

BILL No 120

**A
Bill**

*to amend the Khyber Pakhtunkhwa Appointment
of Law Officers Act, 2014.*

WHEREAS it is expedient to amend the Khyber Pakhtunkhwa Appointment of Law Officers Act, 2014 (Khyber Pakhtunkhwa Act No. XXXVII of 2014), for the purposes hereinafter appearing;

It is hereby enacted by the Provincial Assembly of Khyber Pakhtunkhwa as follows:

1. Short title and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Appointment of Law Officers (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment of section 3 of the Khyber Pakhtunkhwa Act No. XXXVII of 2014.---In the Khyber Pakhtunkhwa Appointment of Law Officers Act, 2014 (Khyber Pakhtunkhwa Act No. XXXVII of 2014), hereinafter referred to the said Act, in section 3,-

- (i) in sub-section (1), for the word "Government", appearing for the first time, the words "The Law, Parliamentary Affairs and Human Rights Department with the approval of the Chief Minister" shall be substituted; and
- (ii) in sub-section (2), for the word "Government" the words "Chief Minister" shall be substituted.

3. Amendment of section 5 of the Khyber Pakhtunkhwa Act No. XXXVII of 2014.---In the said Act, in section 5, for the word "Government", the words "the Chief Minister" shall be substituted.

4. Substitution of section 7 of the Khyber Pakhtunkhwa Act No. XXXVII of 2014.---In the said Act, for section 7, the following shall be substituted, namely:

"7. Appointment of legal advisors, legal consultants and legal counsel.---For conducting Government cases in the Supreme Court, High Court or Federal Shariat Court, an Administrative Department of Government, its attached Department and any other Government entity may appoint legal advisors, legal consultants, legal counsels or special counsels, as the case may be, in consultation with Law, Parliamentary Affairs and Human Rights Department in compelling circumstances where such appointment is necessary in the public interest."

Asstt. Legal Drafter
Govt. Of Khyber Pakhtunkhwa
Law Department

5. **Amendment of section 9 of the Khyber Pakhtunkhwa Act No. XXXVII of 2014.**---In the said Act, in section 9, after the words "Public Prosecutor", the words "for all intents and purposes", shall be inserted.

6. **Insertion of new section 10 in the Khyber Pakhtunkhwa Act No. XXXVII of 2014.**---In the said Act, after section 9 as so amended, the following new section shall be added, namely:

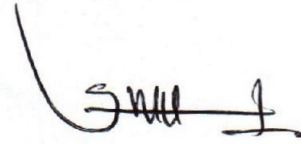
"10. **Power to make rules.**---Government may make rules for carrying out the purposes of this Act."

Asstt. Legal Drafter
Govt. of Khyber Pakhtunkhwa,
Law Department

STATEMENT OF OBJECTS AND REASONS

It is desirable to amend the Khyber Pakhtunkhwa Appointment of Law Officers Act, 2014 (Khyber Pakhtunkhwa Act No. XXXVII of 2014). Hence, this Bill.

Peshawar,
Dated the: 1 / 9 / 2019.



MINISTER-IN-CHARGE