

**A
Bill**

to amend the Khyber Pakhtunkhwa Legal Aid Act, 2019.

WHEREAS It is expedient to amend the Khyber Pakhtunkhwa Legal Aid Act, 2019 (Khyber Pakhtunkhwa Act No. XLIII of 2019), 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 Legal Aid (Amendment) Act, 2025.

(2) It shall come into force at once.

2. Amendment of section 3 of the Khyber Pakhtunkhwa Act No. XLIII of 2019.---In the Khyber Pakhtunkhwa Legal Aid Act, 2019 (Khyber Pakhtunkhwa Act No. XLIII of 2019), hereinafter referred to as the said Act, in section 3,-

(a) the brackets and figure “(1)”, occurring in the beginning, shall be deleted; and

(b) sub-section (2), shall be deleted.

3. Substitution of section 7 of the Khyber Pakhtunkhwa Act No. XLIII of 2019.---In the said Act, for section 7, the following shall be substituted, namely:

“7. Director General.---(1) For the purpose of this Act, the Director General Prosecution shall act as Director General of the Agency.

(2) In the performance of his functions under this Act, there shall be established a special wing in the Directorate of Prosecution, consisting of such number of employees of the Directorate of Prosecution, as Government may determine.”.

STATEMENT OF OBJECTS AND REASONS

For the provision of free legal aid to indigent individuals involved in criminal and family cases, as well as for other related and ancillary matters, the Khyber Pakhtunkhwa Legal Aid Agency Act, 2019, was enacted. Section 3 of the said Act, mandated Home and Tribal Affairs Department to establish a Legal Aid Agency comprising of Director General and other requisite staff. Due to ongoing financial constraints faced by the Province, the establishment of a separate Agency with dedicated infrastructure, staffing and operational costs was not feasible. Directorate of Prosecution, being an attached Department of the Home and Tribal Affairs Department, is already involved in facilitating legal aid for underprivileged accused persons for which designated budgetary head is available. Amendments are proposed in section 3 and section 7 of the Khyber Pakhtunkhwa Legal Aid Agency Act, 2019, aims to authorize the Director General Prosecution to also act as the Director General of the Legal Aid Agency.

Peshawar,
dated the
, 2025.


MINISTER-IN-CHARGE.