

**THE BALOCHISTAN JUVENILE SMOKING
ORDINANCE, 1959**

(W.P. Ord. XII of 1959)

CONTENTS

SECTIONS

Preamble.

1. Short title and extent.
2. Definitions.
3. Penalty for selling tobacco to juvenile.
4. Seizure of tobacco smoked by a juvenile in a public place.
5. Power to make rules.
6. Repeal.

**¹THE ²[BALOCHISTAN³] JUVENILE SMOKING
ORDINANCE, 1959**

(W.P. Ord. XII of 1959)

[26th March, 1959]

An Ordinance to amend and consolidate the law relating to prevention of smoking of tobacco by juveniles in the Province of ²[Balochistan].

Preamble.

WHEREAS it is expedient to amend and consolidate the law relating to prevention of smoking of tobacco by juveniles in the Province of ²[Balochistan];

NOW, THEREFORE, in pursuance of the Presidential Proclamation of the 7th day of October, 1958, and in exercise of all powers enabling him in that behalf, the Governor of West Pakistan is pleased to make and promulgate the following Ordinance:-

Short title and extent.

1. (1) This Ordinance may be called the ²[Balochistan] Juvenile Smoking Ordinance, 1959. (2) It extends to the whole of the Province of ²[Balochistan] except ⁴[* * * * *] ⁵[the Tribal Areas.]

Definitions.

2. In this Ordinance, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say -

- (a) "affiliated college" means any collegiate institution affiliated to any University, Board of Secondary Education in ²[Balochistan];
- (b) "Government" means the Government of ⁶[Balochistan];
- (c) "Juvenile" means any person who is under the age of sixteen years;

¹ This Ord. was promulgated by the Governor of W.P. on 21st March, 1959; published in the W.P. Gazette (Extraordinary), dated 26th March, 1959; pages 205-207; saved and given permanent effect by Article 225 of the Constitution of the Islamic Republic of Pakistan (1962).

² Subs. by Baln. A.O. of 1975, for "West Pakistan".

³ Spelling of the word "Baluchistan", wherever it appears in this Ordinance, is corrected by insertion of letter "o" instead of "u", as per Government of Balochistan, S&GAD's Notification No. SORI (4) 6/ S&GAD-89, dated 18th June, 1989.

⁴ The words "the Federal Capital and", del. by W.P. Ord. XXXII of 1962.

⁵ Subs. for the words "the Special Areas", by W.P. Ord. VII of 1964.

⁶ Subs. by Baln. A.O. of 1975, for "West Pakistan".

- (d) "public place" includes any public park, garden, railway station, ground, or vehicle to which the public for the time being have access, whether on payment or otherwise;
- (e) "recognized school; means any school recognized by any University or the Board of Secondary Education in ¹[Balochistan] or by the Education Department of Government; and
- (f) "tobacco" means tobacco in any form and includes any smoking mixture intended as a substitute for tobacco.

Penalty for selling tobacco to juvenile.

3. (1) Whoever sells or gives or attempts to sell or give tobacco to a juvenile, whether for his own use or not, shall be punished in the case of a first offence with fine which may extend to twenty rupees and in the case of a second offence with fine which may extend to fifty rupees and in the case of a third or subsequent offence with fine which may extend to one hundred rupees.

(2) If a person convicted under the last preceding sub-section holds a dealer's licence under the ¹[Balochistan] Tobacco Vend Act, 1958¹, his conviction under this section shall be notified by the Magistrate to the District Excise and Taxation Officer concerned so as to enable him to cancel the convict's licence.

Seizure of tobacco smoked by a juvenile in a public place.

4. If any juvenile be found smoking tobacco in any public place, it shall be lawful for any teacher or proctor of a recognized school or affiliated college or any other person authorised² by Government in this behalf, to seize such tobacco and destroy it.

Power to make rules.

5. Government may frame rules for carrying out the purposes of this Ordinance.

Repeal.

6. The following enactments are hereby repealed:-

- (a) The Punjab Juvenile Smoking, Act, 1918³.
- (b) The Punjab Juvenile Smoking Act, 1918², as applicable to the former state of Bahawalpur;
- (c) The North-West Frontier Province Juvenile

¹ i.e. West Pakistan Act XXXVIII of 1958.

² For notification authorising persons under this section, *see* West Pakistan Gazette, 1960, Pt. 1, p. 339.

³ i.e. Punjab Act VII of 1918.

Smoking Act, 1933⁴.

⁴ i.e. N.W.F.P Act II of 1933.