

THE SAFEGUARD MEASURES ORDINANCE, 2002.

ORDINANCE NO. XXXI OF 2002

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ORDINANCE

to amend the Safeguard Measures Ordinance, 2002

WHEREAS it is expedient to amend the Safeguard Measures Ordinance, 2002 (XXXI of 2002), for the purposes hereinafter appearing;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (I) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance:-

1. Short title and commencement.- (1) This Ordinance may be called the Safeguard Measures (Amendment) Ordinance, 2002.

(3) It shall come into force at once.

2. Amendment of section 3, Ordinance XXXI of 2002: In the Safeguard Measures Ordinance, 2002 (XXXI of 2002), hereinafter referred to as the said Ordinance, in section 3, the words and comma "as a result of unforeseen developments and of the effect of WTO obligations assumed by Pakistan," shall be omitted.

3. Amendment of section 5, Ordinance XXXI of 2002.- In the said Ordinance, for section 5 the following shall be substituted, namely :-

4. Amendment of section 7, Ordinance XXXI of 2002.- In the said Ordinance, in section 7, in sub-section (2), in clause (i), for the word "prescribed" the words and comma "fixed, by the Commission from time to time" shall be substituted.

5. Amendment of section 9, Ordinance XXXI of 2002.- In the said Ordinance, in section 9,-

- (a) in sub-section (I), the words "accuracy and adequacy of the evidence given in an" shall be omitted; and
- (b) in sub-section (3), after the word " applicant" the words "or any other enterprise or entity of the public or private sector" shall be inserted.

6 Amendment of section 11, Ordinance XXXI of 2002.- In the said Ordinance, in section 11, in sub-section .(1), -

- (a) for the word " fifteen " the word " seven" shall be substituted; and
- (b) in the proviso, for the word " fifteen" the word "seven" shall be substituted.

7. Amendment of section 12, Ordinance XXXI of 2002.- In the said Ordinance, in section 12, in sub-section (1),

- (a) for the words " four months" the words " ninety days" shall be substituted; and
- (b) in the proviso, for the words " four months" and "two months" the words "ninety days" and "sixty days" shall, respectively, be substituted;

8. Amendment of section 24, Ordinance XXXI of 2002.- In the said Ordinance, in section 24, in sub-section (9), for the word "refund" the words "Gauge to be refunded" shall be substituted.

9. Amendment of section 28, Ordinance XXXI of 2002. - In the said Ordinance, in section 28, in sub-section (5), for the words "refund the differential" the words "cause the differential to be refunded" shall be substituted.

10. Amendment of section 33, Ordinance XXXI of 2002.- In the said Ordinance, in section 33, the comma, words and figure ", in accordance with the schedule published in the public notice of application of a definitive safeguard measure referred to in section 26" shall be omitted.

11. Amendment of section 34, Ordinance XXXI of 2002.- In the said Ordinance, in section 34, for sub-section (4) the following shall be substituted, namely:-

" (4) The Federal Government shall, no later than thirty days of the receipt of a report under sub-section (3), notify its decision by means of a public notice."

12. Amendment of section 35, Ordinance XXXI of 2002.- In the said Ordinance, in section 35, in sub-section (7), for the figure " 23" the figure "24" shall be substituted.