



# KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 12TH MAY, 2015.

PROVINCIAL ASSEMBLY SECRETARIAT,  
KHYBER PAKHTUNKHWA

## NOTIFICATION

Dated Peshawar, the 12th May, 2015.

No. PA/Khyber Pakhtunkhwa/Bills/2015/12115.—The Khyber Pakhtunkhwa Judicial Academy (Amendment) Bill, 2015 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 4<sup>th</sup> May, 2015 and assented to by the Governor of the Khyber Pakhtunkhwa on 11<sup>th</sup> May, 2015 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

### THE KHYBER PAKHTUNKHWA JUDICIAL ACADEMY (AMENDMENT) ACT, 2015

(KHYBER PAKHTUNKHWA ACT NO. XXI OF 2015)

*(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa (Extraordinary), dated the 12<sup>th</sup> May, 2015).*

AN  
ACT

*to amend the Khyber Pakhtunkhwa  
Judicial Academy Act, 2012*

WHEREAS it is expedient to amend the Khyber Pakhtunkhwa Judicial Academy Act, 2012 (Khyber Pakhtunkhwa Act No. IV of 2012), 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 Judicial Academy Act, 2015.

(2) It shall come into force at once.

**2. Substitution of the Preamble of the Khyber Pakhtunkhwa Act No. IV of 2012.**--- In the Khyber Pakhtunkhwa Judicial Academy Act, 2012 (Khyber Pakhtunkhwa Act No. IV of 2012), hereinafter referred to as the said Act, for the preamble, the following shall be substituted, namely:

“WHEREAS it is expedient to establish a Judicial Academy for imparting training to the judicial officers and personnel concerned with the system of administration of justice with a view to promote continuing legal and judicial education, develop their capacity, professional competence and ethical standard for efficient dispensation of justice and matters connected therewith or incidental thereto and to provide higher education and conduct research in the field of law and judicial studies;

It is hereby enacted as follows;”.

**3. Amendment of section 4 of the Khyber Pakhtunkhwa Act No. IV of 2012.**- In the said Act, in section 4,-

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

“(aa) to provide higher education in the field of law and judicial studies;”;

(b) for clause (b), the following shall be substituted, namely:

“(b) to award certificates, degrees, diplomas and other distinctions to the students and trainees and to prescribe standards of proficiency before awarding such degrees, diplomas, certificates and distinctions;”;

(c) for clause (e), the following shall be substituted, namely:

“(e) to establish liaison with research institutions, universities and other bodies including the Federal Judicial Academy and the Higher Education Commission, towards the cause of administration of justice for legal and judicial education;”.

**4. Amendment of section 5 of the Khyber Pakhtunkhwa Act No. IV of 2012.**--- In the said Act, in section 5,-

(a) in clause (j), the word “and” occurring at the end shall be deleted;

(b) in clause (k), the full-stop appearing at the end shall be replaced by semi-colon and thereafter the word “and” shall be added; and

(c) after clause (k), as so amended, the following new clause shall be added, namely:

“(l) a representative of the Higher Member.”.  
Education Commission, not below the  
rank of basic pay scale 20 officer

**5. Amendment of section 6 of the Khyber Pakhtunkhwa Act No. IV of 2012.**--- In the said Act, in section 6, in sub-section (1), after the words “the Board shall”, the comma and words “, subject to the provisions of this Act” shall be added.

6. Insertion of new sections 10A and 10B to the Khyber Pakhtunkhwa Act IV of 2012.--- In the said Act, after section 10, the following new sections shall be inserted, namely:

“10A. Appointment of Controller Examination.--- The Controller of Examinations shall be appointed by initial recruitment on contract basis and if no suitable person is available for initial recruitment then by deputation for a period of three years, on such terms and conditions of service as may be prescribed.

10B. Academic Council.--- (1) There shall be an Academic Council, which shall comprise of-

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|-----|--|-----------------------|
| (a) | the Director General, Judicial Academy;  | Chairperson           |
| (b) | all the Directors of the Judicial Academy;   | Members               |
| (c) | a representative of the Peshawar High Court;   | Member                |
| (d) | a representative of Higher Education Commission;   | Member                |
| (e) | two faculty members of the Judicial Academy to be nominated by the Director General, Judicial Academy, for a period of two years;  | Members               |
| (f) | an eminent lawyer to be nominated by the Director General, Judicial Academy, for a period of two years;  | Member                |
| (g) | a legal expert having a rich experience of academics and research, preferably a University Teacher to be appointed by the Director General, Judicial Academy, for a period of two years; and | Member                |
| (h) | the Dean, Faculty of the Judicial Academy.   | Member-cum-Secretary. |

(2) The Academic Council shall be responsible for all academic matters including course, syllabi, examinations, degrees, diplomas, certificates and other matters connected therewith and ancillary thereto.

(3) The meetings of the Academic Council shall be held at least once in six months.

(4) The Dean Faculty of the Judicial Academy shall be the Secretary of the Council and in the absence of the Chairperson, Dean Faculty of the Judicial Academy shall preside over the meeting.

(5) The quorum of a meeting of the Academic Council shall be one half of the total members.

(6) All decisions shall be made by the majority of the members present in the Council's meeting."

7. **Amendment of section 12 of Khyber Pakhtunkhwa Act IV of 2012.**---In the said Act, in section 12, in sub section (2), after clause (b), the following new clause shall be inserted, namely:

"(bb) grants made by the Higher Education Commission, or any Federal or Provincial Agency;"

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

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**(AMANULLAH)**  
Secretary  
Provincial Assembly of Khyber Pakhtunkhwa