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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad. the 10th June, 2016

No. F. 22(16)/2014-Legis.—The following Acts of Mujlis-e-Shoora
(Parliament) received the assent of the President on the 8th June, 2016 and are
hereby published for general information:—

ACT NO. XXVI OF 2016

An Act further to amend the Delimitation of Constituencies Act, 1974
WILDFEAS, it is expedient further to amend the Delimitation of
Constituencies Act, 1974 (XXXIV of 1974), for the purposes hereinafter
appearing:

It is hereby enacted as follows: -

1. Short title and commencement.—{ 1) This Act may be called the
Delimitation of Constituencies (Amendment) Act, 2016.

(393)

Price. Rs. 5.00

[3114(2016)/Ex. Gaz.]

2. It shall come into force at once.

2. Amendment of section 2, Act XXXIV of 1974.—In the Delimitation of Constituencies Act, 1974 (XXXIV of 1974), hereinafter referred to as the said Act, in section 2, after clause (b), the following new clauses shall be inserted, namely:—

“(ba) “local government” means a local government established under a Federal or a Provincial law relating to local government;

(bb) “local government law” means a Federal or a Provincial Law relating to local government;

(bc) “council” means a local council as defined in the respective Federal or Provincial local government laws;”.

3. Insertion of new section, Act XXXIV of 1974.— (1) In the said Act, after section 3, the following new section shall be inserted. namely:—

“3A. Delimitation of constituencies for local government elections.— The Commission shall also delimit territorial constituencies for elections to the local governments in accordance with the provisions of the local government Law and the rules made thereunder of each Province.”.

4. Amendment of section 8, Act XXXIV of 1974.—In the said Act, in section 8, after sub-section (5), the following new sub-section shall be added, namely:—

“(6) For the purpose of election to the local government, the Commission shall divide each local government into as many separate territorial constituencies and the number of councils and seats for direct election as provided in the respective Federal or Provincial local government laws.”.

5. Amendment of section 10, Act XXXIV of 1974.—In the said Act, in section 10, in sub-section (2), for the word “or”, a comma shall be substituted and after the word: “Provincial Assembly”, the words “or a local council” shall be inserted.

6. Addition of new section, Act XXXIV of 1974.—In the said Act, after section 11, the following new section shall be added, namely:—

“12. Power to make rules.—The Commission may, with the approval of the President and by notification in the official Gazette, make rules for carrying out the purposes of this Act.”.

An Act further to amend the National Database and Registration Authority Ordinance, 2000

WHEREAS it is expedient further to amend the National Database and Registration Authority Ordinance, 2000 (VIII of 2000), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. Short title and commencement.— (1) This Act may be called the National Database and Registration Authority (Amendment) Act, 2016.

2. It shall come into force at once.

2. Amendment of Section 13, Ordinance VIII of 2000.—In the National Database and Registration Authority Ordinance, 2000 (VIII of 2000), hereinafter referred to as the said Ordinance, in Section 13, for the full stop, at the end, a colon shall be substituted and thereafter the following proviso shall be added, namely:— .

“Provided that the cards issued and registered under the Foreigners Act, 1946 (XXXI of 1946) shall be deemed to have been issued under this Ordinance and shall remain valid till such period as the Federal Government may notify in the official Gazette.”.

3. Insertion of new Section 41-A, Ordinance VII of 2000.—In the said Ordinance, after Section 41, the following new section shall be inserted,

namely:—

“41-A. Transfer of assets and liabilities of Alien Registration Authority.— (1) On transfer of the Alien Registration Authority (NARA) under Section 17 of the Foreigners Act, 1946 (XXXI of 1946), all employees of the NARA shall, subject to the following provisions, cease to be civil servants within the meaning of the Civil Servants Act, 1973 (LXXI of 1973) and shall be deemed to have always been appointed on comparable posts of the Authority. except for the purposes

of financial benefits which shall not be admissible to them prior to the date of their transfer to the Authority.

(2) Notwithstanding anything to the contrary contained in this section, any person referred to in sub-section (1) may, within three months of the transfer, exercise an irrevocable option either to remain civil servant or, as the case may be, become employee of the Authority:

Provided that where any person does not exercise the option within the said period he shall be deemed to have opted to become employee of the Authority.

(3) Any person who opts under sub-section (2) to remain civil servant shall be provided with a comparable posting elsewhere within three months of the exercise of option and till such posting remain on surplus pool of the Federal Government.

(4) On transfer as aforesaid, a person, until his employment in the Authority is terminated in accordance with his terms and conditions of service or his terms and conditions as altered by regulations which shall not be less favourable than those by which he was governed immediately before his transfer, shall continue to be governed accordingly.

(5) No person who stands transferred to the Authority by virtue of sub-section (2) shall, notwithstanding anything contained in any law for the time being in force, not entitled to any compensation because of such transfer.

(6) All assets and liabilities of the NARA including its counters and other formations shall, on commencement of the Foreigners (Amendment) Act, 2016 (XX of 2016), stand transferred to and vested in the Authority. ,

(7) The Federal Government shall pay to the Authority capitalized value of pension and gratuity in respect of employees, transferred to the Authority under sub-section (1) to which they have

become entitled to or have been earned by them or have accumulated till their transfer to the Authority.

(8) All suits and other legal proceedings instituted by or against the Federal Government and NARA in respect of the matters of the foreigners' registration immediately before commencement of the Foreigners (Amendment) Act, 2016 (XX of 2016) shall be deemed to be suits and legal proceedings of the Authority on and from such commencement and shall be dealt with by the Authority accordingly.

(9) All debts and liabilities incurred, contracts entered into or rights acquired and all matters and things done, engaged or to be done by or for the NARA immediately before commencement of the Foreigners (Amendment) Act, 2016 (XX of 2016) shall be deemed on such commencement to have been incurred, entered into, acquired, done, engaged or, as the case may be, to be done by or for the Authority.”.

ABDUL JABBAR ALI,
Secretary.

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