

**A  
Bill**

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

**WHEREAS** it is expedient further 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, 2021.

(2) It shall come into force with effect from the date of commencement of the Khyber Pakhtunkhwa Appointment of Law Officers Act, 2014 (Khyber Pakhtunkhwa Act No. XXXVII of 2014).

**2. Amendment of section 4 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), in section 4,-

- (a) in sub-section (1), in clause (a), the words and hyphen "and Advocate-on-Record" shall be deleted; and
- (b) after clause (a), as so amended, the following new clause shall be inserted, namely:

“(aa) in the case of an Advocate-on-Record:

- (i) he is a citizen of the Khyber Pakhtunkhwa;
- (ii) he has for a period not less than five years been an Advocate of the Supreme Court; and
- (iii) he has signed the Roll of Advocates-on-Record maintained by the Registrar Supreme Court under the Supreme Court Rules, 1980 and his name shall appear on the said Roll.”; and

(c) in sub-section (3),-

- (i) the words and hyphen “or an Advocate-on-Record” shall be deleted; and



- (ii) for the word “they” appearing for the first time, the word “he” shall be substituted.

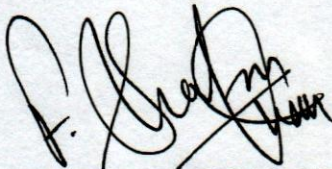
### **STATEMENT OF OBJECTS AND REASONS**

Order IV of the Supreme Court Rules, 1980 deals with Advocate-on-Record. Rule 2 of the order *ibid* provides that an Advocate-on-Record shall be entitled to appear and plead before the Supreme Court on signing his respective Roll. However, the rules *ibid* does not mention anything with regards to the upper age limit of the Advocate-on-Record. Therefore, it will be desirable to uncap the upper age limit of sixty five years for Advocate-on-Record (AOR) so as to remove anomalies in appearance and pleading on behalf of the Government before the constitutional courts without any break or gap.

Furthermore, the above referred rules provide that in order to be able to plead and appear before the Supreme Court, as Advocate-on-Record, a person has to sign the Roll of Advocates-on-Record and his name must appear on the said Roll. Therefore, this basic qualification for the Advocate-on-Record is necessary to be reflected in the Act *ibid*.

The Bill seeks to achieve the above mentioned objectives.

Peshawar,  
dated the: 15 / 11 / 2021.

  
MINISTER-IN-CHARGE