



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY, 10th JANUARY, 2019.

PROVINCIAL ASSEMBLY SECRETARIAT KHYBERPAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 10th January, 2019.

No. PA/Khyber Pakhtunkhwa/Bills-2/2019/1740.— The Khyber Pakhtunkhwa Continuation of Laws in the Erstwhile Provincially Administered Tribal Areas Bill, 2018 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 28th December, 2018 and assented to by the Governor of the Khyber Pakhtunkhwa on 4th January, 2019 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA CONTINUATION OF LAWS IN THE ERSTWHILE PROVINCIALY ADMINISTERED TRIBAL AREAS ACT, 2018

(KHYBER PAKHTUNKHWA ACT NO.III 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 10th January, 2019).

AN

ACT

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

WHEREAS it is expedient to provide for the continuation of laws in the erstwhile Provincially Administered Tribal Areas which are merged in the Province of the Khyber Pakhtunkhwa in pursuance of the Constitution (Twenty-Fifth Amendment) Act, 2018;

It is hereby enacted as follows:

- 1. Short title, extent and commencement.**---(1) This Act may be called the Khyber Pakhtunkhwa Continuation of Laws in the Erstwhile Provincially Administered Tribal Areas Act, 2018.

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

(3) It shall come into force at once and shall be deemed to have taken effect from 3rd September, 2018.

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

(a) “competent authority” in respect of-

(i) an Ordinance, the Governor of the Khyber Pakhtunkhwa;

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

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

(b) “Provincially Administered Tribal Areas” mean the Provincially Administered Tribal Areas, as provided in sub-clause (i) of clause (b) 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 Provincially 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, now omitted vide the Constitution (Twenty-Fifth Amendment) Act, 2018, shall continue to remain in force until altered, repealed or amended by the competent authority.

(2) Notwithstanding anything contained in any other law, for the time being in force, Secretary to Government, Home and Tribal Affairs Department may, by notification in the official Gazette, confer policing powers upon member of the Federal and Provincial levies force in the Province of the Khyber Pakhtunkhwa, as and when required.

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 the difficulty.

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(NASRULLAH KHAN KHATTAK)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa