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3. Powers to prohibit or restrict imports and exports.— (1) The '[Federal Government] may, by order" published in the official Gazette and subject to such conditions and exceptions as may be made by or under the order, prohibit? restrict or otherwise control the import or export of goods of any specified descriptions, or regulate generally all practices (including trade practices) and procedure connected with the import or export of such goods, "[and such order may provide for applications for licences under this Act, the evidence to be attached to such applications, the grant, use, transfer, sale or cancellation of such licences, and the form and manner in which and the periods within which appeals and applications for review or revision may be preferred and disposed of, and the charging of fees in respect of any such matter as may be provided in such order] °[:]

5[Provided that the Minister-in-Charge may, by notification in the official Gazette, for reasons to be recorded in writing, on case-to-case basis and in the interest of trade and commerce of Pakistan, allow one-time permission to import, re-import, export or re-export goods in relaxation of the prohibition or restrictions contained in the order made under this sub-section for the time being in force.]

(2) No goods of the specified description shall be imported or exported except in accordance with the conditions of a licence to be issued by the Chief Controller or any other officer authorised in this behalf by the '[Federal Government].

(3) All goods to which any order under sub-section (1) applies shall be deemed to be goods of which the import or export has been prohibited or restricted under °[section 16 of the Customs Act, 1969 (IV of 1969) and all the provisions of that Act shall have effect accordingly].

(4) Notwithstanding anything contained in the aforesaid Act the '[Federal Government] may, by order' published in the official Gazette, prohibit, restrict or impose conditions on the clearance whether for home consumption "[or ware housing or] shipment abroad of any imported goods or class of goods.

4. Continuance of existing orders. All orders made under section 3 of the Imports and Exports (Control) Act, 1947, and in force immediately before the commencement of this Act, shall so far as they are not inconsistent with the provisions of this Act, continue in force and shall be deemed to have been made under this Act.

°[4A. Prohibition to sell or purchase import licence. No person shall sell, purchase or otherwise deal in any import licence °[* * *].

10p% * * * * *

'Subs. by the Imports and Exports (Control) (Amdt.) Act, 1975 (38 of 1975), s. 5.

? For the Registration (Importers and Exporters) Order, 1952, see Gaz. of P., 1952, Ext. pp. 1267—1271 1954, see ibid, 1954, Ext., pp. 1739-1741 for the Order made under this section, see ibid, 1957, Pt. I. p. 2 Order, 1957, see ibid, 1957, Ext., pp. 2219-2220 ; for the Licenses and Permits Fees Order, 1958, see ib import such goods into Gwadur without licence in respect of which firm commitments had been made with see ibid., 1958, Ext., p. 1855 ; and for the Wheat and Wheat Products, (Movements Restrictions) Order, 1

* For notifications prohibiting the export to and import from India of goods of all descriptions, see S.R.O. 1 9th September, 1965, Gaz. of P., 1965, Ext., p. 985.

For notification prohibiting the export by sea, land or air to any destination, other than Afghanistan, of any Sch. annexed to therewith, see Gaz. of P., 1965, Ext. p. 985.

4 Subs. by the Imports and Exports (Control) (Amdt.) Act, 1957 (42 of 1957), s. 2., for certain original wo

*Subs. and added by the Imports and Exports (Control)(Amendment) Act, 2025 (V of 2025), s.2.

® Subs. by the Imports and exports (Control) Ordinance, 1970 (8 of 1970) s. 4.

' For such an order, see Gaz. of P., 1952, Ext., p. 985.

8 Subs. by the Imports and Exports (Control) (Amdt.) Ordinance 1970, (8 of 1970) s. 4.

◦ New sections 4A and 4B ins. by the Imports and Exports (Control) (Amdt.) Ordinance, 1962 (29 of 1962), s. 4 (with effect from 10 Omitted by Act. 38 of 1975, s. 4.

4B. Prohibition regarding sale and transfer of goods by industrial consumer. Except with the previous permission in writing of the Chief Controller or any other officer authorised in this behalf by the [Federal Government] no person 7[who, in his capacity as industrial consumer, imports any goods against a licence issued to him or, where no licence is required for the import of such goods by an industrial consumer, without any licence,] shall sell or otherwise transfer such goods, or use the goods for a purpose other than the purpose or purposes for which the licence was issued *[or such goods were imported].]

5. Penalty. “[1] If any person contravenes *[any provision of this Act or] any order made or deemed to have been made under this Act or the rules made thereunder, or makes use of an import or export licence otherwise than in accordance with any condition in that behalf imposed under this Act, he shall without prejudice to any confiscation or penalty to which he may be liable under the provisions of the [Customs Act, 1969 (IV of 1969)], as applied by sub-section (3) of section 3 of this Act be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

7[2] If any person contravenes any provision of any order made or deemed to have been made under this Act or the rules, schemes or policies made thereunder or makes use of an export licence otherwise than in accordance with any condition subject to which it was granted, the Federal Government, or any officer authorized by it, may suspend, adjust, deduct or cancel the whole or, as the case may be, any part of export quotas whether granted to or acquired by such person on the basis of performance, purchase or by any other means whatsoever, and suspend or as the case may be, cancel the export registration of such person.

(3) No order under sub-section (2) shall be passed unless the concerned person has been given an opportunity of being heard.]

5A. *[Repealed]
5B. [Repealed]
5C. *[Repealed]

6. Cognizance of offences. No court shall take cognizance of any offence punishable under section 5 except upon complaint in writing made, —

(a) in the case of an offence which is punishable both under this Act or the rules made thereunder and also, whether by confiscation or otherwise, under the [Customs Act, 1969 (IV of 1969)] by a *[Collector of Customs] or by an officer of Customs authorised in writing in this behalf by a Customs-Collector, or

'Subs. by the Imports and Exports (Control) (Amdt.) Act, 1975 (38 of 1975), s. 5.

? Subs. by the Imports and Exports (Control) (Amdt.) Ordinance, 1965 (8 of 1965), s. 3, for “who imports capacity as industrial consumer”.

> Added ibid., s. 3.

* Re-numbered as sub-section (1) by the Imports and Exports (Control) (Amdt.) Act, 1997 (37 of 1997) s.

5Ins. by Ordinance 29 of 1962, s. 5 (with effect from the 18th April, 1962).

® Subs. by the Imports and Exports (Control) (Amdt.) Ordinance, 1970 (8 of 1970), s. 5. For “ Sea Custom

7 Sub-sections (2) and (3) added by the Imports and Exports (Control) (Amdt.) Act., 1997 (37 of 1997) s.

* Sections SA, 5B & 5C Repealed by the Trade Dispute Resolution Act, 2022 (Act No. LVI of 2023) s. 63.

° Subs. by the Imports and Exports (Control) (Amdt.) Ordinance, 1970 (8 of 1970), s. 6. (w.e.f, 18-4-1970

(b) in the case of any other offence, by the Chief Controller or by an officer authorized by him in writing in this behalf; and no court inferior to that of a Magistrate of the first class shall try any such offence.

7. Savings. No order made or deemed to have been made under this Act shall be called in question in any court, and no suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done under this Act or any rules made thereunder or any order made or deemed to have been made thereunder.

8. Power to make rules. The '[Federal Government] may make rules not inconsistent with this Act for carrying out the purposes of this Act *[and may in such rules provide for the setting up of a Revolving Fund and for matters relating thereto].

9. *[Repealed]

' Subs. by the Imports and Exports (Control) (Amdt.) Act, 1975 (38 of 1975) s. 5.

? Added by the Imports and Exports (Control) (Amdt.) Ordinance, 1980 (5 of 1980). s. 3.

> Repealed by the Repealing and Amending Ordinance, 1965 (10 of 1965), s. 2 and 1st Sch.