

EXTRAORDINARY

GOVERNMENT



REGISTERED NO. PIII

G A Z E T T E

KHYBER PAKHTUNKHWA

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PROVINCIAL ASSEMBLY SECRETARIAT, KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 24th May, 2017.

No. PA/Khyber Pakhtunkhwa/Bills/2017/17875.—The Khyber Pakhtunkhwa Food Safety Authority (Amendment) Bill, 2017 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 16th May, 2017 and assented to by the Governor of the Khyber Pakhtunkhwa on 22nd May, 2017 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA FOOD SAFETY AUTHORITY (AMENDMENT) ACT, 2017

(KHYBER PAKHTUNKHWA ACT NO. XVI OF 2017)

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa, (Extraordinary), dated the 24th May, 2017).

AN ACT

*to amend the Khyber Pakhtunkhwa
Food Safety Authority Act, 2014.*

WHEREAS it is expedient to amend the Khyber Pakhtunkhwa Food Safety Authority Act, 2014 (Khyber Pakhtunkhwa Act No. X of 2014), for the purposes hereinafter appearing;

It is hereby enacted as follows:

1. Short title and commencement.—(1) This Act may be called the Khyber Pakhtunkhwa Food Safety Authority (Amendment) Act, 2017.

(2) It shall come into force at once.

2. General Amendment of the Khyber Pakhtunkhwa Act No. X of 2014.---In the Khyber Pakhtunkhwa Food Safety Authority Act, 2014 (Khyber Pakhtunkhwa Act No. X of 2014), hereinafter referred to as the said Act, for the words "Food Safety Authority", wherever occurring, the words "Food Safety and Halal Food Authority" shall be substituted.

3. Amendment of long title of the Khyber Pakhtunkhwa Act No. X of 2014.---In the said Act, for the long title, the following shall be substituted, namely:

"to provide for the safety and standard of food including Halal food and to promote their inter provincial trade and commerce and processes and to establish the Khyber Pakhtunkhwa Food Safety and Halal Food Authority in the Province of the Khyber Pakhtunkhwa.

4. Amendment of Preamble of the Khyber Pakhtunkhwa Act No. X of 2014.---In the said Act, in the preamble, for the first paragraph, the following shall be substituted, namely:

"WHEREAS it is expedient to provide for the safety and standard of food including Halal food and to promote their inter provincial trade and commerce and processes and to establish the Khyber Pakhtunkhwa Food Safety and Halal Food Authority in the Province of the Khyber Pakhtunkhwa and for matters connected therewith and ancillary thereto;"

5. Amendment of section 2 of the Khyber Pakhtunkhwa Act No. X of 2014.---In the said Act, in section 2-

(i) after clause (a), the following new clauses shall be added, namely:

"(a-i) "article" means any substance, artificial or natural, or partly artificial or partly natural, whether partly or wholly processed or manufacture product and any service or financial product offered to the public;"

(ii) after clause (f), the following new clause shall be added, namely:

"(f-i) "export" means sending, taking or carrying out of the Khyber Pakhtunkhwa, any article of food including Halal food, by any means including land, river, canal or air;"

(iii) in clause (g), for the words "means any article used as", the words "except as otherwise specifically provided in this Act, means any article used as food including Halal food" shall be substituted;

(iv) after clause (m), the following new clauses shall be added, namely:

"(m-i) "Halal" means anything permitted by the laws of Islam;

(m-ii) "Hala logo" means the logo approved by the Halal Food Safety Authority for a Halal article or process signifying that the same is in conformity with Halal standard pertaining thereto;

(m-iii) "Halal Standard" means the Pakistan Halal Standards for an article or process notified by the National Standards Body;"

(v) after clause (q), the following new clauses shall be added, namely:

“(q-i) “National Accreditation Body” means the Pakistan National Accreditation Council or such other body as may be notified for the purpose by the Federal Government;

(q-ii) “National Standards Body” means the Pakistan and Quality Control Authority or such other body, as may be notified for the purpose by the Government;”;

(vi) after clause (t), the following new clauses shall be added, namely:

“(t-1) “process” means series of steps for the production, manufacture or development of any article or system;”.

5. Amendment of section 4 of the Khyber Pakhtunkhwa Act No. X of 2014.---In the said Act, in section 4,-

(i) in sub-section (1),-

(a) after clause (g), the following shall be inserted, namely:

“(g-i)	Secretary to Government, Science and Technology & Information Technology Department;	Member
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(g-ii)	Secretary to Government, Auqaf, Hajj, Religious Affairs and Minority Affairs Department;	Member
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(g-iii)	Secretary to Government, Industries Department;	Member
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(g-iv)	a representative of the Pakistan Halal Authority;	Member
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(g-v)	a representative of the Pakistan National and Accreditation Council;	Member”;
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(b) after clause (j), the following shall be inserted, namely:

“(j-i)	a well-reputed Shariah Scholar, to be nominated by Government;”;	Member
and		

(ii) in sub-section (2), for the words and brackets “clauses (j)”, the words and bracket and comma “clauses “(j), (j-i)” shall be substituted.

6. Amendment of section 8 of the Khyber Pakhtunkhwa Act No. X of 2014.---In the said Act, in section 8, in sub-section (2),-

- (i) after clause (a), the following new clauses shall be inserted, namely:
 - “(a-i) develop policies, plans and programmes for ensuring compliance of Halal articles and processes with the Halal Standards and for promotion of their inter provincial trade and commerce in Halal articles and processes;
 - (a-ii) develop and authorize use of Halal logo for Halal articles and processes;
 - (a-iii) may operate as a certification body after obtaining due accreditation from the National Accreditation Body; and
- (ii) in clause (l), before the word “export”, the words “import and” shall be added;”.

7. Amendment of section 14 of the Khyber Pakhtunkhwa Act No. X of 2014.---In the said Act, in section 14,-

- (i) for clause (a), the following shall be substituted, namely:
 - “(a) take sample of any food including Halal food, or any substance or material used in any article or process, from any premises, godown and market, which appears to him to be intended for sale, or has been sold as food or Halal food in relation to which Halal logo has been used;” and
- (ii) in clause (c), after the words “distribution or sale”, the words “in contravention of this Act” shall be added.

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER PAKHTUNKHWA

(AMANULLAH)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa