

BALUCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT.

NOTIFICATION

Dated Quetta, the 20th August, 2015.

No.PAB/Legis:V(11)/2015. The Balochistan Hotels Restrictions (Security) Bill, 2015 (Bill No.11 of 2015) having been passed by the Provincial Assembly of Balochistan on 13th August, 2015 and assented by the Governor, Balochistan on 19th August, 2015 is hereby published as an Act of the Balochistan Provincial Assembly.

**THE BALUCHISTAN HOTELS RESTRICTIONS (SECURITY) ACT 2015
ACT NO IX OF 2015.**

AN

ACT

to provide a mechanism for monitoring the hotels and guests staying in hotels, in the province of Balochistan.

Preamble.

WHEREAS, it is expedient to provide mechanism for monitoring the business of hotels and guests staying in the hotels for the purposes of counter terrorism and effectively combating crime in the Province of Balochistan;

It is hereby enacted as follows:-

Short title, extent and commencement.

1. (1) This Act may be called the Balochistan Hotels Restriction (Security) Act 2015.

(2) It shall extend to the whole of Balochistan except Tribal Areas.

(3) It shall come into force at once.

Definitions.

2. In this Act unless the context otherwise requires:-

(a) "Act" means the Balochistan Hotels Restriction (Security) Act, 2015;

(b) "Government" means the Government of Balochistan;

(c) "Guest" means a person who is in possession or enjoyment of accommodation engaged for him for monetary consideration;

(d) "Hotel" means a building whether registered or otherwise but exclusively or mainly used, for providing accommodation to guests for a money consideration and includes guesthouse, lodging house, tourist motel, Serai and all the other enclosures used as residence for limited period;

- (e) “hotel” acknowledgement receipt” means receipt issued by the incharge of the police station concerned;
- (f) “Lessee” means a person, to whom a lease of the hotel is granted;
- (g) “manager” means a person, who is employed by the owner for the management of the hotel;
- (h) “Owner” means a person in whose name the property is registered or who receives or is entitled to receive payment from a guest on account of accommodation provided, and includes a person managing as an agent or trustee or otherwise,
- (i) “prescribed” means prescribed by rules;
- (j) “province” means the province of Balochistan;
- (k) “rules” mean rules made under this Act; and
- (l) “schedule” means schedule annexed to this Act.

Information to Police Station/Levies Thana.

3. (1) On coming into force of this Act, the owner, the lessee or the management, as the case may be, shall give the details regarding registration of hotel, capacity and the management of the hotel to the local police station/Levies Thana within seven (7) days on Form-I of the schedule.

(2) The Station House Officer of the concerned police station/Incharge Levies Thana shall issue hotel acknowledgement receipt to the owner, lessee or the manager, as the case may be, on Form-IV of the schedule.

(3) The owner, the lessee or the manager, as the case may be, of a hotel, which shall start functioning after the commencement of this Act, shall be required to provide all information as provided in sub-section (1) to the local Police station/Levies Thana within three (3) days after it starts functioning.

Identification of guests.

4. (1) The owner or the lessee or the manager, as the case may be, shall not allow any guest, to stay in hotel unless he is satisfied with the credentials of the guest intending to stay. For this purpose the owner or the lessee or the manager as the case may be, shall obtain the National

Identity Card of the guest and shall verify it through NADRA Verisys.

(2) The owner or the lessee or the manager, as the case may be, shall be responsible for maintaining the particulars of the guest on Form-II of the schedule.

(3) Complete details of reference of the guest with address and contact number shall be procured by the owner or lessee or manager.

Baggage of the guest.

5. The owner, the lessee or the manager, as the case may be, shall not allow any guest to stay unless luggage or baggage of the guest is properly checked in order to ensure that it does not contain any explosive material or arms or ammunition, hate and seditious material.

Un-authorized guest.

6. No person other than guest to stay in the room of the hotel without due verification as mentioned for the guest in section 3 of the Act.

Intimation to Police/Levies.

7. (1) The owner, the lessee or the manager, as the case may be, shall be responsible to intimate information of the guests to local Police/Levies on daily basis on Form-III of the schedule. This information shall be made through e-mail, fax or any other source.

(2) The owner, the lessee or the manager, as the case may be, shall be required to maintain a computerized database of the guests with relevant information.

Central database.

8. After promulgation of this Act, the Police Department of the Province shall develop a central database of the guests in the form of hardware and software at the shortest possible time for the purpose of this Act.

Powers of police/Levies.

9. (1) Any concerned police officer not below the rank of Assistant Sub-Inspector and Levies officer not below the rank of Risaldar may inspect the guest record of the hotel.

(2) The Police/Levies officer, inspecting the guest record, may also check the guest staying in the hotel in the presence of the owner, lessee or manager.

- Penalties.** 10. Whoever contravenes the provisions of sections 3 to 7 of this Act shall be punished with imprisonment, which may extend to one year or with fine or both.
- Application of Code.** 11. (1) The provisions of the Code of Criminal Procedure, 1898(Act No.V of 1898) shall mutatis mutandis applicable to this Act.
 (2) The offence under this Act shall be cognizable.
 (3) The offences under this Act shall be tried by a Judicial Magistrate of First Class having territorial jurisdiction on the area of offence.
- Operation of other laws.** 12. The provision of this Act shall be in addition to, and not in derogation of any other law for the time being in force.
- Indemnity.** 13. No suit or other proceeding shall lie against any person for anything done or intended to be done, in good faith under this Act or rules made there under.
- Power to make rules.** 14. Government may, by notification in the official Gazette, make rules for carrying out the purpose of this Act.

**Secretary,
Balochistan Provincial Assembly.**