



THE LAW COMMISSION ORDINANCE, 1979



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PREAMBLE.

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THE LAW COMMISSION ORDINANCE, 1979

ORDINANCE No. XIV OF 1979

[24th February, 1979]

An Ordinance to establish a ¹[Law and Justice Commission of Pakistan]

WHEREAS it is expedient to establish a ¹[Law and Justice Commission of Pakistan] for a systematic development and reform of the laws and to provide for matters connected therewith or incidental thereto;

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

NOW, THEREFORE, in pursuance of the Proclamation of the fifth day of July 1977, read with the Laws (Continuance in Force) Order, 1977 (*C. M. L. A. Order No. 1 of 1977*), and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance :-

1. Short title, extent and commencement.-(1) This Ordinance may be called the ¹[Law and Justice Commission of Pakistan] Ordinance, 1979.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions. In this Ordinance, unless there is anything repugnant in the subject or context,-

(a) “Chairman” means Chairman of the Commission;

(b) “Commission” means the Commission established under section 3; [:]²

²[(c) “Fund” means Access to Justice Development Fund established under section 6-A; and”.]

²(d) “member” means member of the Commission.

3. Composition of Commission.-²[(1) There shall be a Law and Justice Commission of Pakistan consisting of-

(a) the Chief Justice of Pakistan who shall be the Chairman, *ex-officio*;

(b) the Chief Justice of the Federal Shariat Court, Member, *ex-officio*;

3[(c)] the Chief Justice, of the High Court, Members, *ex-officio*;

¹Subs. by Ord. 70 of 02, s. 2.

²Omitted, re-numbered, ins. & subs. by Ord. 70 of 02, ss. 3 & 4.

³Subs omitted by Act VIII of 2014, s. 2.

- (d) Attorney General for Pakistan, Member, *ex-officio*;
- (e) the Secretary, Ministry of Law, Justice and Human Rights, Member, *ex-officio*;
- (f) Chairperson for Commission on Women Status, Member, *ex-officio*;

¹[(g)] four members, one from each Province, to be appointed by the Federal Government, on the recommendation of the Chairman in consultation with the Chief Justice of concerned High Court from amongst the persons who are or have been holders of a judicial or administrative office, eminent lawyers or jurists, persons of repute and integrity from civil society, members of the Council of Islamic Ideology or teachers of law in a university or college;".

(1A) In addition to the members referred to in sub-section (1), the Chairman may, in his discretion, appoint a suitable person or persons as member or members for a specified period to perform specified functions.”]

(3) A member, other than an *ex-officio* member, shall hold office for a term of three years but shall be eligible for re-appointment for another term.

(4) A member, other than an *ex-officio* member, may resign his office by writing under his hand addressed to the President.

4. Head Office. The head office of the Commission shall be situated in Islamabad or at such other place as the Federal Government may specify.

5. Secretariat.-(1) The Commission shall have a separate Secretariat to be headed by a Secretary, who shall be an officer of the Federal Government not inferior in rank to a joint Secretary to the Federal Government.

(2) The Secretary and other officers and employees of the Commission shall be appointed by the Chairman on such terms and conditions as the Commission may determine.

(3) The Commission may, for the purpose of research, engage, for a specified period, as many persons as it considers necessary.

6. Functions of the Commission.-(1) The Commission shall study and keep under review on a continuing systematic basis the statutes and other laws with a view to making recommendations to the Federal Government and the Provincial Governments for the improvement, modernization and reform thereof and, in particular, for-

- (i) making or bringing the laws into accord with the changing needs of the society, consistent with the ideology of Pakistan and the concept of Islamic social justice;

¹Subs.omitted by Act VIII of 2014, s. 2.