



## THE IMPORTS AND EXPORTS (CONTROL) ACT, 1950



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# THE IMPORTS AND EXPORTS (CONTROL) ACT, 1950

\*ACT No. XXXIX of 1950

[19th April, 1950]

*An Act to continue<sup>1</sup> \* \* \* powers to prohibit or control imports and exports.*

WHEREAS it is expedient to continue<sup>2</sup> \* \* \* powers to prohibit, restrict or otherwise control imports into and exports from Pakistan;

It is hereby enacted as follows:—

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*\* For Statement of Objects and Reasons, see Gaz. of P., 1950, Pt. V, p. 92.*

*This Act Rules made thereunder, has been applied by Regulation No. 1 of 1968, to those of the Tribal Areas to which it does not already apply.*

*This Act has been applied to—*

*(i) Baluchistan, subject to certain modifications, with effect on and from the 19th April, 1950, see Gaz. of P., 1953, Pt. I, p. 90;*

*(ii) the Federated Areas of Baluchistan, see *ibid.*, p. 152; and*

*The Act has been extended to—*

*(i) the Leased Areas of Baluchistan, see the Leased Areas (Laws) Order, 1950 (G. G. O. 3 of 1950); and*

*(ii) the Baluchistan States Union, see the Baluchistan States Union, (Federal Laws) (Extension) Order, 1953 (G. G. O. 4 of 1953);*

*(iii) the Khairpur State see the Khairpur (Federal Laws) (Extension) Order, 1953 (G. G. . 5 of 1953); and*

*(iv) the State of Bahawalpur, see the Bahawalpur (Extension of Federal Laws) Order, 1953 (G. G. O. 11 of 1953), as amended.*

*The Act has been and shall be deemed to have been brought into force in Gwadur with effect from the 8th September, 1958, by the Gwadur (Application of Central Laws) Ordinance, 1960 (37 of 1960), s. 2.*

<sup>1</sup> *Omitted by the Imports and Exports Control) (Amdt.) Act, 1975 (38 of 1975), s. 2.*

<sup>2</sup> *Certain words previously amended by various laws have been omitted *ibid.* s. 3.*

**1. Short title, extent, commencement and duration.**— (1) This Act may be called the Imports and Exports (Control) Act, 1950.

<sup>1</sup>[(2) It extends to the whole of Pakistan.]

(3) It shall come into force immediately <sup>2</sup>\* \* \*

**2. Definitions.** In this Act—

(a) “Chief Controller” means the officer appointed by the <sup>3</sup>[Federal Government] to perform the duties of Chief Controller of Imports and Exports under this Act;

<sup>4</sup>[(b) “Collector of customs” means an officer appointed as such under section <sup>5</sup>[(3)] of the Customs Act, 1969 (IV of 1969.); and]

(c) “import” and “export” mean respectively bringing into, and taking out of, the <sup>6</sup>[Pakistan] <sup>7</sup>\* \* \* by sea, land or air.

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<sup>1</sup> Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. for the original sub-section (2) (with effect from the 14th October, 1955).

<sup>2</sup> Certain words previously amended by various laws have been omitted by the Imports and Exports (Control) (Amdt.) Act, 1975 (38 of 1975), s. 3.

<sup>3</sup> Subs. *ibid.*, s. 5, for “Central Government”.

<sup>4</sup> Subs. by the Imports and Exports (Control) (Amdt.) Ordinance, 1970 (8 of 1970), s. 3.

<sup>5</sup> Subs. by the Federal Laws (Revision and Declaration) Ordinance, 1981 (27 of 1981), s. 3 and 2<sup>nd</sup> Sch.

<sup>6</sup> Subs. by F.A.O. 1975, Art. 2 and Sch.

<sup>7</sup> The existing words “or the Federal Territory of Karachi or any Acceding State, if the Federal Legislature has power to make laws for such State”, as amended by the Repealing and Amending Ordinance, 1961 (1 of 1961), has been omitted by the Imports and Exports (Control) (Amdt.) Ordinance, 1962 (29 of 1962), s. 3 (with effect from the 18th April, 1962).

**3. Powers to prohibit or restrict imports and exports.**—(1) The <sup>1</sup>[Federal Government] may, by order<sup>2</sup> published in the official Gazette and subject to such conditions and exceptions as may be made by or under the order, prohibit<sup>3</sup> restrict or otherwise control the import or export of goods of any specified description, or regulate generally all practices (including trade practices) and procedure connected with the import or export of such goods, <sup>4</sup>[and such order may provide for applications for licences under this Act, the evidence to be attached to such applications, the grant, use, transfer, sale or cancellation of such licences, and the form and manner in which and the periods within which appeals and applications for review or revision may be preferred and disposed of, and the charging of fees in respect of any such matter as may be provided in such order].

(2). No goods of the specified description shall be imported or exported except in accordance with the conditions of a licence to be issued by the Chief Controller or any other officer authorised in this behalf by the <sup>1</sup>[Federal Government].

(3) All goods to which any order under sub-section (1) applies shall be deemed to be goods of which the import or export has been prohibited or restricted under <sup>5</sup>[section 16 of the Customs Act, 1969 (IV of 1969) and all the provisions of that Act shall have effect accordingly].

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<sup>1</sup> Subs. by the Imports and Exports (Control) (Amdt.) Act, 1975 (38 of 1975), s. 5.

<sup>2</sup> For the Registration (Importers and Exporters) Order, 1952, see Gaz. of P., 1952, Ext. pp. 1267—1271 ; for the Raw Jute Registered (Marks) Order, 1954, see *ibid.*, 1954, Ext., pp. 1739-1741 for the Order made under this section, 1957, see *ibid.*, 1957, Pt. I. p. 269; for the Review Appeal and Revision Order, 1957, see *ibid.*, 1957 Ext., pp. 2219-2220 ; for the Licenses and Permits Fees Order, 1958, see *ibid.*, 1958, Ext. pp. 653—655 ; for notification to import such goods into Gwadur without licence in respect of which firm commitments had been made with foreign supplier before 8<sup>th</sup> September, 1958 see *ibid.*, 1958, Ext., p. 1855 ; and for the Wheat and Wheat Products, (Movements Restrictions) Order, 1961 see *ibid.* 1961 Ext., p. 975c.

<sup>3</sup> For notifications prohibiting the export to and import from India of goods of all descriptions, see S.R.O. 126 (R)/65 and S.R.O. 128 (R) /65, dated the 9<sup>th</sup> September, 1965, Gaz. of P., 1965, Ext., p. 985.

For notification prohibiting the export by sea, land or air to any destination, other than Afghanistan, of any goods of the description specified in the Sch. Annexed to therewith, see Gaz. of P., 1965, Ext. p. 985.

<sup>4</sup> Subs. by the Imports and Exports (Control) (Amdt.) Act, 1957 (42 of 1957), s. 2., for certain original words.

<sup>5</sup> Subs. by the Imports and exports (Control) Ordinance, 1970 (8 of 1970) s. 4.

(4) Notwithstanding anything contained in the aforesaid Act the <sup>1</sup>[Federal Government] may, by order <sup>2</sup> published in the official Gazette, prohibit, restrict or impose conditions on the clearance whether for home consumption <sup>3</sup>[or ware housing or] shipment abroad of any imported goods or class of goods.

**4. Continuance of existings orders.** All orders made under section 3 of the Imports and Exports (Control) Act, 1947, and in force immediately before the commencement of this Act, shall so far as they are not inconsistent with the provisions of this Act, continue in force and shall be deemed to have been made under this Act.

**<sup>4</sup>[4A. Prohibition to sell or purchase import licence.** No person shall sell, purchase or otherwise deal in any import licence <sup>5</sup>\* \* \*.

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**4B. Prohibition regarding sale and transfer of goods by industrial consumer.** Except with the previous permission in writing of the Chief Controller or any other officer authorised in this behalf by the <sup>1</sup>[Federal Government] no person <sup>6</sup>[who, in his capacity as industrial consumer, imports any goods against a licence issued to him or, where no licence is required for the import of such goods by an industrial consumer, without any licence,] shall sell or otherwise transfer such goods, or use the goods for a purpose other than the purpose or purposes for which the licence was issued <sup>7</sup>[or such goods were imported].]

**5. Penalty.** <sup>8</sup>[(1)] If any person contravenes <sup>9</sup>[any provision of this Act or] any order made or deemed to have been made under this Act or the rules made thereunder,

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<sup>1</sup> Subs. by the Imports and Exports (Control) (Amdt.) Act, 1975 (38 of 1975), s. 5.

<sup>2</sup> For such an order, see Gaz. of P., 1952, Ext., p. 985.

<sup>3</sup> Subs. by the Imports and Exports (Control) (Amdt.) Ordinance 1970, (8 of 1970) s. 4.

<sup>4</sup> New sections 4A and 4B ins. by the Imports and Exports (Control) (Amdt.) Ordinance, 1962 (29 of 1962), s. 4 (with effect from the 18<sup>th</sup> April, 1962).

<sup>5</sup> Omitted by Act. 38 of 1975, s. 4.

<sup>6</sup> Subs. by the Imports and Exports (Control) (Amdt.) Ordinance, 1965 (8 of 1965), s. 3, for "who imports goods against a licence issued to him in his capacity as industrial consumer".

<sup>7</sup> Added *ibid.*, s. 3.

<sup>8</sup> Re-numbered as section (1) by the Imports and Exports (Control) (Amdt.) Act, 1997 (37 of 1997) s. 2.

<sup>9</sup> Ins. by Ordinance 29 of 1962, s. 5 (with effect from the 18<sup>th</sup> April, 1962).