

## NATIONAL ASSEMBLY SECRETARIAT

### REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON THE LEGAL AID AND JUSTICE AUTHORITY BILL, 2019

1. the Chairman of Standing Committee on Law and Justice, have the honour to present this report on the Bill further to establish the Legal Aid and Justice Authority [The Legal Aid and Justice Authority Bill, 2019]( Government Bill) referred to the Committee on 2<sup>nd</sup> May, 2019.

2. The Committee comprises the following:-

1. Mr. Riaz Fatyana	Chairman
2. Mr. Atta Ullah	Member
3. Mr. Lal Chand	Member
4. Mr. Muhammad Farooq Azam Malik	Member
5. Ms. Kishwer Zehra	Member
6. Ms. Maleeka Ali Bokhari	Member
7. Mr. Muhammad Sana Ullah Khan Masti Khel	Member
8. Malik Muhammad Ehsan Ullah Tiwana	Member
9. Agha Hassan Baloch	Member
10. Mr. Sher Ali Arbab	Member
11. Ms. Shunila Ruth	Member
12. Mian Muhammad Shehbaz Sharif	Member
13. Rana Sana Ullah Khan	Member
14. Ch. Mehmood Bashir Virk	Member
15. Mr. Usman Ibrahim	Member
16. Khawaja Saad Rafique	Member
17. Syed Hussain Tariq	Member
18. Syed Naveed Qamar	Member
19. Dr. Nafisa Shah	Member
20. Ms. Aliya Kamran	Member
21. Barrister Dr. Muhammad Farogh Naseem Minister for Law and Justice	Ex-officio Member

3. The Committee considered the Bill as introduced in the National Assembly placed at (Annex-A) in its meeting held on 03<sup>rd</sup> July, 2019. The Committee recommended that the Bill as introduced in the National Assembly may be passed.

Sd/-  
TAHIR HUSSAIN  
Secretary

Islamabad, the 7<sup>th</sup> August, 2019

Sd/-  
(Riaz Fatyana)  
Chairman

**Bill**

*to provide for the establishment of a Legal Aid and Justice Authority*

**WHEREAS**, it is expedient to establish a Legal Aid and Justice Authority to provide legal, financial and added assistance for access to justice to the poor and vulnerable segments of the society in criminal cases and for matters ancillary thereto.

It is hereby enacted as follows:

**1. Short title, extent and commencement.**— (1) This Act may be called the Legal Aid and Justice Authority Act, 2019.

(2) It extends to the whole of Pakistan.

(3) This Act or any part thereof shall come into force on such date or dates as the Government may by notification in the official Gazette, appoint.

**2. Definitions.**—(1) In this Act, unless there is anything repugnant in the subject or context.-

(a) **"applicant"** means any person who-

- (i) makes an application for legal aid under this Act or on whose behalf such an application is made; or
- (ii) a person who is of unsound mind or lunatic or minor;

(b) **"Authority"** means the Legal Aid and Justice Authority established under section 3;

(c) **"Board"** means the Board of Governors of the Authority constituted under section 4;

(d) **"Chairperson"** means Chairman of the Board and includes any person for the time being performing the functions of the Chairperson;

(e) **"Court"** means court established under any law for the time being in force;

(f) **"Director-General"** means the Director-General of the Authority;

(g) **"Free Representation Unit"** means a special unit comprising advocates and volunteers to provide legal or other social services on *pro bono* basis either on case to case basis or in respect of a group or set or type of cases other than the panel;

(h) **"Government"** means the Federal Government;

- (i) **"legal aid"** means the provision of assistance, to a person who is unable to afford legal assistance, representation and access to justice;
- (j) **"Member"** means a member of the Board;
- (k) **"panel"** means the list of advocates and volunteers prepared by the Authority under section 13;
- (l) **"prescribed"** means prescribed by rules or regulations under this Act, as the case may be;
- (m) **"rules"** mean the rules made under this Act;
- (n) **"Secretary"** means the Secretary of the Board; and
- (o) **"Volunteer"** means any person other than an Advocate who may provide legal or other services on *pro bono* or fee basis to the applicant.

(2) A word or expression used in the Act and not defined shall have the same meaning as is assigned to it in the Code of Criminal Procedure, 1898 (V of 1898) or the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973).

**3. Establishment of the Authority.**—(1) The Government, by notification in the official Gazette, shall establish a Legal Aid and Justice Authority to carry out the purposes of this Act.

(2) The headquarters of the Authority shall be at Islamabad and it may, with the prior approval of the Government, set up as many offices all over the country as, when and where required.

**4. Management.**—(1) The general direction and administration of the Authority and its affairs shall vest in the Board, which shall exercise all powers and do all acts and things which may be exercised or done by the Authority.

(2) The Board shall, in the discharge of its functions, be guided on questions of policy by such directions as the Government may give from time to time.

(3) If any question arises as to whether any matter is a matter of policy or not, the decision of the Government in respect thereof shall be final.

**5. Composition of the Board.**—(1) The Board of Governors shall consist of the following members, namely:—

(i)	Federal Minister for Human Rights	<i>Chairperson</i>
(ii)	Attorney-General for Pakistan	<i>Member</i>
	Advocate General of each Province and Islamabad	<i>Members</i>
(iii)	Capital Territory	
(iv)	Secretary, Ministry of Human Rights	<i>Member</i>
(v)	Secretary, Ministry of Finance	<i>Member</i>
(vi)	Secretary, Ministry of Law and Justice	<i>Member</i>
(vii)	Vice Chairman, Pakistan Bar Council	<i>Member</i>
(viii)	One Prominent Female Social Worker	<i>Member</i>
(ix)	Director General, of the Authority	<i>Member/Secretary</i>