



THE PASSPORTS ACT, 1974



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THE PASSPORTS ACT, 1974.

¹ACT NO. XX OF 1974

[7th March, 1974]

An Act to regulate departure from and entry into Pakistan and visit to foreign countries of the citizen of Pakistan.

WHEREAS it is expedient to regulate departure from and entry into Pakistan and visit to foreign countries of citizens of Pakistan and to provide for matters ancillary thereto;

It is hereby enacted as follows:—

1. Short title, extent and commencement.—(1) This act may be called the Passports Act, 1974.

(2) It extends to the whole of Pakistan and also applies to all citizens of Pakistan, wherever they may be.

(3) It shall come into force at once.

2. Definitions. In this Act, unless there is anything repugnant in the subject or context,—

(a) "passport" means a passport ¹[including a diplomatic passport and an official passport] which is for the time being valid, and includes any such permit, or other travel document authorising the holder thereof to travel from Pakistan to any other country, issued by or under the authority of the Federal Government;

(b) "Prescribed" means prescribed by rules made under this Act.

3. Prohibition of departure from Pakistan without passport, etc. No citizen of Pakistan shall—

(a) depart from Pakistan by any means whatever unless he is in possession of a passport, nor otherwise than from such port or place, by such route and in accordance with such conditions, as may be prescribed; or

(b) visit a foreign country unless his passport is valid for such country.

4. Punishment for contravention of sections 3, etc. —(1) A citizen of Pakistan who is of the age of twelve years or more shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both, if he—

(a) contravenes or attempts to contravene or abets the contravention of any of the provisions of section 3; or

(b) enters or attempts to enter Pakistan by any means whatever without being in possession of a passport or otherwise than at such port or place, or by such route, as may be prescribed.

(2) A person departing from or entering, or attempting to depart from or enter, Pakistan in whose custody or charge a person who has not attained the age of twelve years departs from or enters, or attempts to depart from or enter, Pakistan in contravention of section 3 or clause (b) of sub-section (1) shall, in addition to any penalty to which he may be otherwise liable, be liable to the penalty provided for in that sub-section.

(3) Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898.), an offence punishable under sub-section (1) or sub-section (2) shall be non-bailable.

¹ For Statement of Objects and Reasons, see Gaz. of P., 1974, Ext., Pt. III, p. 181.

² Ins. by the Passports (Amdt.) Ordinance, 1978 (21 of 1978), s. 2.

5. Certain acts to be deemed contravention of section 3.—(1) Whoever gives any person who has contravened the provisions of section 3, any assistance with intent thereby to prevent, hinder or otherwise interfere with his arrest, trial or punishment for such contravention, shall be deemed to have abetted the offence of contravention of the provisions of that section.

(2) The owner, master or person in charge of any means of transport who causes or knowingly allows any person to depart from Pakistan in contravention of the provisions of section 3 by such means of transport shall be deemed to have contravened the Provision of that section and the means of transport shall, if the court convicting the owner, master or person in charge so directs, be forfeited to the Federal Government.

6. Penalties for certain offences relating to passport.—(1) A person shall be punishable with imprisonment which may extend to three years, or with fine, or with both, if he—

- (a) makes or makes use of any statement which he knows or believes to be false in any document for obtaining passport; or
- (b) attests or verifies a statement which he knows or has reason to believe to be false in any document used for obtaining a passport; or
- (c) wilfully conceals any fact which under the circumstances he ought to disclose for the purpose of obtaining a passport for himself or another person; or
- (d) forges, alters or tampers with any passport or any document which he uses for obtaining a passport; or
- (e) uses a passport which has been forged, altered, or tampered with; or
- (f) uses for obtaining a passport a document which has been forged, altered or tampered with; or
- (g) is in wrongful possession of a passport not lawfully issued to him or allows his passport to be used by another person; or
- (h) traffics in passports or any documents required for obtaining a passport; or
- (i) wilfully fails or neglects to return a passport issued to him, if he is required to do so or if an order cancelling, impounding or confiscating it is made ¹[;or]
- ¹[(j) obtains more than one passport for himself either in the same or different names by concealing the fact of his already being in possession of a passport].

¹ Subs. and added by the Passports (Amdt.) Ordinance, 1978 (21 of 1978), s. 3.