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THE SINDH CRIMINAL PROSEUTION SERVICE (CONSTITUTION, FUNCTIONS AND POWERS) (AMENDMENT) ACT, 2011.

[2nd January, 2012]

An Act to amend the Sindh Criminal Prosecution Service (Constitution, Functions and Powers) Act, 2009.

Preamble.

WHEREAS it is expedient to amend the Sindh Criminal Prosecution Service (Constitution, Functions and Powers) Act, 2009, in the manner hereinafter appearing;

It is hereby enacted as follows:-

Short title and commencement.

1. (1) This Act may be called the Sindh Criminal Prosecution Service (Constitution, Functions and Powers) (Amendment) Act, 2011.

(2) It shall come into force at once.

Amendment in section 5 of Sindh Act No.IX of 2010.

2. In the Sindh Criminal Prosecution Service (Constitution, Functions and Powers) Act, 2009 -

(i) For section 5, the following shall be substituted:-

"(1) Notwithstanding any judgment of any court including the Supreme Court or High Court, the Government shall exercise exclusive superintendence over the service to ensure achievement of the objectives of this Act.

(2) The administration of the service shall vest in Government.

(3) A Prosecutor General, a Public Prosecutor, an Additional Prosecutor General, a Deputy Prosecutor General, an Assistant Prosecutor General, a District Public Prosecutor, a Deputy District Public Prosecutor and an Assistant Public Prosecutor shall perform their functions under the control and administration of Government.

THE SINDH CRIMINAL PROSEUTION SERVICE (CONSTITUTION, FUNCTIONS AND POWERS) (AMENDMENT) ACT, 2011.

(ii) In section 6 – **Amendments in section 6 of Sindh Act No.IX of 2010.**

(i) for sub-section(1), the following shall be substituted:-

"(1) Government shall appoint a Prosecutor General, on such terms and conditions, as may be determined by Government.

(ii) for sub-section (3), the following shall be substituted:-

"(3) The Prosecutor General shall hold office for a non extendable period of three years.".

(iii) In section 7, for clause (a), the following shall be substituted:- **Amendment in section 7 of Sindh Act No.IX of 2010.**

"(a) is or was qualified to be appointed as Judge of High Court or has for a period of, or for the periods aggregating, not less than ten years, been an Advocate of the High Court.".

(iv) Section 18 shall be deleted. **Omission of section 18 of Sindh Act No.IX of 2010.**