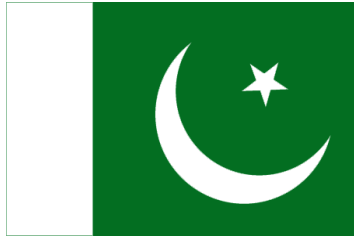


ISLAMIC REPUBLIC OF PAKISTAN

(پاکستان یںجمہور ی اسلام)



BACKGROUND AND LEGAL SYSTEM

LEGAL SYSTEM	Common law system with constitutional mandate to accommodate Pakistan's status as an Islamic state.
POLITICAL SYSTEM	Federal Republic.
HEAD OF STATE	President, elected by an electoral college for a five year term. The members of the electoral college are drawn from the Senate, National Assembly and provincial assemblies. The President is eligible for reelection for no more than two consecutive terms.
HEAD OF GOVERNMENT	Prime Minister, elected by members of the National Assembly for a five year term (members of National Assembly are elected by popular vote). The Prime Minister is eligible for reelection for no more than two consecutive terms.
SUBNATIONAL ENTITIES	Balochistan, Northwestern Frontier Province, Punjab and Sindh (provinces); Federally Administered Tribal Areas (territory); Islamabad Capital Territory (capital territory).
SUBLOCAL ENTITIES	<p>Provinces are divided into 120 districts (<i>zillas</i>), which are further divided into <i>Tehsils</i>. <i>Tehsils</i> may be composed of municipalities or villages.</p> <p>Note: the Pakistan administered portion of the disputed Kashmir region is divided into the Azad Kashmir (further divided into seven districts) and Federally Administered Northern Areas (further divided into six districts).</p>

Pakistan, Islamic Republic of

TRANSLITERATION SYSTEM:	ISO 15919, IAST, ALA-LC.
LANGUAGES	Urdu (official language), English (language of government and elite), Balochi, Brahui, Burushaski, Hindko, Pashtu, Punjabi, Sindhi, Siraiki.

CONSTITUTION

OFFICIAL NAME	The Constitution of the Islamic Republic of Pakistan.
ENACTMENT	Adopted April 10, 1973 and as of December 31, 2003, has seventeen amendments.
CITATION FORMAT	PAK. CONST. (1973) art. <article number>.
<i>Example</i>	PAK. CONST. (1973) art. 58(2)(b).

STATUTES

GOVERNMENT STRUCTURE	<p>At the federal level a bicameral Parliament (<i>Majlis-e-Shoora</i>) consists of the Senate and the National Assembly. The Senate contains 100 seats, indirectly elected by the Provincial Assemblies. The National Assembly contains 342 seats, which are directly elected.</p> <p>The provincial legislatures are unicameral provincial assemblies which are directly elected.</p>
LEGISLATIVE PROCESS	<p>Federal Statutes: a legislative bill is proposed by any member of the Senate or the National Assembly. A bill may also be introduced by the Federal Government. Once a bill is approved by both the Senate and the National Assembly, it is sent to the President for assent. Upon receiving the Presidential Assent, the bill becomes an Act—or enacted law.</p>

REPORTERS	<p>Pakistan Code (1836 to 1988).</p> <p>Gazette of Pakistan (August 15, 1947 to present).</p> <p>A Collection of the Federal Acts, Ordinances, President's Orders and Regulations for the Year [year] (1980 to present).</p> <p>A Collection of the Federal Acts, Ordinances, President's Orders and Regulations for the Year [year] (1974 to 1979), continued by A Collection of the Federal Acts and Ordinances for the Year 1973, continued by A Collection of Central Acts and Ordinances (1947 to 1972).</p> <p>Statutes of Pakistan and Punjab (1971 to present).</p> <p>Statutes of Pakistan and West Pakistan (1956 to 1970).</p> <p>Statutes of Pakistan and Punjab (1948 to 1955).</p> <p>The Unrepealed Central Acts (1834 to 1954).</p> <p>Law reporters such as All Pakistan Legal Decisions (1949 to present) and the Pakistan Law Journal also carry the text of statutes.</p> <p>Provincial legislation is found in the Punjab Code, The Sindh Code, the Baluchistan Code and the NWPF Code.</p>
CITATION FORMAT	<p><name of law>, <name of reporter>, No. <law number>, <date of passage>, <page number>.</p>
<i>Example</i>	<p>The Pakistan Environmental Protection Act, Gazette of Pakistan, No. XXXIV, December 3, 1997, 1.</p>

CODES

CIVIL CODE	Currently unavailable.
CODE OF CIVIL PROCEDURE	In force 1908. Established in Code of Civil Procedure Act, No. V (1908).
COMMERCIAL CODE	Currently unavailable.
CRIMINAL CODE	Established by Penal Code Act, No. XLV (1860). Amended by Criminal Law Fourth Amendment Qisas and Diyat Ordinance, No. XXX (1991), Criminal Law Sixth Amendment, Ordinance, No. XLII (1991), Criminal Second Amendment Ordinance, No. XLI (1994), Criminal Second Amendment Ordinance, Gazette of Pakistan, No. LVI (1995), 31 May 1995.
CODE OF CRIMINAL PROCEDURE	Established by Criminal Procedure Code Act, No. V (1898). Amended by Criminal Law Fourth Amendment Qisas and Diyat Ordinance, No. XXX (1991), Criminal Law Sixth Amendment Ordinance, No. XLII (1991), Criminal Law Second Amendment Ordinance, No. XLI (1994), Criminal Law Second Amendment Ordinance, Gazette of Pakistan 31 May 1995, No. LVI (1995), Criminal Law Fourth Amendment Ordinance, Gazette of Pakistan 11 December 1996, No. CXIII (1996)

CASE LAW

JUDICIAL OVERVIEW	<p>The judicial system consists of the Supreme Court of Pakistan, provincial high courts, the Federal Shariat courts and statutory courts.</p> <p>The Supreme Court of Pakistan consists of the Chief Justice and sixteen judges. The Chief Justice is appointed by the President after consultation with the Prime Minister and the judges are appointed by the President after consultation with the Chief Justice. Members of the Supreme Court of Pakistan may remain in office until the age of sixty-five. The Supreme Court of Pakistan has original, appellate and advisory jurisdictions and under these roles it determines the constitutionality of laws, issues opinions on matters referred to it by the President and issues judicial decisions.</p>
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The Federal Shariat Court consists of eight muslim judges, appointed by the president. The Federal Shariat court rules on matters of Islamic law.

The provincial high courts are the highest courts within a province, judges of the provincial high courts are appointed by the president. The provincial high courts have original and appellate jurisdictions and are responsible for judicial review of the acts of the Federal Government and provincial governments. The provincial high courts also have jurisdiction to enforce constitutional rights.

The statutory courts are subordinate to the provincial high courts and have civil or criminal jurisdictions.

REPORTERS

All Pakistan Legal Decisions (1949 to present).

Federal Court Reports (1950 to 1956), continued by Pakistan Supreme Court Reports (1956 to present).

Pakistan Law Digest (supplemented by Yearly Law Reports and Monthly Law Digest).

Pakistan Law Reports, Karachi series.

Pakistan Law Reports, Lahore series (1948 to 1955), continued by Pakistan Law Reports West Pakistan (1956 to 1970), continued by Pakistan Law Reports Lahore Series (1970 to present).

Pakistan Law Reports Dacca Series (1951 to 1968), continued by Dacca Law Cases a Monthly Journal (1969 to 1971).

Civil Law Cases.

Pakistan Criminal Law Journal (1968-present).

Pakistan Tax Decisions.

CITATION FORMAT

<case name>, (<year>), <volume> <reporter> <page> (<court, if not indicated by reporter>) (<jurisdiction>).

Example

Currently none available.

SOURCES

The CIA Factbook

<https://www.cia.gov/cia/publications/factbook/geos/pk.html>

U.S. Dept. of State, Background Note

<http://www.state.gov/r/pa/ei/bgn/3453.htm>

Infopak, the Information Gateway to Pakistan

<http://www.infopak.gov.pk>

LEGAL SYSTEMS OF THE WORLD: A POLITICAL, SOCIAL AND CULTURAL
ENCYCLOPEDIA (Herbert M. Kritzer, Ed., ABC CLIO) (2002).

THOMAS H. REYNOLDS AND ARTURO A. FLORES, FOREIGN LAW: CURRENT SOURCES
OF CODES AND LEGISLATION IN JURISDICTIONS OF THE WORLD (William S. Hein
& Co., Inc.) (2003).

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