

ELECTION LAWS (AMENDMENT) ACT, 2011.

ACT NO. XI OF 2011

An act further to amend certain election laws

WHEREAS it is expedient further to amend certain election laws for the purposes hereinafter appearing:

It is hereby enacted as follows:-

1. Short title and commencement.-(1) This Act may be called the Election Laws (Amendment) Act, 2011.

(2) It shall come into force at once.]

2. Amendment of section 2, Act XXI of 1974.-In the Electoral Rolls Act, 1974 (Act XXI of 1974) hereinafter referred to as the said Act in section 2.—

(a) after sub-section (1) the following new sub-sections shall be added namely:-

"(IA) "Commission" means the Election Commission constituted under Article 218 of the Constitution of the Islamic Republic of Pakistan.

(IB) "data" means, any information in digital form contained in a database maintained by the Commission.

(IC) "database" for the purpose of this Act, means the database of the Electoral Rolls maintained by the Commission; and

(b) in sub-section (2), in clause (c), for the word "Commissioner" the word "Commission" shall be substituted,

3. Amendment of section 6, Act XXI of 1974.-In the said Act, in section 6, in sub-section (2), for clause (b), the following shall be substituted, namely:-

"(b) is not less than eighteen years of age and possesses "National Identity Card issued by the National Database and Registration Authority constituted under the National Database and Registration Authority Ordinance, 2000 (VIII of 2000), or comes in possession of such National Identity Card on the last date fixed for inviting claims, objections and applications for corrections if any, for the purpose of preparing or revising the electoral rolls:

Provided that National Identity Card issued by National Database and Registration Authority shall be deemed to be valid for the purpose of registration as voter or casting vote at a poll notwithstanding the expiry of its validity period."

4. Amendment of section 18, Act XXI of 1974.-In the said Act in section 18, in sub-section (1), the commas and words ".or deemed to have been issued." shall be omitted.

5. Insertion of new section 30A, Act XXI of 1974.-In the said Act after section 30, the following new section shall be inserted. namely:-

“30A. Information not to be divulged.-Any person who-

- (a) being an employee of me Commission publishes or communicates to any person, any information or data acquired by him in the course of such employment without being so authorized by the Commission;
- (b) breaches in any manner the security or integrity of the information or data contained in (he electoral rolls database:
- (c) having possession of any information or data which to his knowledge has been obtained or disclosed in contravention of this Act or in breach of the security, secrecy or integrity thereof, publishes or communicates that information or data to any other person; or
- (d) misuses or abuses, in any manner, the information or data contained in the electoral rolls database.

shall be punishable with imprisonment for a term which may extend to five years, or with fine which may extend to five million rupees or with both”.

6. Amendment of sections 3, 4, 5, 6, 9, 10, 18, 19, 22, 28, 29, 30 and 31, Act XXI of 1974.— In the said Act in sections 3, 4, 5, 6, 9, 10, 18, 19, 22, 28, 29, 30 and 31,—

- (a) for the words "Commissioner" and "Chief Election Commissioner", wherever occurring, the word "Commission" shall be substituted; and
- (b) except in clause (b) of sub-section (2) of section 5, sub-section (2) of section 6 and section 18 for the words "he" and "his", wherever occurring the words "it" and "its" shall be substituted respectively.

7. Amendment of section 33, Act LXXXV of 1976.-In the Representation of the People Act 1976 (Act LXXXV of 1976) in section 33.-

- (a) in sub-section (1), for the words, figures, commas and brackets ";for that purpose, require the elector to produce his identity card provided for ill the National Registration Act, 1973 (LVI of 1973) or", the word, and comma "for the purpose, require the elector to produce his National Identity Card" shall be substituted: and
- (b) in sub-section (3), in clause (a) for the words, figures and brackets "identity card provided for in the National Registration Act, 1973 (LVI of 1973) or issued", the words "National Identity Card issued to him" shall be substituted.