

Government of Pakistan  
Ministry of law  
The Imports and Exports (Control)  
Act, 1950  
Act No. XXXIX of 1950  
(19<sup>th</sup> April, 1950)

An Act to continue for a limited period powers to prohibit control imports and exports.  
(As amended up to the 26<sup>th</sup> May, 1962)

Where as it is expedient to continue for a Limited period powers to prohibit, restrict or otherwise control import into and exports from Pakistan.

It is here by enacted as follows:

1. (I) This Act may be called the Imports and Exports (Control) Act, 1950.

Short title  
Extent  
Commence  
ment and  
duration.

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For statement of Objects and Reasons see Gazette of Pakistan 1950 Part V page 92.  
The Act has been-

- (i) applied to Baluchistan, subject to certain modifications, with effect on and from the 19<sup>th</sup> April, 1950, see Gazette of Pakistan, 1953, part I page 90;
- (ii) Applied to the Chittagong Hill Tracts subject to certain modifications, see Dacca Gazette, 1954, Part I, page 33, and to partially excluded Areas of Mymensingh District subject to certain modification, see Dacca Gazette, 1953, part I page 1190-1194.
- (iii) Applied in the Federated Areas of Baluchistan, see Gazette of Pakistan, 1953, Part I, page 152.
- (iv) Extended to Leased Areas of Baluchistan, see the Leased Areas (laws) Order, 1950 (Governor General's order No. 3 of 1950.
- (v) Extended to Baluchistan States Union see the Baluchistan States Union (Federal Laws) (Extension) Order 1953 (Governor General's order No. 4 of 1953)
- (vi) Extended to the Khairpur State, see the Khairpur (Federal Laws) (Extension) Order 1953 (Governor-General's Order No 5 of 1953.
- (vii) Extended to Bahawalpur State by the Bahawalpur (Extension of Federal Laws) order, 1953 (Governor General's order No 11 of 1953), as amended; and
- (viii) Extended to Gwador by the Gwador (Government and Administration) (Application of Laws) order, 1958.

- (2) It extends to all the Provinces and the Capital of the Federation and to every Acceding State to extent to which the central Legislature has power to make laws for the State as regards the control of imports and exports.
- (3) It shall come into force immediately, and shall remain in force for a period of (fifteen years)

Definitions: 2. In this Act:

- (a) “Chief Controller” means the officer appointed by the Central Government to perform the duties of Chief Controller of Imports and Exports under this Act.
- (b) “Customs Collector” means a Customs-Collector as defined in the sea Customs Act 1878 or a Collector of Land customs appointed under the Land Custom Act, 1924 and;
- (c) “Import and Export” mean respectively bringing into and taking out of the provinces by sea, land or air.

3. (1) The Central Government may be order<sup>2</sup> published in the official Gazette and subject to such conditions and exceptions as may be made by or under the order, prohibit, restrict or otherwise control the import or export of goods of any specified description, or regulate generally all practices (including trade practice) and procedure connected with the import or export of such goods, 3 and such order may provide for applications for licences under this Act, the evidence to be attached to such applications, the grant, use, transfer sale or cancellation of such licences, and the form and manner in which and the periods within which appeals and applications for review or revision may be preferred and disposed of, and the charging of fees in respect of any such matter as may be provided in such order.

Power to prohibit or restrict imports and exports

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1. Substituted by the imports and Exports (control (Amendment) Ordinance, 1962 (XXIX of 1962), section 2 for, “twelve years”
  2. For the Registration (Importers and Exporters) Order, 1952, see Gazette of Pakistan, 1952, Extra ordinary, pages 1267-1271; for the Raw Jute Export (Registered Marks) Order, 1954 see Gazette of Pakistan, 1954 Extraordinary pages 1739-1741 and or order made under this section see Gazette of Pakistan, 1957, Part I, page 269, for the Review, Appeal and Revision Order, 1957, see Gazette of Pakistan, 1957 Extraordinary pages 2219-2220, and for the licences and permits fees order, 1958, see Gazette of Pakistan, 1958, Extraordinary pages 653-655.
  3. Substituted by the Imports and and Exports (Control) (Amendment Act, 1957 (42 of 1957) section 2, for certain words.

- (2) No goods of the specified description shall be imported or exported except in accordance with the conditions of a licence to be issued by the chief Controller or any other officer authorized in this behalf by the central Government.

VIII of  
1878

(3) All goods to which any order under sub-section (I) applies shall be deemed to be goods of which the import or export has been prohibited or restricted under section 19 of the Sea Customs Act, 1878, and all the provisions of the Act shall have effect accordingly except that section 183 there of shall have effect as if for the word "shall" therein the word "may" were substituted.

(4) Notwithstanding anything contained in the aforesaid Act the Central Government may, by order published in the official Gazette, prohibit, restrict or impose conditions on the clearance whether for home consumption or for shipment abroad of any imported goods or class of goods.

XVII of  
1947

4. All orders made under section 3 of the Imports and Exports (Control) Act, 1947, and in force immediately before the commencement of this Act, shall so far as they are not inconsistent with the provisions of this Act, continue in force shall be deemed to have been made under this Act.

Continu-  
-ance of  
existing  
orders.

4A. No person shall sell, purchase or otherwise deal in any import licence other than an import licence issued under the Export Bonus Scheme.

Prohibit on to  
sell or purchase  
import licence

EXPLANATION: In this section, "Export Bonus Scheme" means the scheme introduced by Government of Pakistan vide Ministry of Commerce Public Notice No. 326/102/59-EP III dated the 15<sup>th</sup> January 1959.

4.B Except with the previous permission in writing of the Chief Controller or any other officer authorized in this behalf by the Central Government, no person who imports goods against a licence issued to him in his capacity as industrial consumer shall sell or otherwise transfer such goods, or use the goods for purpose other than the purpose or purposes for which the licence was issued.

Prohibition  
regarding  
sale and  
transfer or  
goods by  
Industrial  
consumer

5. If any person contravene 2 (any provision of this Act or) any order made or deemed to have been made under this Act or the rules made there under, or makes use of an import or export licence otherwise than in accordance with any condition in that behalf imposed under penalty.

1. For such an order, see Gazette of Pakistan, 1952, Extraordinary page 985

2. Inserted by the Imports and Exports (Control) (Amendment) Ordinance 1962 (XXIX of 1962) this Act, he shall without prejudice to any confiscation or penalty to which he may be liable under the provisions of the Sea Customs Act, 1878, as applied by sub-section (3) of section 3 of this Act be punishable with imprisonment 1878 for a term which may extend to one year, or with fine, or with both.

VIII  
1878

Cogniz-  
-ance of  
offences

6. No court shall take cognizance of any offence punishable under section 5 except upon complaint in writing made:

(a) in the case of an offence which is punishable both under this Act or the rules made there under and also, whether by confiscation or otherwise, under the Sea Customs Act, 1878, by a Customs Collector or by an officer of Customs authorized in writing in this behalf by a Customs Collector or

(b) in the case of any other offence, by the chief Controller or by an officer authorized by him in writing in this behalf; and no court inferior to that of a Magistrate of the first class shall try any such offence.

Savings

7. No order made or deemed to have been made under this Act shall be called in question in any court, and no suit prosecution or other legal proceeding shall lie against any person for any thing in good faith done or intended to be done under this Act or any rules made there under or any order made or deemed to have been made there under.

Power of  
make  
rules

8. The Central Government may make rules not inconsistent with this Act for carrying out the purposes of this Act.

Act XVIII  
of 1947 and  
Ordinance I  
of 1950  
repealed.

9. The Imports and Exports (Control) Act, 1947, and the Imports and Exports (Control) Ordinance, 1950, are hereby repealed

