

Law
of
Trade Organizations,
Associations
and Chambers of
Commerce and Industry
[Edited, Amended Upto Date, Annotated and with Case Law]

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First Edition	:	January, 2009
Publishers	:	Federal Law House
ISBN	:	978-969-557-048-7
Price	:	Rs.350/-
Printers	:	Haji Hanif & Sons, Lahore

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Preface

Article 17 of the Constitution of the Islamic Republic of Pakistan, 1973, provides that every citizen shall have the right to form associations or unions, subject to any reasonable restrictions imposed by law in the interest of sovereignty or integrity of Pakistan, public order or morality. In this way, this freedom of association is extended to every citizen of Pakistan within lawful limits irrespective of caste, creed, domicile or professions including trading organisations.

Business and trading community is the backbone of an economy in a country or in the present international commerce and trade environment and to safeguard their business and trading interests business persons organizes themselves in the form of associations, federations or confederations at different levels with reference to business-persons as a whole or in their respective trades or businesses. The Trade Organisations Ordinance, 1961 (Ordinance No. XLV of 1961), was the first formal law to regulate the activities of the trade organizations in the country which had come into effect on the 2nd December, 1961. That Ordinance remained in force for a long time till it has been repealed by another Ordinance in the year 2006 to introduce a new revised law to regulate and control the trade organizations in a better way in the changing business environment and necessities.

Although there was a law but there was not a single effort to compile the case law developed by the superior courts of the country from time to time in different cases, appeals or constitutional petitions for the benefit of the business and trading community as well as the legal fraternity. I felt this type of necessity when I was associated with different stages relating to drafting and vetting of this law as well as rules made thereunder. Therefore, keeping in view this gap, I have

planned for a comprehensive research work which may cover all areas relating to Trade Organizations law. Present publication is certainly the outcome of my that research and efforts to update the law in its authentic and reliable version in addition to gathering the possibly available case law reported in different law journals. However, I cannot claim that it is a perfect work but a pioneering work and researchers of future may further come up with better ideas to help the business community as well as legal fraternity.

I hope it will be a useful publication for the business community, legal practitioners, students, researchers and academicians working or interested in the field of trade organizations, associations or Chambers of Commerce and Industry and their functioning, regulation and control. It is also relevant to mention that every effort has been made to make legal texts and references error-free but after all “To err, is human”. There is possibility of errors and omissions but all it will be without any bad intention. However, I shall be thankful if you point out all such lapses, errors or omissions for rectification in future editions of this book in more improved form. Your cooperation, guidance and assistance will be of tremendous benefit for me.

All suggestions and comments will be welcomed for improvement of quality of this work. I shall also be ready and available for all such authorities who intend to amend or update their laws, rules and regulations for the benefit of general public with all guidance, advice and my expertise in the field of Legislative and Legal Drafting. Trading Organizations, Associations as well as the Chambers of Commerce and Industry may also be helped in drafting their Memorandum of Associations, Articles of Associations and Bye-laws or other relevant correspondence relating to registration or other matters regarding trade organizations, associations or Federations in the light of relevant provisions of the Trade Organizations Ordinance, 2007 (Ordinance No. LXXI of 2007) and rules made thereunder or other instructions, directions or orders issued by the Federal Government or any other concerned organization.

You may also send me or our firm messages electronically at my or their e-mail addresses or by calling on my or their telephone numbers given below on this page. Your questions and queries will also be answered and advice about any legal aspect will also be provided.

*Rawalpindi,
December, 2008.*

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Dedicated

to

*my family members,
all business persons who are striving for
competitive progress of this nation and country nationally or
internationally
as well as
all members of legal fraternity
and others
who are striving for rule of law and justice.*

Acknowledgement

Author, Editor and Compiler

is

thankful to all those

*friends, colleagues, experts, professionals and well-wishers
whose active advice and guidance made me able to produce
this work and have guided me during the process of editing and
compiling of these laws, rules, instructions and case law
as well as*

to

Ms. Nosheen Kausar

*who assisted me in composing, editing and proof-reading of
different texts to make them reliable and error-free.*

*I am also thankful to printers, publishers,
their staff members without whose efforts and cooperation
this work was not possible.*

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