

PROCEDURE RULES 1980
LAW AND JUSTICE COMMISSION OF PAKISTAN
Rawalpindi, the 4th September 1980

S.R.O.977(I)/80.- In exercise of the powers conferred by section 9(I) of the Law and Justice Commission of Pakistan Ordinance, 1979 (XIV of 1979) the Law and Justice Commission of Pakistan makes the following Rules for regulating its proceedings and carrying out the purposes of the Ordinance.

PART I: GENERAL

1. **Short title.**-(i) These Rules may be called the Law and Justice Commission of Pakistan (Procedure) Rules 1980.

(ii). They shall come into force at once.

2. **Definitions.**-(i) "Ordinance" means, Law and Justice Commission of Pakistan Ordinance, 1979 (XIV of 1979).

(ii) "Secretariat" and "Secretary" mean, respectively, the Secretariat of and the Secretary to the Commission.

PART II: OFFICERS OF THE COMMISSION

1. In the absence of the Secretary, a Joint Secretary or in the absence of both, a Deputy Secretary may perform all the functions of the Secretary.

2. The Chairman may assign and the Secretary may, with the approval of the Chairman, delegate to a Joint Secretary or a Deputy Secretary any functions required to be performed by the Secretary.

3. The Secretary shall, subject to any general or special directions given to him by the Chairman, allocate the duties of the Office to the Officers and servants of the Commission and shall supervise and control the said Officers and servants.

PART III: PROCEEDINGS OF THE COMMISSION

- 1 Omitted¹
2. The Commission shall meet at least once in four months.
3. At least 10 days' notice of the meeting of the Commission shall be given to each Member by registered post, unless otherwise directed by the Chairman.
4. The meetings of the Commission shall be presided over by the Chairman or, in his absence, by the senior-most ex-officio Member.
5. Six Members shall constitute the quorum for a meeting of the Commission.
6. The Members may, and if so required by the Chairman, shall give their views in writing also.
7. All decisions of the Commission shall be expressed in terms of the opinion of the majority of its Members, present and voting in a meeting, including the Chairman and in case of equality of votes the Chairman shall have a casting vote.
8. Any Member who does not agree with the opinion of the majority of the Members may, and if so required by the Chairman, shall write and submit his note of dissent.
9. The Secretary shall prepare minutes of the meetings and circulate them among the Members. The minutes shall be signed by the Chairman and form part of the permanent record of the Commission.
10. The Commission shall, subject to the provisions of the Ordinance, have the power to regulate its own procedure including fixing the places and timings of its meetings.
11. The Commission may hold its meetings notwithstanding the temporary absence of any Member or the existence of a vacancy in the Commission.
12. The Chairman may,² allow any person to sit as an observer in a meeting of the commission and to participate in the discussions, but such person shall not be entitled to vote.

¹ Omitted by the Law and Justice Commission of Pakistan on 14-3-1999. The omitted rule read as under: the proceedings of the Commission shall be confidential and , unless otherwise directed by the Chairman, shall not be made public.

² Deleted the words "Notwithstanding the provision of Rule 1" by PLC on 29-5-1999.

PART III-A: REFERENCE TO THE COMMISSION
(Inserted by PLC on 19-12-1998)

- (1) A Division of the Federal Government or a Department of a Provincial government may refer to the Commission any matter relevant to its functions for consideration.
- (2) Such reference shall be forwarded, in the case of Federal Government, through the Secretary, Law and Justice Division and in the case of Provincial Government, through the Secretary, Law Department.
- (3) The reference shall state the terms and time frame for the preparation of preliminary and/or final report by the Commission.
- (4) The Commission may also initiate the examination of a matter on its own motion.

PART-IV: WORKING OF THE COMMISSION
AND ITS SECRETARIAT

1. Where the Commission proposes to examine any particular statute or law, the Chairman shall direct the Secretariat to do so and to submit a report for the consideration of the Commission.
- 1-A. The Chairman may publish any of the pending working/theme paper for eliciting public advice/comments on the subject.³
2. The Chairman may obtain the advice of any person possessing special knowledge of the law under examination on payment of such fee as he may deem proper.
3. The Chairman may require any person residing in Pakistan and possessing special knowledge of the matter under consideration of the Commission to appear before him or any Member or Members as an expert witness and cause his evidence to be recorded in writing and signed by him and allow him such expenses as the Chairman deems reasonable.
4. The Chairman may constitute Committees consisting of one or more than one Members to study and examine any matter relating to the functions of the

³ Sub-Rule 1-A inserted by the Commission on 29-5-1999

Commission, as mentioned in section 6 of the Ordinance, and any committee so constituted shall submit its report to the Chairman within a reasonable time or the time prescribed by him.

PART V: REPORT AND RECOMMENDATIONS

1. If, on submission of a report by the Secretariat on a statute, law or any other matter to the Commission, the Chairman proposes to make any recommendations to the Federal Government under section 6, sub-sections (1) and (2) of the Ordinance or to any Provincial Government under sub-section (1) thereof, or tender advice to the Federal Government or any Provincial Government on receipt of a reference under section 6 (3) of the Ordinance, he may direct that the report submitted by the Secretariat be circulated among the Members for their comments.

2. On receipt of comments of the Members referred to in the preceding Rule in the Secretariat the Chairman shall convene a meeting of the Commission to formulate its recommendations for transmission to the Government concerned.

2-A. The reports of the Commission shall be published⁴.

3. The Chairman may require any person who had been consulted or tendered his evidence under rules 2 and 3 of Part IV to attend the meeting of the Commission and take part in the discussion, but such person shall not be entitled to vote.

S. ANWARUL HAQ,
Chairman.

By Order of the Commission

A.S.SHIBLI,
Secretary.

⁴ Sub-Rule 2-A inserted by the Commission on 29-5-1999