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EXTRAORDINARY  
PUBLISHED BY AUTHORITY

ISLAMABAD, SATURD. ay, APRIL b 30, 1977

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

isfamabad, the 29th April, 1977

The following Acts of Parliament received the ussent of the President on the 30th April, 1977. and are hereby published for generat mformation :—

ACT Na, Noor Ja07

An det forther te cowl the Pakistai Army Aet, PY52

Warwsas it is expedient further to ameué the Pakistan try Act. 1952 (XXXIX of (982), for the purpose hereinafter uppeuring

It is hereby cnacted as follows: --

1, Short title, extent, commencement and donation. (1) This Act may he called the Pakistan Army tAcnendment) Act, 1977.

12) It extends ti the areas in which the Armed Forces of Pakistan ice for ihe time being #eting in ud of civil power in pursuance of Article 245 of the Constituden, except clause [h) of section 2, which extends to the whole of Pakistait.

(At TH shill come into force al anve and shall be deemed to have tuken effect un the twenty-first day ad Anril. 1977.

(4) It shall remain in fortes in an area referred ta in sub-section 2) entil ihe Armed Forces of Pakistan cure cetina therein in td oof civil power in pursuusee af Asticle 248 of the Constitution.

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(b) in sub-section (2), after the word 'but', the commas, words, brackets and figure ". except in the case of an offence referred to in the provisions of sub-section (1) shall be inserted. ".

4. Certain offences exclusively triable by a court martial,—Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (V of 1898), the Pakistan Army Act, 1952 (XXXIX of 1952), or any other law for the time being in force, the offences mentioned in paragraph (iii) of clause (d) and clause (ddi) of sub-section (1) of section 2 of the said Act shall be triable exclusively by a court martial held thereunder :

Provided that an officer authorised in this behalf by the Chief of the Army Staff may, by order in writing, transfer any such case for trial to any court or tribunal of competent jurisdiction. ".

5. Saving.—Nothing in this Act shall be deemed to require the transfer to a court martial held under the Pakistan Army Act, 1952 (XXXIX of 1952), of any case or proceedings pending, immediately before the commencement of this Act, before any court or tribunal.

6. Repeal.—The Pakistan Army (Amendment) Ordinance, 1977 (XVII of 1977) is hereby repealed.

ACT No. MEoF 1977

An Act further to amend the Defence of Pakistan Ordinance, 1971

Whereas it is expedient further to amend the Defence of Pakistan Ordinance, 1971 (XXX of 1971), for the purposes hereinafter appearing :

It is hereby enacted as follows :

1. Short title, extent, commencement and duration.—(1) This Act may be called the Defence of Pakistan [Amendment Act, 1977],

(2) It extends to the areas in which the Armed Forces of Pakistan are for the time being acting in aid of civil power in pursuance of Article 44 of the Constitution.

(3) This shall come into force at once and shall be deemed to have taken effect on the twenty-first day of April, 1977.

(4) It shall remain in force until the Armed Forces of Pakistan are acting therein in aid of civil power in pursuance of Article 245 of the Constitution.

2. Amendment of section 2, Ordinance XXX of 1971.—In the Defence of Pakistan Ordinance, 1971 (XXX of 1971), hereinafter referred to as the said Ordinance, section 2 shall be re-numbered as sub-section (1) of that section and, after sub-section (1) re-numbered as aforesaid, the following new sub-section shall be added, namely :—

“<sup>¶</sup>2) For the purposes of this Ordinance and any rules made thereunder,—

fa) “\* Magistrate ” includes an officer of the Pakistan Army not below the rank of captain , and

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{b) "police officer" includes un officer of the Pakistan Army not below Lhe rank of junior commussinned afficer.".

3. Inseriton af new section ISA, Ordinance XXX vf (97L-- fn the said Ordinance, after scction 15, the following new section shall be inserted, namely :- -

"154A, Power to prohibit persons from toving ant af doory.—{1 Any officer of the Armed Forces of Pakistan by whom the powers cun- ferrect upon the Federal Government by any rules made under section 3 are for the time heing exereisable ny, by order, direct that, subject to uny exemption specified in such arder, ao person presen within any specified area shall, between such hours ax may be so specified, be out of doors except under Lhe authority of u written pernnit pranted by an aulhoriy or person so specified.

(2) IF any person contravenes any order made under sub-sccision 1), he shall, without prejudice to the provisions of sub-section ()), be punishable with imprisonment for a term which may extend to seven years iid shall also be lizable to fine.

H Any alficer of the Armed Forces of Pakistan, or any officer of the Federu! Seeurity Force or any ather armed forces operating under the eommund of un officer of the Armed Forces of Pakistan, gngaged in enforcing compliance wilh an arder made under sub- section ( )) may shoot at sight any person contravening the order se as to cauze the death of, or other harm to, such person, if in his opinion which shall be finul, it is necessary ta de so."

M.A. AQ,

Secresary,

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