



THE NATIONAL ACCOUNTABILITY BUREAU ORDINANCE, 1999



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THE SCHEDULE.

THE NATIONAL ACCOUNTABILITY ORDINANCE, 1999.

*ORDINANCE No. XVIII OF 1999

An Ordinance to provide for the setting up of a National Accountability Bureau so as to eradicate corruption and corrupt practices and hold accountable all those persons accused of such practices and matters ancillary thereto;

WHEREAS it is expedient and necessary to provide for effective measures for the detection, investigation, prosecution and speedy disposal of cases involving corruption, corrupt practices, ¹[misuse for abuse] of power ²[or authority], misappropriation of property, ²[taking of] kickbacks, commissions and for matters connected and ancillary or incidental thereto;

AND WHEREAS there is an emergent need for the recovery of outstanding amounts from those persons who have committed default in the repayment of amounts to Banks, Financial Institutions ³[Governmental agencies] and other agencies ;

AND WHEREAS there is a grave and urgent need for the recovery of state money and other assets from those persons who have misappropriated or removed such ²[money or] assets through corruption, corrupt practices and misuse of power ^{4*} or authority;

*The NAB Ordinance, 1999 and all rules, notifications and orders made or issued thereunder have been adapted and applied in the Northern Areas, see SRO-467(I)/2000, dt. 28-6-2000.

¹Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002). s. 2, for "misuse/abuse".

²Ins. ibid.,

³Subs. ibid., for "government,"

⁴The word and oblique "and omitted ibid.

¹[AND WHEREAS there is an urgent need to educate the society about the causes and effects of corruption and corrupt practices and to implement policies and procedures for the prevention of corruption in the society ;]

²[AND WHEREAS there is an increased international awareness that nations should co-operate in combating corruption and seek, obtain or give mutual legal assistance in matters concerning corruption and for matters connected, ancillary or incidental thereto.]

AND WHEREAS it is necessary that a National Accountability Bureau be set up so as to achieve the above aims;

AND WHEREAS the National Assembly and the Senate stand suspended in pursuance of the Proclamation of the fourteenth day of October, 1999, and the Provisional Constitution Order No. 1 of 1999, as amended;

AND WHEREAS the President is satisfied that circumstances exist which ³[render] it necessary to take immediate action;

NOW THEREFORE, in pursuance of the aforesaid Proclamation and Provisional Constitutional Order as well as Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance:—

1. ⁴Short title. This Ordinance may be called the National Accountability ⁵*Ordinance, 1999 ([XVIII of 1999](#)).

2. Commencement. This Ordinance shall come into force at once and shall be deemed to have come into force from the 1st day of January, 1985.

⁶**[3. Ordinance to override other laws.** The provisions of this Ordinance shall have effect notwithstanding anything contained in any other law for the time being in force.]

¹New paragraph ins. *ibid.*.

²New paragraph ins. by the National Accountability Bureau (Amdt.) Ordinance, 2001 (35 of 2001), s. 2.

³Subs. by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002), s. 2, for "renders".

⁴Subs. *ibid.*, s.3, for "Title".

⁵The word "Bureau", omitted *ibid.*

⁶Subs. and Shall be deemed always to have been so subs. by the National Accountability Bureau (Amdt.) Ordinance, 1999 (19 of 1999), s.2, for "the original section 3".

4. Application. It extends to the whole of Pakistan and shall apply to all persons in Pakistan, ¹[all citizens of Pakistan] and persons who are or have been in the service of Pakistan wherever they may be, including areas which are part of Federally and Provincially Administered Tribal Areas.

5. Definitions.

- (a) "**Accused**" shall include a person in respect of whom there are reasonable grounds to believe ²[that he] is or has been involved in the commission of any offence ³[tribal] under this Ordinance ⁴*or is subject of an investigation ⁵[or] inquiry by the National Accountability Bureau or ⁶[any other agency authorised by the National Accountability Bureau in this regard under this Ordinance].
- (b) "**Appropriate Government**" means in relation to any person serving in connection with the affairs of the Federation, including any person employed by a corporation, body, financial institution, bank, authority undertaking or any other organization set up, controlled or administered by or under the authority, of the Federal Government ⁷[the Federal Government and in other cases] the Provincial Government ⁸[or the local government] concerned.
- (c) "**Assets**" means any property owned, controlled by or belonging to any accused, whether directly or indirectly, or held benami in the name of his spouse or relatives or associates, whether within or out side Pakistan ⁹*which ¹⁰[he] cannot reasonably account ⁸[for] or for which ⁸[he cannot prove payment of full and lawful consideration.
- (d) "**Associates**" means—
- (i) any ¹¹[person] who is or has been managing the affairs ¹²[of] or keeping accounts ¹³[for] the accused or who enjoys or has enjoyed any benefit from the assets ¹⁴* * *.
- (ii) any association of persons, body of individual, partnership ¹⁵[firm] or private limited ¹⁶[company] within the meaning of companies Ordinance 1984, of which

¹Ins. by Ord. No. 133 of 2002, s. 4.

²Subs, ibid., s. 5, for", ".

³Ins. by the National Accountability Bureau (Amdt.) Ordinance, 2000 (4 of 2000), s. 2

⁴The word and oblique "and/" omitted by the National Accountability Bureau (Amdt.) Ordinance, 2002 (133 of 2002) s. 5.

⁵Subs. ibid., for "/".

⁶Subs, ibid., for Concerned Agency".

⁷Subs, ibid., for "or".

⁸Ins. ibid.

⁹The comma and word for ", for" omitted ibid.,

¹⁰Subs, ibid., for "they".

¹¹Subs, ibid., for "individual".

¹²Subs, ibid, for "for",

¹³Subs, ibid., for "of.

¹⁴The words "referred to above" omitted ibid.,

¹⁵Subs. ibid., for "firms".

¹⁶Subs, ibid., for "Companies".