

Bill

to make provisions for the establishment of Pakistan single window

In so far as relevant to the intent and objects of this Act and in order to ensure unhindered right to lawful trade as enshrined in Article 18 of the Constitution of the Islamic Republic of Pakistan, it is necessary that an autonomous body be established to simplify cross border trade processes, reduce cost of doing business and facilitate trade on national and international level;

WHEREAS Pakistan has ratified the agreement on Trade Facilitation of the World Trade Organisation which *inter alia* stipulates the establishment of a national single window for managing a country's external trade;

AND WHEREAS it is necessary to establish and operate a single point of submission and receipt of trade data and information to enable synchronised processing of data and information, achieve standardisation and harmonisation of documents required for regulatory control, adopt integrated risk management techniques, remove legal, regulatory and operational barriers to electronic transactions for external trade, facilitate coordination and partnership among all the relevant trade regulatory agencies and stakeholders dealing with the international trade and trade facilitation and for matters connected therewith and ancillary thereto;

It is hereby enacted as follows:-

1. **Short title, extent and commencement.** —(1) This Act shall be called the Pakistan Single Window Act 2020.

(2) It shall extend to the whole of Pakistan.

(3) It shall come into force from such date as the Federal Government may, by a notification in the official Gazette, appoint.

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

- (a) "Agreement on Trade Facilitation" means the Trade Facilitation Agreement of the World Trade Organisation as ratified by Pakistan;
- (b) "Board of Directors" means the Board of Directors of the operating entity established under the Companies Act, 2017(XIX of 2017);
- (c) "Chairperson" means the Chairperson of the Governing Council established under this Act;
- (d) "electronic" includes electrical, digital, magnetic, optical, biometric, electrochemical, wireless or electromagnetic technology;
- (e) "electronic document" includes documents, records, information, communications or transactions in electronic form;
- (f) "electronic signature" means any letters, numbers, symbols, images, characters or any combination thereof in electronic form, applied to, incorporated in or associated with an electronic document, with the intention of authenticating or approving the same, in order to establish authenticity or integrity or both;
- (g) "Governing Council" means the Pakistan Single Window Governing Council established under section 4;
- (h) "information" includes text, message, data, voice, sound, database, video, signals, software, computer programs, codes including object code and source code;

- (i) "lead agency" means the organization responsible for or appointed under section 5 for implementation of Pakistan single window;
- (j) "member" means a member of the Governing Council including its Chairperson;
- (k) "memorandum of understanding" means the memorandum of understanding signed by and between the Governing Council with the lead agency and its operating entity, or any OGAs;
- (l) "operating entity" means an entity created by the lead agency under section 6;
- (m) "Pakistan single window" means an information and communication technology based facility that allows persons or entities involved in trade and transport to lodge standardised information and documents with a single-entry point to fulfil import, export and transit-related regulatory requirements in Pakistan without being required to submit the same data element more than once;
- (n) "other government agencies" hereinafter referred to as OGAs means any of the regulatory authorities including their subordinate entities as listed in the schedule whether referred to jointly or severally;
- (o) "prescribed" means prescribed by rules or regulations made under this Act;
- (p) "registration" means issuance of a unique user identifier to any person or entity to access the Pakistan single window system, in the prescribed manner;
- (q) "risk management system" means the systematic application of trade controls and management procedures on goods, means of transport and passengers including at pre-arrival, clearance or post clearance stage for identifying, analysing, evaluating, monitoring,

reviewing and treating the risks associated with them and includes priority accorded to compliant, persons, entities or organisations using the Pakistan single window system;

- (r) "rules" means the rules made under this Act;
- (s) "secretariat" means the secretariat to the Governing Council established under section 4;
- (t) "secretary to the Governing Council" means the secretary to the Governing Council;
- (u) "selectivity criteria" means the risk parameters determined by the risk management committee constituted in prescribed manner, for meaningful application of risk management system;
- (v) "system" means an electronic system for creating, generating, sending, receiving, storing, reproducing, displaying, recording or processing information or any part thereof;
- (w) "trade bodies" means any of the recognized and registered chambers of commerce and industry, representatives thereof, registered professional associations, trade unions and others;
- (x) "trade controls" means measures applied by the officers of Pakistan customs service or other Government agencies through the Pakistan single window system to manage risks and ensure compliance with the laws, regulations and rules for the time being in force; and
- (y) "un-authorized access" means access to an information system or data which is not available for access by general public, without authorisation or in violation of the terms and conditions of the authorisation.

(2) Any other expressions used but not defined in this Act, shall have the same meanings assigned thereto in the respective laws and rules made thereunder.