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PART-IV

PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 13TH FEBRUARY, 2023

NO.PAS/LEGIS-B-22/2022-The Sindh Protection of Human Rights (Amendment) Bill, 2022 having been passed by the Provincial Assembly of Sindh on 19th December, 2022 and assented to by the Governor of Sindh on 30th December, 2022 is hereby published as an Act of the Legislature of Sindh.

THE SINDH PROTECTION OF HUMAN RIGHTS (AMENDMENT) ACT, 2022.

SINDH ACT NO. III OF 2023

**AN
ACT**

to amend the Sindh Protection of Human Rights Act, 2011.

WHEREAS it is expedient to amend the Sindh Preamble. Protection of Human Rights Act, 2011, in the manner hereinafter appearing;

It is hereby enacted as follows :-

1. (1) This Act may be called the Sindh Protection of Human Rights (Amendment) Act, 2022. Short title and commencement.

(2) It shall come into force at once.

2. In the Sindh Protection of Human Rights Act, 2011, hereinafter referred to as the said Act, in section 2 –

Amendment of section 2 of Sindh Act No.XIII of 2011.

(i) after clause (i), the following new clauses shall be inserted:-

“(i-a) “business and human rights” means the rights envisaged under the United Nations Guiding Principles (UNGPs) and corporate related human rights abuses;

(i-b) “Chief Minister” means the Chief Minister, Sindh;”;

(ii) after clause (ii), the following shall be substituted:-

“(ii-a) “Department” means the Sindh Human Rights Department, Government of Sindh;”;

(iii) after clause (v), the following new clause shall be inserted:-

“National Action Plan on Business and Human Rights” means the National Action Plan on Business and Human Rights formulated by the Ministry of Human Rights in keeping with UNGPs to ensure protection of human rights abuses by engaging business to foster corporate respect and due diligence for human rights;”.

3. In the said Act, in section 3 –

Amendment of section 3 of Sindh Act No.XIII of 2011.

(i) in sub-section (2) –

(a) for clause (i), the following shall be substituted:-

“(i) A person who has been a Chairperson Judge of the High Court, was or is qualified as such, or a person having a demonstrable experience of fifteen (15) years in the field of Human Rights, to be appointed by Chief Minister”;

(b) in clause (ii), for the word “two”, the word “three” shall be substituted;

(c) for clause (iii), the following shall be substituted:-

“(iii) two Members of the Members Provincial Assembly of Sindh, to be nominated by the Speaker, Provincial Assembly of Sindh”;

(d) for clause (iii), the following, shall be substituted:-

“(iii-a) Four persons with Members demonstrable experience in the field of Human Rights, atleast one of whom shall be from minority community and one shall have considerable experience in Business and Human Rights, to be appointed by Chief Minister”;

(iii-b) An Additional Secretary or Member Deputy Secretary of the Department to be nominated by the Secretary of Department”;

ii) after sub-section (4), the following shall be inserted:-

“(4-A) The Chairperson and Members appointed under clause (i), (ii) and (iii-a) of sub-section (2), shall not be more than sixty five years of age.”;

iii) for sub-section (5), the following shall be substituted:-

“(5) The Chairperson and Members shall, unless resigned or removed earlier, hold office for a single non-renewable term of four years.”.

4. In the said Act, in section 4 –

(a) after clause (ii), the following new clause shall be inserted:-

“(ii-a) serve as an alternate dispute resolution and accountability mechanism for business related abuse of human rights and providing easy access to remedy;”;

Amendment of section 4 of Sindh Act No.XIII of 2011.

(b) after clause (iv), the following new clause shall be inserted:-

“(iv-a) to visit any business enterprise or corporate entity, with prior intimation to the concerned corporate entity’s supervisory body or authority, to ascertain the reported violations or abuse and the working conditions of employees, workers or inmates of the supply chain or the value chain, as the case may be;”;

(c) for clause (v), the following shall be substituted:-

“(v) review the safe guards provided by or under the Constitution or any law for the time being in force for protection of human rights and also in the sphere of Business and Human Rights and National Action Plan on Business and Human Rights to ensure accountability and access to remedy as an alternate dispute forum and to recommend measures for effective implementation of laid down procedure and for due diligence in business enterprises;”.

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| <p>5. In the said Act, in section 5, in sub-section (4), for the words “four members”, the words “five members” shall be substituted.</p> | <p>Amendment of section 5 of Sindh Act No.XIII of 2011.</p> |
| <p>6. In the said Act, in section 6. after clause (a), the following new clause shall be inserted:-</p> <p>“(a-i) is found lunatic or become of unsound mind;”.</p> | <p>Amendment of section 6 of Sindh Act No.XIII of 2011.</p> |

**BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH**

**G.M.UMAR FAROOQ
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH**