

## NATIONAL ASSEMBLY SECRETARIAT

### REPORT OF THE STANDING COMMITTEE ON DEFENCE ON THE PAKISTAN NAVY (AMENDMENT) BILL, 2020

I, the Chairman of Standing Committee on Defence have the honor to present this report on the Bill further to amend the Pakistan Navy Ordinance, 1961 (XXXV of 1961) [The Pakistan Navy (Amendment) Bill, 2020] (Government Bill) referred to the Committee on 3<sup>rd</sup> January, 2020.

2. The Committee consists of the following:-

1.	<b>Mr. Amjid Ali Khan</b>	<b>Chairman</b>
2.	Mr. Tahir Sadiq	Member
3.	Chaudhary Farrukh Altaf	Member
4.	Syed Faiz-ul-Hassan	Member
5.	Mr. Aurangzeb Khan Khichi	Member
6.	Mr. Jamil Ahmed Khan	Member
7.	Mr. Atta Ullah	Member
8.	Ms. Kanwal Shauzab	Member
9.	Dr. Ramesh Kumar Vankwani	Member
10.	Syed Amin-ul-Haque	Member
11.	Ms. Rubina Irfan	Member
12.	Ch. Muhammad Barjees Tahir	Member
13.	Mr. Riaz ul Haq	Member
14.	Mr. Muhammad Khan Daha	Member
15.	Mr. Alam Dad Laleka	Member
16.	Mian Riaz Hussain Pirzada	Member
17.	Mr. Khursheed Ahmed Junejo	Member
18.	Mr. Aftab Shahban Mirani	Member
19.	Mir Amer Ali Khan Magsi	Member
20.	Mr. Salahuddin Ayubi	Member
21.	Mr. Pervez Khattak, <i>Minister for Defence</i>	Ex-officio Member

3. The Committee considered the Bill placed at **Annexure-‘A’** in its meetings held on 3<sup>rd</sup> and 6<sup>th</sup> January, 2020 and unanimously, recommended that it may be passed by the Assembly.

Sd/-  
**(TAHIR HUSSAIN)**  
Secretary  
Islamabad, the 6<sup>th</sup> January, 2020

Sd/-  
**(AMJID ALI KHAN)**  
Chairman  
Standing Committee on Defence

[ AS REPORTED BY THE STANDING COMMITTEE ]

A

**BILL**

*further to amend the Pakistan Navy Ordinance, 1961*

**WHEREAS** it is expedient further to amend the Pakistan Navy Ordinance, 1961 (XXXV of 1961) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement.**-(1) This Act shall be called the Pakistan Navy (Amendment) Act, 2020.

(2) It shall come into force at once and shall be deemed to have taken effect on the 27<sup>th</sup> day of November, 2019.

**2. Amendment of section 4, Ordinance XXXV of 1961.**- In the Pakistan Navy Ordinance, 1961 (XXXV of 1961), hereinafter referred to as the said Ordinance, in section 4, after clause (iv), the following new clause, shall be inserted, namely:-

“(iva) “Chairman, Joint Chiefs of Staff Committee” means an officer who has been appointed as the Chairman, Joint Chiefs of Staff Committee, by the President, in accordance with Article 243 of the Constitution of Islamic Republic of Pakistan, read with section 14D;”.

**3. Insertion of new chapter, Ordinance XXXV of 1961.**-In the said Ordinance, after Chapter III, the following new Chapter shall be inserted, namely:-

**"CHAPTER IIIA.—APPOINTMENT OF THE CHIEF OF THE NAVAL STAFF  
AND THE CHAIRMAN, JOINT CHIEFS OF STAFF COMMITTEE**

**14A. Appointment of the Chief of the Naval Staff.-** (1) The President shall, on the advice of the Prime Minister, appoint an Admiral as the Chief of the Naval Staff, for a tenure of three (03) years.

(2) The terms and conditions of the Chief of the Naval Staff shall be determined by the President, on the advice of the Prime Minister.

**14B. Reappointment or extension of Chief of the Naval Staff.-**

(1) Notwithstanding anything contained in this Act or any other law for the time being in force, the President, on the advice of the Prime Minister, may reappoint the Chief of the Naval Staff for additional tenure of three (03) years, or extend the tenure(s) of the Chief of the Naval Staff up to three (03) years, on such terms and conditions, as may be determined by the President on the advice of the Prime Minister, in the national security interest or exigencies, from time to time.

(2) Notwithstanding anything contained in this Act or any other law, or any order or judgment of any Court, the appointment, reappointment or extension of the Chief of the Naval Staff, or the exercise of discretion by the appointing authority in this regard, shall not be called into question before any Court on any ground whatsoever.

**14C. Retirement age and service limits of the Chief of Naval Staff.-** The retirement age and service limits prescribed for an Admiral, under the Rules and Regulations made under this Ordinance, shall not be applicable to the Chief of the Naval Staff, during his tenure of appointment, reappointment or extension, subject to a maximum age of sixty-four (64) years. Throughout such tenure, the Chief of the Naval Staffs shall continue to serve as an Admiral in the Pakistan Navy.

**14D. Appointment of the Chairman, Joint Chiefs of Staff Committee.-**

(1) The President may, on the advice of the Prime Minister, appoint a Chairman, Joint Chiefs of Staff Committee, from amongst Generals in the Pakistan Army, Admirals in the Pakistan Navy, or Air Chief Marshals in the Pakistan Air Force, for a tenure of three (03) years.

(2) The terms and conditions of the Chairman, Joint Chiefs of Staff Committee shall be determined by the President on the advice of the Prime Minister.

(3) If the Chairman, Joint Chiefs of Staff Committee is appointed from amongst Admirals in the Pakistan Navy, the provisions of this Ordinance shall be applicable to the such Chairman, Joint Chiefs of Staff Committee.

**14E. Reappointment or extension of the Chairman, Joint Chiefs of Staff Committee.**- (1) Notwithstanding anything contained in this or any other law for the time being in force, the President, on the advice of the Prime Minister, may reappoint the Chairman, Joint Chiefs of Staff Committee for additional tenure of three (03) years, or extend the tenure(s) of the Chairman, Joint Chiefs of Staff Committee up to three (03) years, on such terms and conditions, as may be determined by the President on the advice of the Prime Minister, in the national security interest or exigencies, from time to time.

(2) Notwithstanding anything contained in this Act or any other law, or any order or judgment of any Court, the appointment, reappointment or extension of the Chairman, Joint Chiefs of Staff Committee, or the exercise of discretion by the appointing authority in this regard, shall not be called into question before any Court on any ground whatsoever.

**14F. Retirement age and service limits of the Chairman, Joint Chiefs of Staff Committee.**- In case an Admiral of the Pakistan Navy is appointed as the Chairman, Joint Chiefs of Staff Committee, the retirement age and service limits, prescribed under the Rules and Regulations made under this Ordinance, shall not be applicable to the said Admiral during his tenure of appointment, reappointment or extension, subject to a maximum age of sixty-four (64) years. Throughout such tenure, the Chairman, Joint Chiefs of Staff Committee, appointed under this Ordinance, shall continue to serve as an Admiral in the Pakistan Navy."

**4. Amendment of section 15, Ordinance XXXV of 1961.**- In section 15, for the word "Every" the expression, "Subject to Chapter IIIA, every" shall be substituted and for the full stop at the end, a colon shall be substituted and thereafter the following provisos shall be inserted, namely:-