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/ ISLAMABAD, SATURDAY, JULY 26, 1975

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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 26th July, 1975

The following Acts of Parliament received the assent of the President on the 21st July, 1975, and are hereby published for general information :—

ACT No, Li oF 1975

An Act further to amend the Legal Practitioners and Bar Councils, Act, 1973
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WHEREAS it is expedient further to amend the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973), for the purpose hereinafter appearing ;

It is hereby enacted as follows :—

1L. Short title and commencement.—(1) This 'Act may be called the Legal Practitioners and Bar Councils (Amendment) Act, 1975.

(2) It shall come into force at once.

2. Amendment of section 16, Act XX XV of 1973.

and Bar Councils Act, 1973 (KKXV of 1973), in section 16, for clauses Pay and (b) the following shall be substituted, namely :—

"(a) in the case of the Pakistan Bar Council, the vacancy shall be filled by a person elected in accordance with the provisions of section 11 ; and . ,

(b) in the case of a Provincial Bar Council, the vacancy shall be filled by the person who received, in the same election and from the same district or, as the case may be, group of districts, the highest number of votes next after the member the vacancy in whose seat is to -be filled, or if there be no such person, by a person eligible for election to that Council from the same district or, as the case may be, group of districts who is co-opted by the Provincial Bar Council. ".

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(b) in sub-section (3A), in the proviso, for clauses (d), (e), (f), (g) and (h) the following shall be substituted, namely :—

“(d) the proportion of business not lapsing out of the business

“ procured by the employer of agents to the business so
procured ; and

(e) the number of employers of agents intervening between the
insurer and the insurance agents.

5. Amendment of section 42A, Act IV of 1938.—In the said Act, in section 42A, in sub-section (5), in clause (iv), after the brackets and figure “(iv)”, the words and comma “except in such circumstances as may be prescribed,” shall be inserted.

6. Amendment of section 114, Act IV of 1938.—In the said Act, in section 114, after sub-section (1), the following new sub-section shall be inserted, namely :—

“(1A) Such rules made within three months of the commencement of the Insurance (Amendment) Act, 1975, to prescribe the matters to be prescribed for the purposes of section 40A may be made so as to have effect from any day not earlier than the first day of Decem-

r, 1974.”.

7. Amendment of section 120B, Act IV of 1938.—In the said Act, in section 120B, for the words “East Pakistan and in any other” the word “any” shall be substituted. ;

8. Repeal.—The Insurance (Amendment) Ordinance, 1975 (VI of 1975) is hereby repealed.

ACT No. LV oF 1975

An Act to determine the salary, allowances and privileges of the Chief Election Commissioner.

WHEREAS it is expedient to determine the salary, allowances and privileges of the Chief Election Commissioner ;

It is hereby enacted as follows :—

1. Short title and commencement.—This Act may be called Election Commissioner (Salary, Allowances and Privileges) Act, 1975.

(2) It shall come into force at once.

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

(a) "Commissioner" means the Chief Election Commissioner appointed under clause (1) of Article 213 of the Constitution : and

(b) "Constitution" means the Constitution of the Islamic Republic of Pakistan.

3. Salary, allowances and privileges.—A Commissioner shall be entitled to the same salary, allowances and privileges as a Judge of the Supreme Court:

Provided that, if a person who has retired from the service of Pakistan is intended as Commissioner after the commencement of this Act, he shall not be entitled to his pension for the period, he holds the office of Commissioner.

4. Provident Fund.—The Commissioner may, at his option, become a subscriber to the General Provident Fund and, if he so opts, shall subscribe to the Fund as a compulsory subscriber according to the General Provident Fund (Central Services) Rules.

5. Leave.—(1) A Commissioner who, within the period of seven days immediately preceding his appointment as such, was in the service of Pakistan shall carry with him in his said appointment the leave earned by him and standing to his credit while in such service and may be granted leave by the President under the rules applicable to him while in such service ; and his service as Commissioner shall count for the grant of leave under the said rules.

(2) A Commissioner who, within the period of seven days immediately preceding his appointment as such, was not in the service of Pakistan may be granted leave by the President as follows :

(a) leave on leave salary equivalent to full pay at the rate of one eleventh of the period spent on duty ;

(b) leave on leave salary equivalent to half pay at the rate of one eleventh of the period spent on duty, such leave being convertible into leave on full pay at the rate of two days of leave on half pay equal to one day's leave on full pay, if it is availed of on medical grounds ; and

extraordinary leave without pay or allowances for a period not ex-

ceeding three months during his full term of three years, subject to

a maximum of two months at any one time, the Commissioner being

entitled to combine such leave with any other kind of leave admissible to him.

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6. Repeal.—The Chief Election Commissioner (Conditions of Service) Rules, 1982, are hereby repealed.