



## THE CENTRAL LAW OFFICERS ORDINANCE, 1970



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THE PAKISTAN CODE

# THE CENTRAL LAW OFFICERS ORDINANCE, 1970

## <sup>1</sup>ORDINANCE NO. VII OF 1970

[28th March, 1970]

### **An Ordinance to provide for appointment of Central Law Officers**

WHEREAS it is expedient to provide for appointment of Central Law Officers and to confer on them the right of audience in all Courts in Pakistan;

AND WHEREAS the national interest of Pakistan in relation to the achievement of uniformity requires Central legislation in the matter;

NOW, THEREFORE, in pursuance of the Proclamation of the 25th day of March, 1969, read with the Provisional Constitution Order, 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 and commencement.**—(1) This Ordinance may be called the Central Law Officers Ordinance, 1970.

(2) It shall come into force at once.

**2. Appointment of Central Law Officers.**—(1) The President may appoint one or more Additional Attorneys-General, Deputy Attorneys-General and <sup>2</sup>[Assistant Attorneys-General] as he may consider necessary.

(2) A person appointed under sub-section (1) shall hold office during the pleasure of the President and shall receive such remuneration and shall be subject to such conditions as may be determined by the President.

**3. Qualification of the Central Law Officers.** No person shall be qualified for appointment under subsection (1) of section 2 unless,—

- (a) in the case of an Additional Attorney-General and a Deputy Attorney-General, he is qualified for appointment as a Judge of the Supreme Court, and
- (b) in the case of <sup>2</sup>[Assistant Attorney-General, he has for a period of not less than seven years been an Advocate of a High Court],

but no person shall be appointed under the said sub-section if he is or has been a Judge of the Supreme Court or of a High Court.

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<sup>1</sup>The Ordinance has been declared to be Validly made by the Competent authority see, the validation of Laws Act, 1975 (63 of 1975).

<sup>2</sup>Subs. by the Central Law Officers (Amdt.) Act, 2017(Act I of 2017), Ss.2 and 3.

**<sup>1</sup>[3A. Retiring age of Central Law Officers.]**—(1) Subject to sub-section (2) of section 2, an Additional Attorney-General or a Deputy Attorney-General shall hold office until he attains the age of sixty-five years and <sup>2</sup>[an Assistant Attorney-General] shall hold office until he attains the age of sixty-two years.

(2) An Additional Attorney-General, Deputy Attorney-General or <sup>2</sup>[Assistant Attorney-General] may, by writing under his hand addressed to the President, resign his office.

(3) An Additional Attorney-General, Deputy Attorney-General or Standing Counsel who has, before the commencement of the Central Law Officers (Amendment) Ordinance, 1979, attained the maximum age specified in sub-section (1) shall cease to hold office on such commencement.]

**4. Right of audience.** In the performance of their official duties, the Additional Attorney-General, Deputy Attorney-General and <sup>3</sup>[Assistant Attorney-General] shall have the right of audience in all Courts in Pakistan <sup>3</sup>[:]

<sup>3</sup>[Provided that an Assistant Attorney-General shall have right of audience before the Supreme Court subject to a licence issued by the Pakistan Bar Council.]

**<sup>4</sup>[4A. Central Law Officers to be deemed to be public prosecutors, etc.]** Notwithstanding anything contained in any other law for the time being in force all Additional Attorneys-General, Deputy Attorneys-General and <sup>5</sup>[Assistant Attorneys-General] shall be deemed to be public prosecutors and shall be competent to institute, file and conduct any proceedings, including appeal and revision, for and on behalf of the Federal Government before any court or tribunal, including a special court constituted under any law.]

**5. [Repeal and savings.]** Omitted by the Federal Laws (Revision and Declaration) Ordinance, 1981 (XXVII of 1981), s. 3 and Sch., II.

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<sup>1</sup>Ins. by the Central Law Officers (Amdt.) Ordinance, 1979 (63 of 1979), s. 2.

<sup>2</sup>Subs. by the Central Law Officers (Amdt.) Act, 2017(Act I of 2017), s.4.

<sup>3</sup>Subs & Added by the Central Law Officers (Amdt.) Act, 2017(Act I of 2017),s.5.

<sup>4</sup>Ins. by the Central Law Officers (Amdt.) Act, 1985 (17 of 1985), s. 2.

<sup>5</sup>Subs. by the Central Law Officers (Amdt.) Act, 2017(Act I of 2017), s. 6