

Sakislam

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 5th March, 1974

The following Acts of Parliament received the assent of the President on the 5th March, 1974, and are hereby published for general information :—

ACT No. X of 1974

An Act to provide for the appointment of Legal Advisers to companies

WHEREAS it is expedient to provide for the appointment of Legal Advisers to companies and matters connected therewith ;

} It is hereby enacted as follows :—

. 1. Short title, extent and commencement.—(1) This Act may be called the Companies (Appointment of Legal Advisers) Act, 1974.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

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

(a) "advocate" means an advocate entered in any roll under the provisions of the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973);

-(b) "company" means a company formed and registered under the Companies Act, 1913 (VII of 1913), but does not include a company the paid-up capital of which is less than rupees or a company limited by guarantee or an association registered under section 26 of that Act; A (Part 1 of Part 3; and

(c) "Legal Adviser" means a person appointed as such under section 65;

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11F. Finality of order.—An order passed by a Magistrate under section 11D or section 11E shall be final and no court or authority shall entertain any plea as to the jurisdiction of the Magistrate or as to the legality or propriety of the order or allow such an order to be called in question in any manner whatsoever. ”.

ACT No. XVI of 1974

An Act further to amend the Pakistan Atomic Energy Commission Ordinance, 1965

WHEREAS it is expedient further to amend the Pakistan Atomic Energy Commission Ordinance, 1965 (XVII of 1965), for the purpose _ hereinafter appearing ;

It is hereby enacted as follows :—

"1. Short title and commencement.—This Act may be called the Pakistan Atomic Energy Commission (Amendment) Act, 1974.

(2) It shall come into force at once.

2. General amendment, Ordinance XVII of 1965.—In the Pakistan Atomic Energy Commission Ordinance, 1965 (XVII of 1965), hereinafter referred to as the said Ordinance, for the words "Central Government", wherever occurring, the words "Federal Government" and for the words "Comptroller and Auditor General", the words " Auditor General" shall be substituted.

3. Addition of new sections 3A and 3B, Ordinance XVII of 1965.—In the said Ordinance, in Chapter I, after section 3, the following new sections shall be added, namely :—

"3A. Employment under Commission to be employment under Federal Government.—Every employment under the Commission shall, for the purposes of the Pakistan Essential Services (Maintenance) Act, 1952 (LHI of 1952), be deemed to be employment under the Federal Government and the said Act shall have effect accordingly.

3B. Ordinance XXIII of 1969 not to apply to Commission.—Nothing contained in the Industrial Relations Ordinance, 1969 (XXIII of 1969), shall apply to or in relation to the Commission or any of the officers, advisers and employees appointed by it.”.

4. Amendment of section 4, Ordinance XVII of 1965.—In the said Ordinance, in section 4, in sub-section (1),—

(a) for clause (c) the following shall be substituted, namely :—

“(c) three technical members of whom one may be a Member for Administration ; and”; and

(b) in clause (e), the words “of whom one shall be from East Pakistan + and the other from West Pakistan” shall be omitted.

5. Amendment of section 6, Ordinance XVII of 1965.—In the said Ordinance, in section 6, after sub-section (2), the following new sub-section shall be i , namely :—

"(2A) Notwithstanding anything contained in the Regulation 2f Mines and Oil-fields and Mineral Development (Government Contral) Act, 1948

(XXIV of 1943), the powers of the Federal Government under that Act shall, in relation to mines of nuclear substances and development of such substances, be exercisable by the Commission.

Explanation.—In this sub-section, “nuclear substance” means any substance or material which the Commission determines as being a substance or material which is or may be used for the production of or use in, atomic energy or for research into matters connected therewith, and includes all substances obtained or obtainable from the soil by underground or surface working which are radioactive.”.

6. Insertion of new section 7A, Ordinance XVII of 1965.—In the said Ordinance, after section 7, the following new section shall be inserted, namely :—

“7A. Standing bodies and committees—The Commission may from time to time appoint such standing bodies or committees from amongst its members as it may consider necessary to assist it in the performance of its functions and to discharge such of its functions as it may assign to them. ”.

7. Amendment of section 8, Ordinance XVII of 1965.—In the said Ordinance, in section 8, in subsection (1),—

(a) for clause (a) the following shall be substituted, namely :—

“(a) the Minister in charge of the administrative Division dealing with the Atomic Energy Commission, who shall be the Chairman of the Council, ex-officio ;” ; and

(b) in clause (bb), for the words “ Scientific and Technological Research Division” the words “administrative Division dealing with the Atomic Energy Commission” shall be substituted.

ASLAM ABDULLAH KHAN,
Secretary.

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