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PART I

Acts, Ordinances, President's Orders and Regulations

SENATE SECRETARIAT

Islamabad, the 29th December, 1997

The following Act of Majlis-e-Shoora (Parliament) received the assent of the Acting President on 24th December, 1997, is hereby published for general information :—

Act No. XLII of 1997

An Act further to amend the Suppression of Terrorist Activities (Special Courts) Act, 1975

Whereas it is expedient further to amend the Suppression of Terrorist Activities (Special Courts) Act, 1975 (XV of 1975), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. Short title and commencement.—(1) This Act may be called the Suppression of Terrorist Activities (Special Courts) (Amendment) Act, 1997.

(2) It shall come into force at once.

2. Substitution of section 3, Act XV of 1975.—In the Suppression of Terrorist Activities (Special Courts) Act, 1975 (XV of 1975), hereinafter referred to as the said Act, for section 3 the following shall be substituted, namely :—

“3. Establishment of Special Courts—(1) The Federal Government may, by notification in the official Gazette, establish, for the whole or any part of Pakistan, Special Courts and appoint a Judge for each of such Courts.

(1781)

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1782. THE GAZETTE OF PAKISTAN, EXTRA., DEC. 29, 1997 [Part I

(2) A Judge of a Special Court shall be appointed after consultation with the Chief Justice of the High Court of the Province in which the Special Court is established, and no person shall be appointed a Judge of a Special Court unless he has been a Judge of a High Court or is or has been a Sessions Judge or an Additional Sessions Judge.

(3) If so directed by the Federal Government, the Provincial Government shall establish a Special Court or Courts and appoint a Judge for each of such Courts who is qualified to be appointed as a Judge under sub-section (2).

(4) A Judge of a Special Court, not being a Sessions Judge or an Additional Sessions Judge, shall be appointed for a term of three years from the date on which he enters upon his office.

(5) The salary, allowances and other terms and conditions of service of a person appointed as a Judge of a Special Court shall be such as may be determined by the Government establishing such court.

(6) A Special Court shall hold its sittings at such place within its territorial limits as may be determined by the Government establishing such court.

(7) A person, not being a Sessions Judge or an Additional Sessions Judge, appointed as a Judge of the Special Court, may, by notice in writing under his hand resign his office.

(8) A person appointed as a Judge of a Special Court may be removed from his office in consultation with the Chief Justice of the High Court. ”.

3. Substitution of section 4A, Act XV of 1975.—In the said Act, for section 4A, the following shall be substituted, namely :—

“4A. Transfer of cases—Where two or more Special Courts have jurisdiction wholly or partly in the same territorial limits, the High Court may, if it considers expedient to do so in the interest of justice or for the convenience of the parties or of the witnesses, transfer any case from one Special Court to another.”.

ABDUL KAMAL KHAN,  
Secretary.

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