

# [AS PASSED BY THE NATIONAL ASSEMBLY]

A

Bill

*further to amend the Maritime Security Agency Act, 1994*

**WHEREAS** it is expedient further to amend the Maritime Security Agency Act, 1994 (X of 1994), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement—**(1) This Act may be called the Maritime Security Agency (Amendment) Act, 2020.

(2) It shall come into force at once.

**2. Amendment of section 3, Act X of 1994.—**In the Maritime Security Agency Act, 1994 (X of 1994), hereinafter referred to as the said Act, in section 3, in sub-section (2),-

(a) for the words "Federal Government", occurring for the first time, the words "Prime Minister" shall be substituted; and

(b) for the words "Federal Government", occurring for the second time, the words "Secretary of the Division concerned" shall be substituted.

**3. Amendment of section 4, Act X of 1994.—**In the said Act, in section 4, for the words "Federal Government", the words "Secretary of the Division concerned" shall be substituted.

**4. Amendment of section 5, Act X of 1994.—**In the said Act, in section 5, in sub-section (1), for the words "Federal Government", the words "Secretary of the Division concerned" shall be substituted.

**5. Amendment of section 15, Act X of 1994.—**In the said Act, in section 15, in sub-section (3), for the words "Federal Government", the expression "Director-General" shall be substituted.

6. **Amendment of section 17, Act X 1994.**— In the said Act, in section 17, for the words "Federal Government", the words "Prime Minister" shall be substituted.

7. **Amendment of section 19, Act X of 1994.**— In the said Act, in section 19, for the words "Federal Government" the words "Secretary of the Division concerned" shall be substituted.

### **STATEMENT OF OBJECTS AND REASONS**

The proposed amendments seek to amend Pakistan Maritime Security Agency Act No. X of 1994 with a view to replace the word "Federal Government" with the appropriate authority exercising powers on behalf of Federal Government in light of the Judgment of Supreme Court of Pakistan in Civil Appeals No. 1428 to 1436 of 2016 (filed by M/s Mustafa Impex, Karachi and others versus Government of Pakistan through Secretary Finance). Whereas, the Federal Cabinet vide its decision No. 419/19/2017 dated 08<sup>th</sup> November 2017, inter-alia, decided that all Ministries and Divisions should in consultation with Law & Justice Division, make amendments in the respective Acts/Rules and replace the words "Federal Government" with appropriate authority(ies), Prime Minister's Office also observing that frequent submission of trivial/routine nature of cases to the Federal Cabinet directed that all Ministries/Division should go through the rules and regulations made under different federal legislations, being administered by them, and move the cases for requisite amendments, if deemed appropriate.

2. The proposed amendments would be helpful in curtailing the number of cases trivial/routine nature to the Federal Cabinet by Ministry of Defence and also rationalize the authorities for various functions in PMSA in the light of prevailing rules, regulations and instructions of the government.

**Federal Minister for Defence**