIII of 2017.**—In the Election Act, 2017, hereinafter referred to as the said Act, in section 60, in sub-section (3), the full stop at the end a colon shall be substituted and thereafter the following proviso shall be added:—

“Provided that any candidate may submit his/ her nomination paper not more than six months before or less than that, before the date of Elections for the Purpose of fulfillment of the requirements mentioned under section 62 and 63.”

3. **Amendment in section 62, XXXIII of 2017.**— In the said Act, in section 62, in sub-section (1), the full stop at the end a colon shall be substituted and thereafter the following proviso shall be added,—

“Provided that in case of a candidate, who, under section 60 had applied for the nomination six months before the elections such objection can be filed within a period of six months and before the publication of the list of validly nominated candidates by the Returning Officer under sections 64 and 114 of the said Act,.”

4. **Amendment in section 112, XXXIII of 2017.**— In the said Act, in section 112, after sub-section (8), full stop at the end a colon shall be substituted a colon and thereafter the following proviso shall be added:—

“Provided that in case of that candidate, who, under section 60 had applied for nomination six months before the elections the requirements of this section shall be fulfilled within a period of six months and before the publication of the list of validly nominated candidates by the Returning Officer under sections 64 and 114 of said Act,.”

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STATEMENT OF OBJECTS AND REASONS

The purpose of the above amendments is to provide for the extension in time period for scrutiny of the candidature of those candidates who want to

satisfy all the requirements of scrutiny relevant to different departments by proving the Validity of their credentials well before time. Therefore, this time period should be extended for six months in favor of such candidates only who wish their nomination papers to be rejected/accepted well in time. In addition to that, the said amendment would also eliminate the activities of those miscreants who deteriorate the image of any candidate, file baseless objections (which are proved baseless afterwards through a legal process) to the candidature of a candidate after the publication of the list of validly nominated candidates by the Returning Officer under sections 64 and 114 of this Act. This practice tarnish the image of a candidate who wants to go through each phase of scrutiny being a fair candidate.

This bill is designed to achieve above objective.

Sd/-  
RAI MUHAMMAD MURTAZA IQBAL,  
*Member-in-Charge.*

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**N. A. BILL NO. 83 OF 2020**

**A**

**BILL**

*To provide for emergency measures to prevent of COVID-19 pandemic by taking effective steps for quarantine of affected persons and to establish hospitals and facilities for their quarantine of the persons coming from abroad and migration of affected persons from one Province to other or to the Federal Capital as well as to fulfil obligations under different international treaties and agreements to effectively combat the spread of COVID-19 pandemic and to provide guidance and assistance to Provincial Governments for adopting effective measures to save the people of Pakistan from disastrous impact of COVID-19 pandemic being a matter of security of Pakistan and Provinces and territories constituting thereof.*

WHEREAS it is expedient to provide for emergency measures to prevent spread of COVID-19 pandemic by taking effective steps for quarantine of affected persons and to establish hospitals and facilities for their quarantine of the persons coming from abroad and migration of affected persons from one Province to other or to the Federal Capital as well as to fulfil obligations under different international treaties and agreements to effectively combat the spread of COVID-19 pandemic and to provide guidance and assistance to Provincial Governments for adopting effective measures to save the people of Pakistan from disastrous impact of COVID-19 pandemic being a matter of security of Pakistan and Provinces and territories constituting thereof;

It is enacted as follows:—

1. **Short title, extent and commencement.**— (1) This Act may be called the National Emergency Measures to Quarantine and Quarantine Facilities for the Security of Pakistan from COVID-19 Act, 2020.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

(2) **Definitions.**—(1) In this Act, unless there is anything repugnant in the subject or context,—

(a) “Agencies or Authorities” means agencies, Authorities, Departments, Ministries or Division of the Federal Government or the Provincial Governments including the National Disaster Management Authority or Provincial Authorities, as the case may be;

(b) “COVID-19 Pandemic” means pandemic of Covid-19 or its different shades known or unknown or having specific names or not, as the case may be;

(c) “Federal Government” means the Federal Government;

(d) “persons or entity” means a person or any legal entity and for the purpose of punishment for any violation every partner, Director, chief executive or proprietor or person dealing with affairs of such entity;

(e) “prescribed” means prescribed by rules, regulations, instructions, orders or guidelines issued by the Federal Government.

(2) Any word, term or expression not specifically defined shall have the meaning assigned to it in the Constitution or the Rules of Business 1973, as amended from time to time.

3. **Federal Government to take appropriate measures.**—(1) Notwithstanding anything contained in any other law for the time being in force, the Federal Government shall prescribe different measure to control spread of COVID-19 pandemic.

(2) The Federal Government shall issue instructions to different Ministries, Divisions, Departments, autonomous or semi-autonomous bodies to combat and control the COVID-19 pandemic or the agencies and authorities, as the case may be.

(3) The Federal Government may issued appropriate directions to the Government of a Province under Article 146 of the Constitution to insure security of persons from effects of COVID-19 pandemic.

(4) The Federal Government prescribe by appropriate orders for quarantine of affected persons.

(5) To save the life of persons, the Federal Government may control interprovincial movement of affected persons and their quarantine at appropriate places or hospitals as prescribed.

(6) The Federal Government or any person authorized on its behalf may order quarantine of any area or restrict the movement of all persons coming from or going in such areas to avoid impact of COVID-19 virus.

(7) The Federal Government or any person authorized on its behalf may declare any hospital, treatment facility, building or area reserved for patients of COVID-19 virus:

“Provided that if such facility, building or area is owned by a private person appropriate compensation shall be paid by the Federal Government for such declared facility”.

(8) All authorities under the control of the Federal Government, notwithstanding any provision of any law in force for the time being, shall comply the instructions, orders or guidelines of the Federal Government or persons authorized by it in this behalf.

4. **Wearing of face masks and taking appropriate precautionary measures.**—The Federal Government shall issue instructions regarding wearing of face masks and for taking other appropriate precautionary measures to the persons affected or exposed to the effects of COVID-19 virus.

5. **Directions for self-quarantine.**—(1)The Federal Government may issue directions and guideline for self-quarantine of persons who are exposed to COVID-19 virus or potentially exposed to its effects.

(2) The person violating the directions or guidelines of the Federal Government shall be liable to punishment under section 7 of the Act.

6. **Fixation of prices of face masks, equipment, medicines or testing, etc., relating to COVID-19 virus.**—(1) The Federal Government shall notify in the official Gazette maximum prices of face masks, different equipment, medicines or testing, etc, relating to treatment of COVID-19 virus immediately upon the commencement of Act.

(2) The person or any entity overcharging prices of face masks, medicines or testing, etc, for COVID-19 virus shall be punished with six months imprisonment, simple imprisonment and with a fine of rupees one million and confiscation of all available stock.

7. **Penalty.**—(1) Any persons disobeying or violating any rule, regulation, instruction, orders or guideline, etc, prescribed by the Federal Government shall be deemed to have committed an offence punishable under section 188 of the Pakistan penal Code (Act XLV of 1860) in addition to provisions of this Act.

8. **Summary Trial.**—Any Magistrate or a public servant specially authorized in this behalf, as the case may be, shall try the accused summarily under Chapter XXII of the Code of Criminal Procedure, 1898 (V of 1898) on the spot and the procedure of appeal and revision shall lie in the same manner as provided in CRPC.

9. **Power to make rules.**—(1) The Federal Government, by notification in the official Gazette, make rules for carrying out the purposes of the Act.

(2) The Federal Government or any person authorized by the Federal Government may issued appropriate instructions, orders or guidelines, etc, in writing duly signed by him in this behalf and stamped be seal of his office for compliance of the general public:

“Provided that such instructions, orders or guidelines, etc, shall be publicized through print and electronic media for information and compliance of general public or a particular segment of public after affixing copies of such instructions, orders or guidelines, etc, on the notice board of his office as well in the relevant areas.

10. **Protection to persons acting under the Act.**—No suit or other legal proceedings shall lie against any person for anything done or in food faith intended to be done under this Act.

11. **Overriding effect of the Act.**—The provisions of this Act shall have effect notwithstanding anything contained in any other law for the time being in force.

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#### STATEMENT OF OBJECTS AND REASONS

There in need to take immediate steps to combat COVID-19 virus and appropriately guide and protect lives of persons affected by COVID-19 virus on emergency basis.

2. The Bill to achieve the above said aims and objects.

MS. KISHWER ZEHRA,  
*Member-in-Charge.*

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TAHIR HUSSAIN,  
*Secretary.*