

**ANNEX "III"**

**Post-devolution Federal Legislative List**

THE CENTER

for the Study of the History of Mathematics

**FOURTH SCHEDULE**

*[Article 70 (4)]*

FEDERAL LEGISLATIVE LIST

**PART I**

1. The defence of the Federation or any part thereof in peace or war; the military, naval and air forces of the Federation and any other armed forces raised or maintained by the Federation; any armed forces which are not forces of the Federation but are attached to or operating with any of the Armed Forces of the Federation including civil armed forces; Federal Intelligence Bureau; preventive detention for reasons of State connected with defence, external affairs, or the security of Pakistan, or any part thereof; persons subjected to such detention; industries declared by Federal law to be necessary for the purpose of defence or for the prosecution of war.
2. Military, naval and air force works; local self-government in cantonment areas, the constitution and powers within such areas of cantonment authorities, the regulation of house accommodation in such areas, and the delimitation of such areas.
3. External affairs; the implementing of treaties and agreements, including educational and cultural pacts and agreements, with other countries; extradition, including the surrender of criminals and accused persons to Governments outside Pakistan.
4. Nationality, citizenship and naturalisation.
5. Migration from or into, or settlement in, a Province or Federal Capital.
6. Admission into, and emigration and expulsion from Pakistan, including in relation thereto the regulation of the movements in

Pakistan of persons not domiciled in Pakistan; pilgrimages to places beyond Pakistan.

7. Posts and telegraphs, including telephones, wireless, broadcasting and other like forms of communications; Post Office Saving Bank.
8. Currency, coinage and legal tender.
9. Foreign exchange; cheques, bills of exchange, promissory notes and other like instruments.
10. Public debt of the Federation, including the borrowing of money on the security of the Federal Consolidated Fund; foreign loans and foreign aid.
11. Federal Public Services and Federal Public Service Commission.
12. Federal Pensions, that is to say, pensions payable by the Federation or out of the Federal Consolidated Fund.
13. Federal Ombudsman.
14. Administrative Courts and Tribunals for Federal subjects.
15. Libraries, museums, and similar institutions controlled or financed by the Federation.
16. Federal agencies and institutes for the following purposes, that is to say, for research, for professional or technical training, or for the promotion of special studies.
17. Education as respects Pakistani students in foreign countries and foreign students in Pakistan.
18. Nuclear energy, including —
  - (a) mineral resources necessary for the generation of nuclear energy;

(b) the production of nuclear fuels and the generation and use of nuclear energy; and

(c) ionizing radiations <sup>1</sup>[; and]

<sup>1</sup>[(d) boilers.]

19. Port quarantine, seamen's and marine hospitals and hospitals connected with port quarantine.

20. Maritime shipping and navigation, including shipping and navigation on tidal waters; Admiralty jurisdiction.

<sup>2</sup>[21. \* \* \* \* \* ]

22. Aircraft and air navigation; the provision of aerodromes; regulation and organisation of air traffic and of aerodromes.

23. Lighthouses, including lightships, beacons and other provisions for the safety of shipping and aircraft.

24. Carriage of passengers and goods by sea or by air.

25. Copyright, inventions, designs, trade-marks & merchandise marks.

26. Opium so far as regards sale for export.

27. Import and export across customs frontiers as defined by the Federal Government, inter-provincial trade and commerce, trade and commerce with foreign countries; standard of quality of goods to be exported out of Pakistan.

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<sup>1</sup>In the Fourth Schedule, in Part I, in entry 18, in sub-entry (c), full stop substituted by semi-colon and a word "; and" & thereafter new sub-entry (d) added by the Constitution (Eighteenth Amendment) Act, 2010 (Act No. X of 2010), the Gaz. of Pak., Extr., Pt. I, P. No. 267, dt. 20th April, 2010.

<sup>2</sup>Entry 21 omitted, *ibid.*

At the time of omission entry 21 was as under -

"21. Major ports, that is to say, the declaration and delimitation of such ports, and the constitution and powers of port authorities therein."

28. State Bank of Pakistan; banking, that is to say, the conduct of banking business by corporations other than corporations owned or controlled by a Province and carrying on business only within that Province.

29. The law of insurance, except as respects insurance undertaken by a Province, and the regulation of the conduct of insurance business, except as respects business undertaken by a Province, Government insurance, except so far as undertaken by a Province by virtue of any matter within the legislative competence of the Provincial Assembly.

30. Stock exchanges and futures markets with objects and business not confined to one Province.

31. Corporations, that is to say, the incorporation, regulation and winding-up of trading corporations, including banking, insurance and financial corporations, but not including corporations owned or controlled by a Province and carrying on business only within that Province, or co-operative societies, and of corporations, whether trading or not, with objects not confined to a Province, but not including universities.

<sup>1</sup>[32. International treaties, conventions and agreements and International arbitration.]

<sup>2</sup>[33. \* \* \* \* \* ]

34. National highways and strategic roads.

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<sup>1</sup>In the Fourth Schedule, in Part I, entry 32 substituted by the Constitution, Eighteenth Amendment) Act, 2010 (Act No. X of 2010), the Gaz. of Pak., Extr., Pt. I, P. No. 267, dt. 20th April, 2010.

At the time of substitution, entry 32 was as under -

"32. National planning and national economic coordination including planning and coordination of scientific and technological research."

<sup>2</sup>Entries 33 & 38 omitted, *ibid*.

At the time of omission, entries 33 & 38 was as under -

"33. State lotteries.

38. Census."

35. Federal surveys including geological surveys and Federal meteorological organisations.

36. Fishing and fisheries beyond territorial waters.

37. Works, lands and buildings vested in, or in the possession of Government for the purposes of the Federation (not being military, naval or air force works), but, as regards property situate in a Province, subject always to Provincial legislation, save in so far as Federal law otherwise provides.

<sup>1</sup>[38. \* \* \* \* \* ]

39. Establishment of standards of weights and measures.

<sup>2</sup>[40. \* \* \* \* \* ]

41. Elections to the office of President, to the National Assembly, the Senate and the Provincial Assemblies; Chief Election Commissioner and Election Commissions.

42. The salaries, allowances and privileges of the President, Speaker and Deputy Speaker of the National Assembly, Chairman and Deputy Chairman of the Senate, Prime Minister, Federal Ministers, Ministers of State, the salaries, allowances and privileges of the members of the Senate and the National Assembly, and the punishment of persons who refuse to give evidence or produce documents before committees thereof.

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<sup>1</sup>Entries 33 & 38 omitted, *ibid*.

At the time of omission, entries 33 & 38 was as under -"34. State lotteries.

38. Census."

<sup>2</sup>Entry 40 omitted by the Constitution (Eighteenth Amendment) Act, 2010 (Act No. X of 2010), the Gaz. of Pak., Extr., Pt. I, P. No. 267, cit. 20th April, 2010.

At the time of omission, entry 40 was as under -

"40. Extension of the powers and jurisdiction of members of a police force belonging to any Province to any area in another Province, but not so as to enable the police of one Province to exercise powers and jurisdiction in another Province without the consent of the Government of that Province; extension of the powers and jurisdiction of members of a police force belonging to any Province to railway areas outside that Province.

43. Duties of customs, including export duties.
44. Duties of excise, including duties on salt, but not including duties on alcoholic liquors opium and other narcotics.
- <sup>1</sup>[45 \* \* \* \* \*]
- <sup>2</sup>[46 \* \* \* \* \*]
47. Taxes on income other than agricultural income.
48. Taxes on corporations.
- <sup>3</sup>[49. Taxes on the sales and purchases of goods imported, exported, produced, manufactured or consumed <sup>4</sup>[, except sales tax on services].]
50. Taxes on the capital value of the assets, not including taxes <sup>5</sup>[\* \* \*] on immovable property.
51. Taxes on mineral oil, natural gas and minerals for use in generation of nuclear energy.
52. Taxes and duties on the production capacity of any plant, machinery, undertaking, establishment or installation in lieu of the taxes and duties specified in entries 44, 47, 48 and 49 or in lieu of any one or more of them.

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<sup>1</sup>Entry 45 omitted, *ibid.*

At the time of omission, entry 45 was as under -

45. Duties in respect of succession to property."

<sup>2</sup>Entry 46 omitted by the Constitution (Eighteenth Amendment) Act, 2010 (Act No. X of 2010), the Gaz. of Pak., Extr., Pt. I, P. No. 267, dt. 20th April, 2010.

At the time of omission, entry 46 was as under -

"46. Estate duty in respect of property."

<sup>3</sup>Entry 49 substituted by the Constitution (Fifth Amdt) Act, 1975 (Bill of 1976), action 10, for the original entry 49 (w.e.f. the 13th September, 1976).

<sup>4</sup>In entry 49, inserted by the Constitution (Eighteenth Amendment) Act, 2010 (Act No. X of 1:10), the Gaz. of Pak., Extr., Pt. I, P. No. 267, dt. 20th April, 2010.

<sup>5</sup>In entry 50, the words "on capital gains" omitted, *ibid.*



53. Terminal taxes on goods or passengers carried by railway, sea or air; taxes on their fares and freights.
54. Fees in respect of any of the matters in this Part, but not including fees taken in any court.
55. Jurisdiction and powers of all courts, except the Supreme Court, with respect to any of the matters in this List and, to such extent as is expressly authorised by or under the Constitution, the enlargement of the jurisdiction of the Supreme Court, and the conferring thereon of supplemental powers.
56. Offences against laws with respect to any of the matters in this Part.
57. Inquiries and statistics for the purposes of any of the matters in this Part.
58. Matters which under the Constitution are within the legislative competence of [Majlis-e-Shoora (Parliament)] or relate to the Federation.
59. Matters incidental or ancillary to any matter enumerated in this Part.

**PART - II**

1. Railways.
2. Mineral oil and natural gas; liquids and substances declared by Federal law to be dangerously inflammable.
3. Development of industries, where development under Federal control is declared by Federal law to be expedient in the public interest; institutions, establishments, bodies and

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\*Substituted by the P. O. No. 14 of 1935, Art. 2 and Sch., for "Parliament".

corporations administered or managed by the Federal Government immediately before the commencing day, including the '[Pakistan Water and Power Development Authority and the Pakistan Industrial Development Corporation); all undertakings, projects and schemes of such institutions, establishments, bodies and corporation, industries, projects and undertakings owned wholly or partially by the Federation or by a corporation set up by the Federation.

- 2[4. Electricity.
5. Major ports, that is to say, the declaration and delimitation of such ports, and the constitution and powers of port authorities therein.
6. All regulatory authorities established under a Federal law.
7. National planning and national' economic coordination including planning and coordination of scientific and technological research. t.
8. Supervision and management of public debt.
9. Census.
10. Extension of the powers and jurisdiction of members of a police force belonging to any Province to any area in another Province, but not so as to enable the police of one Province to exercise powers and jurisdiction in another Province without the consent of the Government of that Province; extension of the powers and jurisdiction of members of a police force belonging to any Province to railway areas outside that Province.
11. Legal, medical and other professions.

<sup>1</sup>Substituted by the Constitution (Fifth Arndt.) Act, 1976 (62 of 1976), section 19, for "West and Power Development Authority and the West Pakistan Industrial Development" (VV.e.f. the 13th September, 1976).

<sup>2</sup>Existing entries 4 to 8 re-numbered & new entries 4 to 13 inserted by the Constitution (Eighteenth Amendment) Act, 2010 (Act No. X of 2010), the Gaz. of Pak., Extr., Pt. I, P. No. 267, dt. 20th April, 2010.

12. Standards in institutions for higher education and research, scientific and technical institutions.
13. Inter-provincial matters and co-ordination.]
- \*[14.] Council of Common Interests.
- \*[15.] Fees in respect of any of the matters in this Part but not including fees taken in any court.
- \*[16.] Offences against laws with respect to any of the matters in this Part.
- \*[17.] Inquiries and statistics for the purposes of any of the matters in this Part.
- \*[18.] Matters incidental or ancillary to any matter enumerated in this Part.

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\*Existing entries 4, 5, 6, 7 and 8 shall be re-numbered as entries 14, 15, 16, 17 & 18, respectively, by the Constitution (Eighteenth Amendment) Act, 2010 (Act No. X of 2010), the Gaz. of Pak., Extr., Pt. I, P. No. 267, dt. 20th April, 2010.