

THE GWADUR (APPLICATION OF CENTRAL LAWS)
ORDINANCE, 1960

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THE GWADUR (APPLICATION OF CENTRAL LAWS) ORDINANCE, 1960
ORDINANCE No. XXXVII OF 1960.
[31 August, 1960]

An Ordinance for applying to Gwadar all Central laws which are or may hereafter be in force in the Mekran District in the Kalat Division of the Province of West Pakistan.

WHEREAS Gwadar, being ceded to Pakistan on the eighth day of September, 1958, became on that day one of the territories included in Pakistan ;

AND WHEREAS Article 2 of the Gwadar (Government and Administration) Order, 1958 (P. O. 8 of 1958), provides that until otherwise determined by competent authority, Gwadar shall, for purposes of government and administration, and all matters connected therewith, constitute part of the Mekran District in the Kalat Division of the Province of West Pakistan. ;

AND WHEREAS it is expedient to apply to Gwadar all Central laws which are or may hereafter be in force in the aforesaid Mekran District ;

NOW, THEREFORE, in pursuance of the Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:—

1. Short title—This Ordinance may be called the Gwadar (Application of Central Laws) Ordinance, 1960.

2. Application of [Federal] Laws.—(1) All [Federal] Acts, including all Orders and other enactments, and all notifications, rules, bye-laws or directions made or issued thereunder, which were in force in the District of Mekran in the Kalat Division of the Province of West Pakistan immediately before the eighth day of September, 1958, shall be and shall be deemed to have been in force in Gwadar with effect from the said day, and shall continue in force, subject always to such amendments as may have been or may be made therein by or under proper authority.

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3. Savings.—(1) Any law or legal instrument having the force of law in Gwadar (hereinafter called Gwadar law) in force immediately before the eighth day of September, 1958, and corresponding to the provisions of any [Federal] law applied by the preceding section, shall stand repealed on and from the said day, and shall be deemed to have been re-enacted by such [Federal] law, as if the Gwadar law were a [Federal] Act, and the provisions of the General Clauses Act, 1897 (X of 1897), shall apply accordingly.

(2) Notwithstanding the provisions of sub-section (1), anything done, action taken, right accrued, or liability, penalty, forfeiture or punishment incurred, under any Gwadar law on or after the eighth day of September, 1958, and immediately before the commencement of this Ordinance, shall be deemed to have been validly done, taken, accrued or incurred, as the case may be, and the [Federal] law by which such Gwadar law is deemed to have been re-enacted shall, to that extent, be deemed not to have come into force during that period.

‘Omitted by the Federal Laws (Revision and Declaration) Ordinance, 1981 (Ordinance No. XXVII of 1981 Subs. by the Federal Adaptation of Laws Order, 1975 (President’s Order No. 4 of 1975), Article 2 and Ta

(3) Nothing in section 2 shall be deemed to have or ever to have had the effect of retrospectively creating any offence or of retrospectively enhancing the punishment for any offence provided for in any law for the time being in force.

(4) Without prejudice to the other provisions of this Ordinance, the repeal by this Ordinance of any Gwadur law shall not affect—

(a) the previous operation of any Gwadur law so repealed or the validity, invalidity, effect or consequences of anything already done or suffered thereunder ; or

(b) any right, title, privilege, obligation or liability acquired, accrued or incurred thereunder, or any release or discharge already granted of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity, already granted, or the proof of any past act or thing ; or

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any Gwadur law so repealed ; or

(d) any investigation, legal proceeding or remedy in respect of any such right, title, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid ;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if this Ordinance had not been promulgated ;

nor shall this Ordinance revive or restore anything not in force or existing at the time of its commencement or affect any law in which any Gwadur law hereby repealed has been applied, incorporated or referred to, or affect any principle or rule of law, or established jurisdiction, form, or cause of pleading, practice, or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding, that they respectively may have been in any manner affirmed, recognized or derived by, in or from any Gwadur law hereby repealed.