

THE KHYBER PAKHTUNKHWA CONTINUATION OF LAWS IN THE
ERSTWHILE PROVINCIALY ADMINISTERED TRIBAL AREAS
ACT, 2018

(KHYBER PAKHTUNKHWA ACT NO. III OF 2019)

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(KHYBER PAKHTUNKHWA ACT NO. IIT OF 2019)

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa, (Extraordinary), dated the 10th January, 2019).

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ACT

to provide for the continuation of laws in the erstwhile Provincially Administered Tribal Areas of the Province of the Khyber Pakhtunkhwa.

Whereas it is expedient to provide for the continuation of laws in the erstwhile Provincially Administered Tribal Areas which are merged in the Province of Khyber Pakhtunkhwa in pursuance of the Continuation (Twenty-Fifth Amendment) Act, 2018;

It is hereby enacted as follows:

1. Short title, extent and commencement—(1) This Act may be called the Khyber Pakhtunkhwa Continuation of Laws in the Erstwhile Provincially Administered Tribal Areas Act, 2018.

(2) It shall extend to the areas as defined in clause (b) of section 2 of this Act.

(3) It shall come into force at once and shall be deemed to have taken effect from 3rd September, 2018.

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

(a) “competent authority” in respect of-

(i) an Ordinance, the Governor of the Khyber Pakhtunkhwa;

(ii) an Act, the Provincial Assembly of the Khyber Pakhtunkhwa;
and

(iii) notifications, rules, regulations, orders and bye-laws, the authority in which the powers to make, alter, repeal or amend, vests under the law; and

(b) “Provincially Administered Tribal Areas” means the Provincially Administered Tribal Areas, as provided in sub-clause (i) of clause (b) of Article 246 of the Constitution of Islamic Republic of Pakistan.

3. Continuation of laws.--- (1) Notwithstanding anything contained in any other law, for the time being in force, all the laws, Regulations, rules, notifications and bye-laws, including Actions (in Aid of Civil Power) Regulation, 2011, or any other legal instrument, applicable in the erstwhile Provincially Administered Tribal Areas and having had the force of law under or in pursuance of Article 247 of the Constitution of Islamic Republic of Pakistan, now omitted vide the Constitution (Twenty-Fifth Amendment) Act, 2018, shall continue to remain in force until altered, repealed or amended by the competent authority.

(2) Notwithstanding anything contained in any other law, for the time being in force, Secretary to Government, Home and Tribal Affairs Department may, by notification in the official Gazette, confer policing powers upon member of the Federal and Provincial levies force in the Province of the Khyber Pakhtunkhwa, as and when required.

4. Removal of difficulties.---If any difficulty arises in giving effect to the provisions of this Act, the matter shall be placed before a Committee, to be constituted by the Chief Secretary, Khyber Pakhtunkhwa, for removing the difficulty.