

A BILL

to provide for the continuation of laws in the erstwhile Federally Administered Tribal Areas of the Province of the Khyber Pakhtunkhwa.

WHEREAS it is expedient to provide for the continuation of laws in the erstwhile Federally Administered Tribal Areas of the Province of the Khyber Pakhtunkhwa, which have been merged in the Province of the Khyber Pakhtunkhwa, in pursuance of Constitution (Twenty-fifth Amendment) Act, 2018 (Act No. XXXVII of 2018);

It is hereby enacted as follows:

1. Short title, application and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Continuation of Laws in Erstwhile Federally Administered Tribal Areas Act, 2019.

(2) It shall extend to the areas as provided in clause (b) of section 2 of this Act.

(3) It shall come into force at once.

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

(a) “competent authority” in respect of-

(i) an Act, the Provincial Assembly of the Khyber Pakhtunkhwa; and

(ii) notifications, rules, orders and bye-laws, the authority in which the powers to make, alter, repeal or amend, vests under the law; and

(b) “Federally Administered Tribal Areas” means the Federally Administered Tribal Areas, as provided in Clause (c) of Article 246 of the Constitution of the Islamic Republic of Pakistan.

3. Continuation of laws.---(1) Notwithstanding anything contained in any other law, for the time being in force, all the laws, Regulations, rules, notifications and bye-laws, including Actions (in Aid of Civil Power) Regulation, 2011 or any other legal instrument, applicable in the erstwhile Federally Administered Tribal Areas and having had the force of law, under or in pursuance of Article 247 of the Constitution of the Islamic Republic of Pakistan and now omitted vide the Constitution (Twenty-fifth Amendment) Act, 2018 (Act No. XXXVII of 2018), shall continue to remain in force until altered, repealed or amended by the competent authority:

*Assft. Legal Drafter
Govt. of Khyber Pakhtunkhwa
Law Department*

Provided that anything done, action taken, rules made and notifications or orders issued by the law enforcement agencies in their discharge of official duties under any regulations, laws, rules, orders shall be deemed to be valid and the same shall not be called in question in any court of law and shall also be deemed to have been done, taken, made or issued under this Act.

(2) The provision of sub-section (1) shall not be applicable to the Federally Administered Tribal Areas Interim Governance Regulation, 2018 and Frontier Crimes Regulation, 1901.

4. Removal of difficulties.---If any difficulty arises in giving effect to the provisions of this Act, the matter shall be placed before a Committee, to be constituted by the Chief Secretary, Khyber Pakhtunkhwa, for removing difficulty.

STATEMENT OF OBJECTS AND REASONS

It is expedient to provide for the continuation of laws in the erstwhile Federally Administered Tribal Areas of the Province of the Khyber Pakhtunkhwa, which have been merged in the Province of the Khyber Pakhtunkhwa, in pursuance of Constitution (Twenty-fifth Amendment) Act, 2018 (Act No. XXXVII of 2018). Hence this Bill.



MINISTER-IN-CHARGE.

**Peshawar,
dated the
.2019.**

Asstt. Legal Drafter
Govt. of Khyber Pakhtunkhwa
Law Department