

THE FOREIGN CULTURAL ASSOCIATIONS (REGULATION
OF FUNCTIONING) ACT, 1975

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THE FOREIGN CULTURAL ASSOCIATIONS (REGULATION OF FUNCTIONING) ACT, 1975

ACT No. LXXIX OF 1975

[13 December, 1975]

An Act to provide for the regulation of the functioning of foreign cultural associations

WHEREAS it is expedient to provide for the regulation of the functioning of foreign cultural associations;

It is hereby enacted as follows:—

1. Short title, extent and commencement.— (1) This Act may be called the Foreign Cultural Associations (Regulation of Functioning) Act, 1975.

(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) “foreign cultural association” means an association, by whatever name called, having as its object the promotion of cultural and friendly relations between Pakistan and a foreign country and includes a branch of such association; and

(b) “prescribed” means prescribed by rules made under section 15.

3. Formation of foreign cultural associations.—(1) No foreign cultural association shall be formed with the object of, or engage itself in, propagating any opinion, or acting in any manner, prejudicial to the ideology, integrity, security, constitution or system of Government of Pakistan or Pakistan’s relations with any foreign country or contrary to morality or any law for the time being in force.

(2) A foreign cultural association shall have only one head office, but may, with the prior permission in writing of the Federal Government, set up a branch at the principal seat of a Provincial Government.

(3) Every foreign cultural association shall appoint its President with the approval of the Federal Government in the prescribed manner.

(4) No new foreign cultural association shall be set up or shall start functioning unless registered by the Federal Government and such registration may be granted subject to such conditions as the Federal Government may specify.

(5) An existing foreign cultural association shall apply in the prescribed manner for

registration within one month of the coming into force of the rules to be made under this Act and the Federal Government may grant registration subject to such conditions as it may specify.

4. Responsibilities of foreign cultural association.— (1) Every foreign cultural association shall—

(a) maintain audited accounts in the prescribed manner;

(b) pay all moneys received by it into a separate account kept in its name at a bank which is a scheduled bank within the meaning of the State Bank of Pakistan Act, 1956 (XXXII of 1956);

(c) submit to the Federal Government such information relating to its accounts and affairs as the Federal Government may from time to time require.

(2) Any officer authorised in this behalf by the Federal Government may at all reasonable times inspect the books of account and other records of a foreign cultural association, the securities, cash and other properties held by the association, and all documents relating thereto.

5. Dissolution of foreign cultural association.— (1) No foreign cultural association shall be

dissolved otherwise than in accordance with its constitution or with the provisions of sub-sections (2) and (3).

(2) Not less than sixty per cent of the members of a foreign cultural association may make an application to the Federal Government in the prescribed manner for making an order for the dissolution of the association.

(3) If an application is made to it under sub-section (2), or if it has reason to believe that a foreign cultural association has acted or is acting in contravention of its constitution or of the provisions of section 3, the Federal Government may, by order in writing after giving the association an opportunity of being heard, direct that the association shall stand dissolved on and from such date as may be specified in the order.

(4) Where an order of dissolution has been made otherwise than on an application made under sub-section (2), the foreign cultural association to which the order relates or any member thereof aggrieved by the order may apply to the Federal Government for a review of the order; and the order of the Federal Government passed after giving the applicant an opportunity of being heard shall be final and shall not be questioned, or be permitted to be questioned, by or before any court.

(5) Subject to any order of the Federal Government in review under sub-section (4), the dissolution of a foreign cultural association in pursuance of an order of the Federal Government under sub-section (3) shall be deemed to be a dissolution in accordance with the provisions of the constitution of the association and the affairs of association shall be wound up in accordance with those provisions.

6. Consequences of dissolution.—Where any foreign cultural association is dissolved, the association or any of its members shall not engage itself or himself in any activities other than such as may be necessary for the winding up of its affairs.

7. Government servant not to become member of a foreign cultural association.—

Without prejudice to the provisions of any law for the time being in force no person in the service of the Federal Government or a Provincial Government shall, without the prior permission in writing of such Government, become a member or office-bearer of any foreign cultural association.

8. Members not to obtain pecuniary advantage. —No member of a foreign cultural association shall, by virtue of being such member, obtain any pecuniary advantage for himself or any other person.

9. Acceptance of foreign assistance. —No foreign cultural association shall, without the previous permission in writing of the Federal Government accept any assistance or aid, in any form whatever, from the government or any other authority, body or organization of a foreign country or from a national thereof.

10. Financial assistance by foreign cultural association prohibited. —No foreign cultural association shall, directly or through any person or in any other manner make any contribution of money or other thing of value, or promise, expressly or impliedly, to make any such contribution in connection with an election to a political office or in connection with any election to the National Assembly, the Senate or a Provincial Assembly of Pakistan.

11. Destruction, etc. of books and records prohibited. —No person shall willfully conceal, destroy, obliterate or mutilate, or attempt to conceal, destroy, obliterate or mutilate, or cause to be concealed, destroyed, obliterated or mutilated, any books or records of any foreign cultural association required to be kept under this Act.

12. Filing of copies of political propaganda. —Every foreign cultural association which, and every member of such association who, transmits by post or otherwise any political propaganda for or in the interests of such association in the form of prints or in any other form which is reasonably adapted to being, or which it or he believes will be, or which it or he intends to be disseminated or circulated among two or more persons shall—

(a) conspicuously mark such political propaganda at its beginning with, or preface it by or attach to it, a true and accurate statement, in the language used in such propaganda, setting forth the connection or relationship between the association or, as the case may be, such member and the political propaganda; and

(b) not later than forty-eight hours after its transmission, file with the Federal Government two copies thereof and a statement, duly signed by a member on behalf of the association or by such member on his own behalf setting forth full information as to the places, times and extent of such transmission.

Explanation.—In this section, “political propaganda” includes any oral, visual, graphic, written, pictorial or other communication or expression by any person which is reasonably adapted to, or which the person disseminating the same believes will, or which he intends to, prevail upon, convert, induce, or in any other way influence a recipient or any section of the public within Pakistan with reference to the political or public interests, policies or relations of the government of a foreign country or a foreign political party or with reference to the foreign policies of Pakistan or promote in Pakistan racial, parochial, religious or social dissension, or which advocates, advises, instigates or promotes any racial, parochial, social, political or religious disorder, civil riot or other conflict involving the use of force or violence or the overthrow of the Government established by law in Pakistan, by any means involving the use of force or violence.

13. Penalties and procedure.— (1) Any person who—

(a) contravenes or does not comply with, any of the provisions of this Act or any rule or order made thereunder;

(b) is a member or office-bearer of a foreign cultural association formed or functioning in contravention of section 3; or

(c) in any report or statement submitted under this Act to the Federal Government or other authority, makes any false statement or false representation;

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

(2) No Court shall take cognizance of an offence under this Act except upon a complaint in writing made by or under the authority of the Federal Government.

14. Indemnity. —No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

15. Power to make rules. —The Federal Government may, by notification in the official Gazette make rules for carrying into effect the provisions of this Act.

16. Delegation of Powers. —The Federal Government may, by order, direct that any power conferred on it by this Act shall, in such circumstances and subject to such conditions, if any, as may be specified in the direction, be exercisable also—

(a) by any officer or authority subordinate to the Federal Government; or

(b) by any Provincial Government or by any officer or authority subordinate to such Government.

17. '[Omitted]

'Omitted by the Federal Laws (Revision and Declaration) Ordinance No. XXVII of 1981, s.3 and sch.II.