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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 further 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 appeuring

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) Jt extends ti the areas in which the Armed Forces of Pakistan ice for  
ihe time being #eting in ud of civil power in pursuanee 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) until  
ihe Armed Forces of Pakistan cure cetina therein in td oof civil power in  
pursuusee af Asticle 248 of the Constitution.

(200)

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2. Amendment of section 2, Act XXXIX of 1952.—In the Pakistan Army Act, 1952 (XXXIX of 1942), hereinafter referred to as the said Act, in: section 2. in sub-section (1),—

{a} in clause (d), in paragraph (ii), after the semi-colon at the end, the word “or” shall be added and thereafter the following new paragraph shall be added, namely :—

“(ii) an offence punishable under section 123, 123A, 124A, 143,

147, 148, 149, PSSA, 188, 193, 324, 295, 282, 302, MH, 307, 325, 326, 332, 342, 353, 364, 366, 376, 392, 395, 396, 397, 424, 425 or 436 of the Pakistan Penal Code (Act XLV of 1860), or the Pakistan Arms Ordinance, 1965 (WP, Ordinance XX of 1965), or the Explosive Substances Act, 1908 (VF of 1908), of the Defence of Pakistan Ordinance, 1971 (XXX of 147), or any rule made thereunder or the High Treason (Punishment) Act, 1973 (LXVIII of 1975), or the Prevention of Anti-National Activities Act, 1974 (VEEP of 1974), or an attempt or conspiracy to commit, or an abetment of, any of the said offences 5”. and

f) after clause (d), amended as aforesaid, the following new clause shall be inserted, namely :

“(dd) persons not otherwise subject to this Act who are accused of

3. Amendment of section 8, Act XXXIX of 1952.

section 8,—

having done any act with intent to: impair the efficiency or

impede the working of, or to cause damage to,—

ii) any building, vehicle, machinery apparatus of other property used, or intended to be used, for the purposes of the State or any local authorities ;

(2) any railway as defined in the Railways Act, 1890 (IX of 1890), tramway, road, canal, bridge, culvert, Causeway, port dockyard, lighthouse, aerodrome, or any telegraph, telegraph line or post, as defined in the Wireless Telegraphy Act 1885 (XXI of 1885) or any wireless installation -

(iii) any vessel or aircraft or rolling stock of a railway or tramway:

five any Suiding of other preperets used in connection wills the production, distribution or supply of any essential commodity, any sewage works, mine or factory ;

to any prohibited place. it is punishable under any rules made under the Defence of Pakistan Ordinance, 1971 (XXX of [YF] or an attempt or conspiracies to do. or an abetment of any such act".

In the said Act in

(a) in sub-section (1). for the Full stop at the end a colon shall be substituted and thereafter the followings proviso shall be added, namely :

'Provided that. for the said of the Fence mentioned in paragraph

(iii) of clause (dd) of sub-section (1) of section 2. a summary court may be held by an officer, not below the rank of Captain, empowered in this behalf by an officer holding warrant ' 6" within the area of his command. \* ; and

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(b) in sub-section (2), after the word 'but', the commas, words, brackets and figure ". exeept in the cuse of an offence referred io in the pro-wso ta sub-section d!!) shall be inserted. ".

4, Cerfaia offences exclusively triahle by a cours martial,—Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (V of 1898), the Pakistan Army Act, 1952 (AXXIX of 1952), or any other lew for the Lime being ja force, the offences mentioned iy) paragraph (iii} mt clause (d) and clause (ddi of sub-svetion (1} of scetion 2 of the said Aci shal) be triable exctusively by a court martial held thereunder :

Provided that ao officer authorised in this behalt by the Chief of the Army Staff may, by order in wriling, transfer any such case for tvia)l io any court or wibunal of competent jurisdiction. ".

5. Saving.—Nothing in this Act shull be deemed to require the transfer to 2 court marliul held under the Pakistan Army Acl, 1952 (XXXIX of 1952), of any Case Or procedsings pending. immediately before Lhe comuencenient of this Act, before any curl ot tribunal.

6. Repeal—The Pakistan Army (Amendoent) Ordinance. 1977 (X¥YIT of t9FF. is herehy repealed.

ACT Ne. MEooF 1977

An Act further te amend the Defertce of Pukistar Ordtnance, 197 ¢

Warrnvas il is exsedient dirther to amead the Defenre af Pakistan Ordinanee, 1977 (XXX of 1971), for the purposes hereinafter appearing :

It ts hereby enacted as follows :

1. Short title. extent, commencement and duration.—i{} This Act may be called the Defence of Paksian [Amendment Aci. 1077,

(2) TL eatends 19 the areas in which the Armed Forces of Pakistan ure for the time being acting in aid ol civil power in pursuance al Anicle 44 al ie Constitution.

(3) Tk shafi come inka force at once and shall be deemed to hive taken céleel on the twenty-first day of April, 177.

(4) Tt shall remain in force i un areca eclerred ti in sub-seciion (2) until the Armed Forces of Pakisian are acting therein in aid of civil power in pursu-ance of Article 245 of the Constitution.

2, Amendment of section 2, Ordinance XXX of 1971.--1n the Delence of Pakistan Ordinanec, 1971 (XXX of 1971), hereinafter referred ta as the sa'd Ordinance. section 2 shali be re-numbered ws sub-section (1) of that section und, alter sub-section (1) re-numbered a5 aforesaid, the following new sub-section shall be added, namely :—

“2) For the purposes of this Ordinance and any rules made there-  
under,—

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