

THE BALOCHISTAN WITNESS PROTECTION ACT, 2016

(Balochistan Act IV of 2016)

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'THE BALOCHISTAN WITNESS PROTECTION
ACT, 2016

(Balochistan Act No. IV of 2016)

[5" April, 2016]

This Act was passed by the Provincial Assembly of Balochistan on 26" March, 2016, assented to by the Governor of Balochistan on 29" March, 2016; and published in the Balochistan Gazette (Extraordinary) No. 426, dated 5" April, 2016.

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Preamble.

Short title, extent
and
commencement.

Definitions.

An Act to provide for protection of witnesses to enable them to give evidence in criminal proceedings in the Province of Balochistan.

WHEREAS it is expedient to provide for protection of witnesses to enable them to give evidence in criminal proceedings in the Province of Balochistan and for matters ancillary thereto;

It is here by enacted as follows:—

1. (1) This Act may be called as the Balochistan Witness Protection Act, 2016.

(2) It shall extend to the whole of Balochistan except Tribal Areas.

(3) It shall come into force at once.

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

(a) “Act” means the Balochistan Witness Protection Act, 2016;

(b) “Board” means the Witness Protection Board constituted under section 5 of the Act;

(c) “criminal proceedings” includes any criminal trial or inquiry before a court or tribunal having criminal jurisdiction, inquiry on inquest into death and a police investigation under the Code, and any investigation by any other authority under any law;

(c) “Code” means the Code of Criminal Procedure, 1898 (Act No. V of 1898);

(d) “Government” means the Government of Balochistan;

(d) “Law Enforcement Agency” includes a body or agency responsible for the enforcement of laws relating to the prevention, detection and investigation of any offence;

(e) “prescribed” means prescribed by rules made under this Act;

(f) “Program” means the Witness Protection Program established under this Act;

(g) “Protected Person” means any person who has been placed under protection for the purposes of this Act;

(h) “Protection” means the protection to a witness provided in terms of this Act and _ includes reallocation or change of identity of, or other related assistance or services provided to, or protected persons, as may be prescribed;

(i) “Related Person” means any member of the family or household of the witness, or any other person in a close relationship to, or association with, such witness;

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SCHEDULE

{Section 2 (k)}

(Offences in respect of which a witness or related person may be placed under protection)

Treason.

Sedition.

Murder.

Rape.

Public violence.

Robbery —

(a) when there are aggravating circumstances; and

(b) involving the taking of a motor vehicle.

Kidnapping

Defeating the ends of justice

Perjury

Indecent assault on a child under the age of 16 years, involving the infliction of grievous bodily harm.

Any offence related to contraband drugs and drugs trafficking if —

(a) the value of the substance and question is more than rupees one million; or

(b) the offence was committed by any law enforcement officer.

Any offence referred to in Anti-Terrorism Act.

Any offence relating to —

(a) the dealing in or smuggling of ammunition, firearms, explosives or armament; or

(b) the possession of an automatic or semi-automatic firearm, explosives or armament.

Any offence relating to exchange control, corruption, extortion, fraud, forgery, uttering or theft —

(a) involving amounts of more than rupees five million; or

(b) involving amounts of more than rupees one million if it is alleged that the offence was committed by a person, group of persons, syndicate or any enterprise acting in the execution or furtherance of a common purpose or conspiracy; or

(c) if it is alleged that the offence was committed by any law enforcement officer —

(i) involving amounts of more than rupees one million; or

(i1) as a member of a group of persons, syndicate or any enterprise acting in the execution or furtherance of a common purpose or conspiracy.

Any offence referred to in any law relating to offences of sabotage against the State

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