

EXTRAORDINARY

REGISTERED NO. P.III

GOVERNMENT



G A Z E T T E

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, FRIDAY, 3rd MAY, 2019.

PROVINCIAL ASSEMBLY SECRETARIAT KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 3rd May, 2019.

No. PA/Khyber Pakhtunkhwa/Bills-43/2019/17010.— The Khyber Pakhtunkhwa Continuation of Laws in Erstwhile Federally Administered Tribal Areas Bill, 2019 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 29th April, 2019 and assented to by the Governor of the Khyber Pakhtunkhwa on 29th April, 2019 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA CONTINUATION OF LAWS IN ERSTWHILE FEDERALLY ADMINISTERED TRIBAL AREAS BILL, 2019.

(KHYBER PAKHTUNKHWA ACT NO. XXIV OF 2019)

*(First published after having received the assent of the Governor of the
Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa,
(Extraordinary), dated the 3rd May, 2019).*

**AN
ACT**

*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:

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.

**BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA**

(NASRULLAH KHAN KHATTAK)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa

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