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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 2nd December, 2011

No. F, 22(18)/2011-Legis.—This Act of Majlis-e-Shoora (Parliament)

received the assent of the President on the 28th November, 2011, and is hereby published for general information: —

Act No. XX or 2011

An Act further to amend the Pakistan Penal Code, 1860 and the Code of Criminal Procedure, 1898

WuerkAs it is expedient further to amend the Pakistan Penal Code, 1860 (Act XLY of 1860) and the Code of Criminal Procedure, 1898 (Act V of 1898) for the purposes hereinafter appearing.

It is hereby enacted as under:—

1. Short title and commencement.—(1) This Act may be called the Criminal Law (Amendment) Act, 2011.

(2) It shall come into force at once.

(463)

[1022(2011)/Ex. Gaz.] Price ; Rs. 5.00

Addition of a new Chapter, Act XLV of 1860.—In the Pakistan

Penal Code, 1860 (XLV of 1860), after Chapter XVII, the following new chapter shall be inserted, namely:—

“CHAPTER XVII A

OF OFFENCES RELATING TO OIL AND GAS ETC

462A. Definition.—In this chapter, unless there is anything repugnant in the subject or context:—

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“distribution” means the activity of transporting petroleum through pipelines and associated facilities. In case of natural gas, distribution means the activity of transporting natural gas through pipelines and associated facility at a pressure which would not ordinarily be expected to exceed three hundred per square inch gauge (psig) or such pressure as the relevant Regulatory Authority may prescribe from time to time;

“facility” includes Liquefied Petroleum Gas (LPG) processing facility or compression facility, natural gas or LPG testing facility, natural gas storage facility, Liquefied Natural Gas (LNG) processing facility or crude oil and refined oil products storage facility, repeater station or compression station other than compression system installed at Compressed Natural Gas (CNG) Station;

“gas meter” means an instrument which measures gas delivered to consumer for consumption;

“gas regulator” means a regulator to control the pressure of gas;

“installation” means all facilities used in loading, unloading, reloading, transmission and distribution of petroleum, including equipment, terminals, storage tanks, pipelines and port facilities;

“ meter index” means a “counter in” in a gas meter for recording the volume of gas passed through the gas meter at line condition;

“person” includes any individual or any company, firm or corporation whether incorporated or not, or a public servant or an employee of any oil and gas company;

“petroleum” means oil, crude oil, refined oil products, natural gas, LPG, Air Mix LPG, LNG and CNG;

(i) "pipeline" means any pipe or any system or arrangement of pipes

wholly within Pakistan including offshore area which transports

petroleum and includes all equipment of any kind used for the purpose

of, or in connection with, or incidental to, the operation of a pipeline in transporting or handling of petroleum;

(j) "tampering" includes interfering or creating hindrance in flow or metering of petroleum by unauthorized entry into metering system or transmission and distribution lines either by breaking the seals or damaging or destructing the same or in any manner interfering with the meter or interfering with its original condition; e

(k) "transmission" means the activity of transporting natural gas through pipelines and other facilities at a pressure of not less than three hundred psig or such pressure as the relevant regulatory Authority may prescribe from time to time; and

(() "transportation" means an activity of transporting oil through pipelines and associated facilities where the pipelines are an integral part of a refinery, facility or gathering pipelines.

462B. Tampering with petroleum pipelines, etc.—(1) Any person who willfully does tampering or attempts to do tampering or abets in tampering with a facility, installation or main pipeline for transmission or transportation, as the case may be, of petroleum, is said to commit tampering with petroleum pipelines.

(2) Any person who commits or abets in tampering with petroleum pipelines for the purpose of, —

(a) theft of petroleum; or

(b) disrupting supply of petroleum,

shall be punished with rigorous imprisonment which may extend to fourteen years but shall not be less than seven years and with fine which may extend to ten million rupees.

462C. Tampering with auxiliary or distribution pipelines of petroleum.—(1) Any person who willfully does tampering or attempts to do tampering or abets in tampering with any auxiliary or distribution pipeline of petroleum not being a main transmission and transportation pipeline but includes a distribution

system, distribution pipeline or any other related system and equipment, as the case may be, of petroleum is said to commit tampering with auxiliary or distribution pipelines of petroleum.

(2) Any person who commits or abets in tampering with auxiliary or distribution pipeline of petroleum for the purpose of, —

- (a) theft of petroleum; or
- (b) disrupting supply of petroleum,

shall be punished with rigorous imprisonment which may extend to ten years but shall not be less than five years and with fine which may extend to three million rupees.

462D. Tampering with gas meter by domestic consumer, etc.—Any person or individual being the domestic consumer who does tampering or abets in tampering with any gas meter regulator, meter index or gas connection or any other related system and equipments, whether to commit theft of gas or for the purpose of unauthorized distribution or supply of gas shall be punished with imprisonment for a term which may extend to six months or fine which may extend to one hundred thousand rupees or both.

462E. Tampering with gas meter by Industrial or commercial consumer, etc.—Any person or individual being industrial or commercial consumer who does tampering or abets in tampering with any gas meter, regulator, meter index or gas connection or any other related system and equipments, whether to commit theft of gas or for the purpose of unauthorized distribution or supply of gas shall be punished with imprisonment which may extend to ten years but shall not be less than five years or fine which may extend to five million rupees or both.

462F, Damaging or destructing the transmission or transportation lines, etc.—Any person who damages or destructs any transmission or transportation lines by an act of subversion by explosive material or in any other manner so as to disrupt the supply of petroleum shall be punished with rigorous imprisonment which may extend to fourteen years but shall not be less than seven years and with fine which shall not be less than one million rupees.”.

3. Amendment of Schedule II, Act V of 1898.—In the code of Criminal Procedure, 1898 (Act V of 1898), in Schedule II, in column 1, after section 462 and the corresponding entries relating thereto in columns 1,2,3,4,5,6,7 and 8 the following shall be inserted, namely:—

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