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SIND ORDINANCE NO. XVI OF 2000.
THE SINDH LOCAL GOVERNMENT ELECTIONS (SECOND AMENDMENT) ORDINANCE, 2000.

[22nd December, 2000]

An Ordinance to further amend the Sindh Local Government Elections Ordinance, 2000.

Preamble.

WHEREAS, it is expedient to amend the Sindh Local Government Elections Ordinance, 2000, in the manner hereinafter appearing;

AND WHEREAS, under the Local Government Elections Order, 2000 (No. 8 of 2000), the Chief Executive of Pakistan has been pleased to empower the Chief Election Commissioner to conduct local government elections in the Provinces;

AND WHEREAS, the Provincial Assembly stands suspended in pursuance of the Proclamation of the fourteenth day of October, 1999, and the Provisional Constitution Order No. 1 of 1999;

AND WHEREAS, the Governor is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the aforesaid Proclamation and the Provisional Constitution Order read with Provisional Constitution (Amendment) Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the Governor of Sindh is pleased to make and promulgate the following Ordinance:-

Short title and commencement.

1. (1) This Ordinance may be called the Sindh Local Government Elections (Second Amendment) Ordinance, 2000.

(2) It shall come into force at once.

Amendment of section 18 of Sindh Ordinance No. X of 2000.

2. In the Sindh Local Government Elections Ordinance, 2000, hereinafter referred to as the Ordinance, after section 18, the following new section shall be added, namely:-

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"**18A. Casual Vacancy,** (1) If the seat of a member becomes vacant during the term of office of a council, a new member shall be elected through bye-election and such member shall hold office for the remaining part of such term; provided that all bye-election shall be held once a year on dated fixed by the Chief Election Commissioner.

(2) The vacancy in the office of Nazim shall be filled by officiating Nazim elected by the members of the council concerned by a majority votes; provided that :

(a) the member so elected shall continue to hold his substantive office as member till the bye-election to fill the vacant office is held;

(b) the Naib Nazim will not be eligible for bye-election or to be officiating Nazim;

(c) in the event of temporary absence of the Nazim, the Naib Nazim of the council concerned shall deputize in place of the Nazim.".

3. In the Ordinance, after section 35 the following new section shall be inserted, namely:

Amendment of section 35 of Sindh Ordinance No. X of 2000.

"35A. Power of the Chief Election Commissioner to punish for contempt.- The Chief Election Commissioner shall have the same power as the High Court has to punish any person for contempt of court and the Contempt of Court Act, 1976 (XLVI of 1976) shall have effect accordingly as if reference therein to a "Judge" was reference to the "Chief Election Commissioner.".