21 September 2021

### **PRESS COVERAGE**

#### **Press Release**

"CONSTITUTIONALITY OF COMPETITION ACT 2010, COMPETITION COMMISSION OF PAKISTAN UPHELD"

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# **Court upholds** legality of CCP

#### **Our correspondent**

abad High Court (IHC) has 2010 and consequently the upheld the constitutionality Competition Act 2010 is intra of the Competition Act 2010 · vires of the Constitution. and the Competition Commission of Pakistan (CCP).

nounced in court by Justice three-member Lahore High Babar Sattar on September Court bench that has al-16, 2021 in "Islamabad Feeds ready declared, through its and others vs Federation of decision in 'LPGAP v Feder-Pakistan and others." The ation of Pakistan', the Comcourt has held that the Par- petition Act 2010 as within liament is the competent leg- the legislative competence islature to promulgate laws of the Parliament. to regulate trade, commerce and intercourse across the mains no doubt as to the provinces and within any constitutionality of the part of Pakistan under Arti- Competition Act, 2010. cle 151 of the Constitution. This is a welcome out-Since the Competition Act come of an otherwise pro-2010 is a law that regulates tracted constitutional litithe individual right to engage gation imposed on the in trade and business in the Federation of Pakistan and interest of competition to the Competition Commisprovide for free trade, com- sion of Pakistan since the merce and throughout Pakistan, the by various business under-Parliament is competent to takings promulgate such law. In under the law for antiother words, the Federation competitive behaviour.

of Pakistan has the legislative competence to promul-ISLAMABAD: The Islam- gate the Competition Act 3 1 Į

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This order of the Islamabad High Court adds on to The decision was an- the unanimous view of a

As a result, there reintercourse latter's inception in 2007 facing action

#### BUSINESS RECORDER

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### **IHC dismisses PPA** members' petitions against CCP order

ISLAMABAD: -Islamabad High Court (IHC) that the Competition Act, Article 151 of "dismissed the petitions of 2010, the Competition Constitution read together members of Pakistan Poultry Ordinance, 2010, the with item 58 of the Federal Association (PPA) against Competition Ordinance, Legislative List. <sup>e</sup>the orders <sup>6</sup>Competition Commission of Ordinance, 2007 are all ultra articles 18(b) and 151(1) and Pakistan (CCP).

pending before the IHC with having been promulgated by 58 of the Federal Legislative stay for the last 10 years the Parliament that lacked List identify Parliament as where huge fines were stuck the legislative competence to the competent legislature to due to stay.

" The Federation had won the similar matter in the show cause notices issued to course across provinces and 'LHC pending for over a them on 26.10.2010 and within any part of Pakistan. decade.

had ordered an inquiry into liable to be set aside. the conduct of the PPA and it also took into custody doc- questions before the IHC, trade and business in the uments relating to meetings did the Parliament have the interest of competition in conducted by members of legislative competence to order to provide for free the PPA and decisions promulgate competition trade, commerce and interreached therein including laws, fixing prices for products to Competition Act, 2010, purbe sold by members of the suant to which the impugned there is no need to rely on PPA.

Report dated 08.07.2010, the SCNs suffer from any other ther support for Parliament's Commission was satisfied jurisdictional defect that ren- legislative competence to that the PPA had entered ders this petition maintain- promulgate the Competition into prohibited agreements able? in breach of Section 4 of the Competition Act.

the PPA and imposed penal- tion and the Commission al defect on the basis that the -ties on it.

Hustice Babar Sattar said had already held the have been issued, was issued -petitions are liable to be dis- Competition Act intra vires in exercise of authority vestmissed for not being main- the Constitution and the fed- ed in the Commission under tainable and held that the eration fully supported the the impugned show cause opinion rendered by Justice Commission Ordinance, inotices (SCNs) de cot suffer Ayesha A Malik. from any jurisdictional refect.

of the 2009 and the Competition vires the Constitution and (2) read together with The petitions have been devoid of legal authority Article 141, 142 and Entry do so.

28.10.2010 suffer from juris-The Commission in 2010 dictional defects and are Competition Act is a law

including

Attorney General for It thus proceeded against who represented the federa- suffer from any jurisdiction-

The petitioners have legislate on the subject of MONY

The sought the IHC declaration competition in view of C C the iı С d

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The judgment found that o promulgate a law to regulate They also pleaded that the trade, commerce and inter-

te It further stated that the O t that applies fetters on the There were two main individual right to engage in F the course throughout Pakistan. T

In view of such finding, ŀ S SCNs have been issued? any other item of the Federal On the basis of the Inquiry Two, do the impugned Legislative List to find fure ł Act.

The Court also found that r Pakistan Khalid Javed Khan, the impugned SCNs do not 1 contended before the IHC inquiry report, in view of y The judgment authored by that the Lahore High Court which the impugned SCNs Competition I 2010 and not under the He submitted that the Competition ( Parliament was competent to Act .-- TERENCE J SIGA-( 1

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## TRIBUNE

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## Parliament can 'enact law' on inter-provincial trade

IHC rejects poultry association's petition against Competition Act

#### HASNAAT MALIK

A single judge bench of the Islamabad High Court (IHC), led by Justice Babar Sattar, has declared that parliament is competent to promulgate a law to regulate trade and commerce across provinces and within any part of Pakistan.

The judge rejected a petition filed by the Pakistan Poultry Association (PPA) members, seeking declaration that the Competition Act, 2010, the Competition Ordinance, 2010, the Competition Ordinance, 2009 and the Competition Ordinance, 2007 were all ultra vires the Constitution.

The matter had been pending in the court for a decade. A stay order in the case had been granted 10 years ago. Attorney General for Pakistan Khalid Jawed Khan pursued this matter for early disposal as the stay order cost the state exchequer millions of rupees.

"This Court finds that 18(b) and 151(1) and (2) read together with Article 141, 142 and Entry 58 of the Federal Legislative List identify Parliament as the competent legislature to promulgate a law to regulate trade, commerce ... across provinces and within any part of Pakistan," the court ruling said.

"And further that the Competition Act is a law that applies fetters on the individual right to engage in trade and business in the interest of competition in order to provide for free trade, commerce... throughout Pakistan", the judgment **77** It is not for the judiciary to debate the wisdom of policy choices made by the legislature

#### **IHC** judgment

#### added.

The court noted that the parliament could not usurp the legislative authority of the provinces but relinquishing the obligation to strike the balance between individual rights of citizens and collective rights of community, when required to do so by the Constitution itself, could also not be countenanced.

the interest of competition In promulgating the experim in order to provide for free Competition Act, the judg-break trade, commerce... through-ment said, parliament had an in out Pakistan", the judgment discharged an obligation said.

ascribed to it by Article 18(b) of the Constitution read together with Article 151(1) and 151(2).

It added the Article 151(2) provided explicit textual mandate to parliament to impose fetters on the freedom of individuals to indulge in trade and commerce, which was what the Competition Act did by prescribing which business activities fell foul of the law and were prohibited.

"And freedom to indulge in them curtailed, in the interest of maintaining a free market throughout Pakistan," the judgment continued. Sub-clauses (1) and (2) of Article 151 were introduced after the bitter experience of East Pakistan breaking free and becoming an independent country," it said.



### **IHC upholds constitutionality of Competition Commission of Pakistan**

#### ZUBAIR QURESHI

#### ISLAMABAD

The Islamabad High Court has issued an order upholding the constitutionality of the Compe-

- tition Act, 2010 and the
- Competition Commission - of Pakistan (CCP).

Justice Babar Sattar of the IHC announced the decision according to which the Parliament is the competent legislature to promulgate laws to regulate trade, commerce across provinces and within any part of Pakistan under Article 151 of the Constitution The order was is-<sup>1</sup> sued in WP 4942/2010 titled 'Islamabad Feeds and others v Federation of Pakistan and others. Since the Competition Act. 2010 is a law that regulates the individual right to engage in trade and business in the interest of competition in order to provide for free trade, commerce and in-



tercourse throughout Pakistan, the Parliament is competent to promulgate such law, the IHC has upheld in its order. In other words, the Federation of Pakistan has the legislative competence to promulgate the Competition Act, 2010 and consequently the Competition Act, 2010 is intra vires the constitution.

This order of the Islamabad High Court adds on to the unanimous view of a three-1 member Lahore High Court bench that has already declared, through its decision in WP 9518/ а 2009 titled 'LPGAP v 8 Federation of Pakistan, Competition Act. t the 2010 as within the legis-С lative competence of the C Parliament. As a result, C there remains no doubt С as to the constitutional- p ity of the Competition Act, 2010.

This is a welcome с outcome of an otherwise t constituprotracted tional litigation imposed on the Federation of Pakistan and the Competition Commission of Pakistan since the latter's inception in 2007 by various business undertakings that were facing action under the law for anti-competitive behaviour.

### Constitutionality of Competition Act 2010, Competition Commission of Pakistan upheld

ISLAMABAD, September The Islamabad High 20: Court has issued an order upholding the constitutionality of the Competition Act, 2010 and the Competition Commission of Pakistan. The decision was announced in court by Honourable Justice Babar Sattar on 16 September 2021. The order was issued in WP 4942/2010titled 'Islamabad Feeds and others v Federation of Pak- to engage in trade and busi- PR

istan and others. On the con- ness in the interest of comstitutionality of the competition law, the court has held that the Parliament is the competent legislature to promulgate laws to regulate trade, commerce and intercourse across provinces and within any part of Pakistan under Article 151 of the Constitution. Since the Competition Act, 2010 is a law that regulates the individual right

petition in order to provide for free trade, commerce and intercourse throughout Pakistan, the Parliament is competent to promulgate such law. In other words, the Federation of Pakistan has the legislative competence to promulgate the Competition Act, 2010 and consequently the Competition Act, 2010 is intra vires the constitution. -



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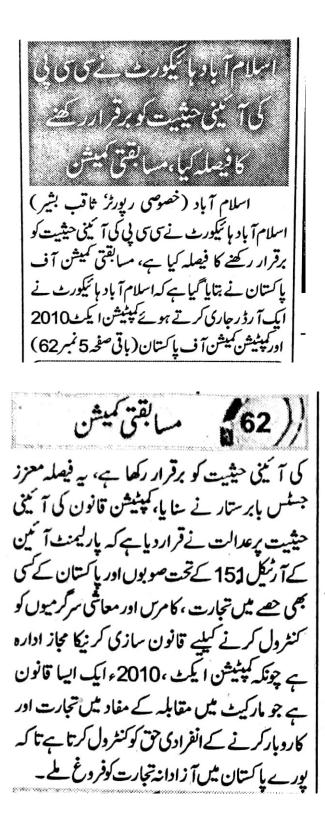
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درخواشين خا - صويول اور نار کمان آمن کے آر 151 1 كتالله نے کیلئے قانون ساز نے کمپنیز باز اداره سال قبل جاري للم امتناع 11 -دياد 44 صفحات ير تحريري فيصلح ميں كها ف 2010 ایک ایسا قانون ہے جو جار کیٹ میں مقابلہ کے مفاد میں تجارت اور کاروبار - کاف بے انفرادی جن کو کنرول کرتا ہے تا کہ بور ملك من آزادان تجارت كوفرون في اسلخ باركيمن ای تانون کو نافذ کرنے کی مجاز ہے۔ عدالت مسابقتی کمیشن کی آئینی حیثیت کوبھی درست قرار دے المعاج المركبتان يولثري اليوى ايش مص منسلك كمينيزكي القرق كميشن بمح خلاف تمام درخواستيس خارج كر دى ل کیکن مسابقتی کمیشن نے پولٹری مصنوعات مرغی کی فیتوں میں بے تحاشا اضافے کچلاف انثرول اردوانی شروع کی ھی اور بع ل لمپنیز کوشو کا زنونس حاری بتصجس پران کمپنیوں نے عدالت سے رجوع کر م امتناع حاصل کرای<sub>ا</sub> تھا۔ عدالتی یصلے میں کہا گیا کہ درخواست کزاروں نے کمپنیشن کمیشن کے کسی کیٹری آرڈر کوچینٹر کیا اور نہ ہی مسابقتی ایکٹ کی المُفْظَةَ 43 کے تحت قائم کمپنیشن اپیلٹ ٹر بیوٹل کی قانونی ت یا اس کی اہلیت پر سوال اتھایا۔ عدالت نے فترارد بالكه مسابقتي كميش في ايك كي دفعه 37 ك مطابق این ذمہ داری پوری کی ہے۔ شوکا زنوش جاری ریم کی میشن نے درخواست گزاروں کو دضاحت کا موقع فراجم كياب-



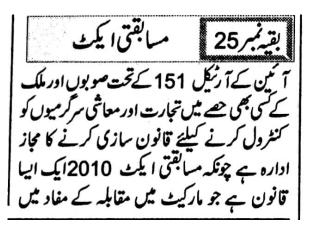
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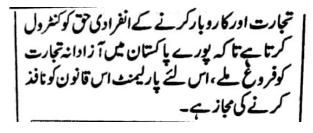




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ٹ ہمیشن کی آئینی حیثیت برقرار اسلام آباد(اپنے نامہ نگارے )اسلام آباد | پاکستان کی آئینی حیثیت کو برقرارر کھنے کا حکم ہائیکورٹ کے جسٹس بابر ستار کی عدالت نے دیا ہے۔مسابقتی قانون کی آئینی حیثیت پر عدالت مسابقتی اون کی آئینی حیثیت پر عدالت مسابقتی ایک ح







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اليخلاف كارردائي قانوبي قرار بي قرار ديدي لڳ تخلاف كارر الى قانو وقت ریورٹ) مسالقتی کمٹن کی پولٹری یولٹری فیڈ کی : منحة 7 ريقية نير19

بقبه 19 قا کی درخواشیر سنوں کی ياره برس بعدهم امتناعي ا۔اسلام آباد ما تیکورٹ کے 10 <u>ن</u>اک لمدسنايا - اسلام آياد بائكيورث آرڈر جاری کرتے ہوئے کیٹیڈ ن ا يك 2010ء اور ن آف پاکستان (سی پی) کی آئیں کو برقرار رکھا ہے۔ کمپٹیشن قانون کی آئین بت پرعدالت فقرارد یا ہے کہ پارلیمنٹ آئین حيثه کے آ رٹیل 151 کے تحت صوبوں اور پاکستان کے کی بھی جھے میں تجارت کامرس اور معاشی سرگرمیوں کو کنٹرول کرنے کیلئے قانون سازی کی مجازادارہ ہے۔



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بت برقرارر کھنے کا فیصلہ نی) کی آئی سیسے بسنس باہر ستار نے 16 ستمبر آرور (باتی مسلحے ا کمک . ایک آرڈر جارٹی کرتے ہوئے 202 (ت فينعن 2010 اور مونيش ميشن آف ياكتان ( ى ى 8 ب ں اور ماکستان کے كامرت اور معا 0 ، تجارت ، :تون سازی 5 . 1 ن آف یا قتا نے کی تحاد اوادہ ہے ، فیڈریش ں قانون مازی کی صلاحیت ہے کہ وہ پہنچ ہ اور اس کے تعظیم it √ 201 0. . ن ، 2010 آمن کے مطابق شن المط نى كورت كابيظم لا جور بالمكورت باديا کے تین رکنی تیج کے متفقہ انقط نظر کی تا سُد کرتا ہے جو کے کیے ذریعے ، جس کا عنوان ہے بی اسنے کیم LPGAP2009/9518W ہمقابلہ فیڈریش آف باکستان ہے، ان فیصلوں کی ردشی میں اب کمپنیشن الکمٹ ، 2010 کی آئیں ت سے بار سے میں کوئی شک باقی نہیں رہ جاتا۔



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بقيه نمبر	
P 20104942W P يل السلام آباد فيد زاور	
ویکر بمقابلہ نیڈریش آف پاکتان اور دیگر سے	
	(
حیثیت پر عدالت نے قرار دیا ہے کہ پارلیمنٹ	,
آ میں کے آرٹیک کے مرار دی چے کہ پاریدنے آ مین کے آرٹیک 1 5 1 کے تحت صوبوں ادر	
• پاکستان کے کسی تجھی جسے میں تجارت ، کا مرس اور	
معاشی مرکز میوں کو کنٹرول کرنے کیے لیے قانون	
شازی کرنے کی مجاز ادارہ ہے۔ چونکہ کپیٹیشن ایکٹ	•
0100 ایک ایسا قانون ب جومارکٹ میں مقابلہ	,
کے مغاد میں تجارت ادر کاروبار کرنے کے انفرادی	•
حق کو کنٹرول کرتا ہے تا کہ یورے پاکیتان میں	,
ا زادانہ تجارت لوقر وغ ملے،اس کیے بار کیمنٹ اس	•
قابون کو نافذ کرنے کی محاز ہے۔ دہر پر لفظوں	•
میں، فیڈریشن آف پاکستان کے پاس قانون سازی کی صلاحیت ہے کہ دہ کچنیشن ایک 10 29 کو	(
کی صلاحیت ہے کہ وہ کپٹیشن ایک 10 20 کو	1
تافذ کرے اور اس کے بہتچ میں کمیٹیشن ایکر دی	
2010 آئين کے مطابق بے اسلام آباد بالی	
کا 2010 آین کے مطابق ہے۔اسلام آباد ہائی کورٹ کا بیکھم لا ہور ہا ئیکورٹ کے تین رکتی بینچ سے متفقہ منظہ نظر کی تائید کرتا ہے جو پہلے ہی اپنے فیصلے	
متفقد تعطد لظربي تائيد كرتاب جو پہلے ہى ابنے فيصلے	
200995100 1019 00 "20192	1
LPGAP بمقابله فيرريش آف پاكتان ب،	
کپیش ایک 2010 کو پارلیمن کی قانون	
ساری ی اہلیت کے تحت قرار دے چکا ہے۔ ان	
فیصلوں کی روشن میں اب کمپنیشن ایکٹ 10 20	
کی آئین حیثیت کے بارے میں کوئی شک باقی نہیں	
رہ جاتا ۔ بیددوسری صورت میں طویل عرصے سے	
جاري آيني دقانوني جاره جولي كاليك خوش أئند نتيجه	
ہے مختلف عدالتوں میں ساور دیگر دیر یا مقد مات	
کے خوص الشد شمائج وقائی خلومت اور اٹارٹی جنزک	
آف باكتان كالمسلس حمايت كى وجد ، مكن مو	
ئے ہیں جوفیڈریشن کے کیس کی ساعت کے لیے	
ذاتی طور پر پاکستان کی مختلف بائی کورش سے سامنے	
پیش ہوتے رہے میں۔	



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3010 مارى ياكتان (ىى 202 62 2 ش اسلام آباد في زاورد ير يعن 0 آف يثن باكتان ادر قانون ت نے ا يمنك 5.6 5 1e نحارت، کام ال اورمعا محازاداردے ٩ 010 قالون ہے غادثك فرادی چن کو کنٹر دل کرتا ہے تجارت ادر کارد '; ſ, لورے باكتتان تلمي آزادانه تحار ،فيڈريشنآ 0. 12010 -1/1\_2 ٹ کا بہ علم لاہور , Τ., تائد ملح ی ایخ 221/ فنوان 8WP 951 LPG بىقابلە P20 n فیڈریشن آف ماکتان ہے، کمپنیشن ن 2010 كو اردے چکا ہے۔ مارلیمنٹ کی قانون سازی کی 201 كَي آَكْمَى ان فيه it with 1 ے میں کوئی شک ماتی ہیں روحاتا۔



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قرارر كمضكا فيصله لورث، كاك 2010اور کپنیٹن کیٹن آف پاکستان (ی می لی) کی آینی حیثیت کو برقرار(باتی صفحہ 6 بقیہ نمبر 6 7) اسلام آباد (کورٹ ریورٹر)اسلام آباد ہائی کورٹ نے ایک آرڈر جاری کرتے ہوئے کمپٹیشن ایکٹ ،



1,01 صويول اور ماكتان اور معاك (-) ž. ليقالون L12010.3 قانون ہے جو مار کیہ 1 slies نفرادی تن کوکنٹرول کرتا تحارت اور کاروہار کرنے کے ب تاکہ بورے پاکستان میر زادانه تحارت لوقرور باريمني ل پاس قانون سازی 11 2010 كونافذ كر\_ادر ۲2010 آملن <u>ا</u> 1011-C-12/00 يرهم 18 ちんち 221 مؤان LPGAP 2009/9518WP بتقابل فيدريش آف ياكتان ب،



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ساعت کے لئے مقرر کیا جائے ۔ اسلام آباد ہائی كورث في جسش بابر ستار في كميشيش ايك ، 2010 اور كميشيش كميش آف ياكستان (سى يى) کی آئینی حیثیت کو برقر اررکھا ہے۔ کمپٹیشن قانون کی آئین حیثیت پر عدالت نے قرار دیا ہے کہ یارلیمنٹ آئین کے آرٹکل 151 کے تحت صوبوں اور پاکستان کے کسی بھی جھے میں تجارت، کا مرک اور معاشی سرگرمیوں کو کنٹرول کرنے کے لیے قانون سازى كرنے كا مجاز ادارہ بے چونكه كمپيشن ايك، 2010 ایک ایسا قانون ہے جو مارکیٹ میں مقابلہ کے مفاد میں تجارت اور کاروبار کرنے کے انفرادی حق کو کنٹرول کرتا ہے تاکہ پورے پاکستان میں آ زادانة تجارت كوفر وغ ملے، اس ليے يارليمن اس قانون کونافذ کرنے کی محاذ ہے۔



#### 21 Sep 2021 | Online | Press Release IHC upholds constitutionality of Competition Act 2010

#### By: <u>Hamza Habib</u>

ISLAMABAD: The Islamabad High Court (IHC) has issued an order upholding the constitutionality of the Competition Act, 2010 and the Competition Commission of Pakistan.

The decision was announced in the court by Justice Babar Sattar. The order was issued in WP 4942/2010 titled "Islamabad Feeds and others vs Federation of Pakistan and others."

On the constitutionality of the competition law, the court has held that the Parliament is the competent legislature to promulgate laws to regulate trade, commerce and intercourse across provinces and within any part of Pakistan under Article 151 of the Constitution.

Since the Competition Act, 2010 is a law that regulates the individual right to engage in trade and business in the interest of competition to provide for free trade, commerce and intercourse throughout Pakistan, the Parliament is the competent authority to promulgate such law.

In other words, the Federation of Pakistan has the legislative competence to promulgate the Competition Act, 2010 and consequently the Competition Act, 2010 is intra vires the constitution.

This order of the Islamabad High Court adds on to the unanimous view of a three-member Lahore High Court bench that had already declared, through its decision in WP 9518/2009, titled 'LPGAP vs Federation of Pakistan, the Competition Act, 2010 as within the legislative competence of the Parliament. As a result, there remains no doubt as to the constitutionality of the Competition Act, 2010. This is a welcome outcome of an otherwise protracted constitutional litigation imposed on the Federation of Pakistan and the Competition Commission of Pakistan since the latter's inception in 2007 by various business undertakings that were facing action under the law for anti-competitive behaviour.

The conclusion of this and other long-standing cases in various courts have been made possible due to the constant support of the federal government and the Attorney General of Pakistan who has personally appeared before various High Courts of Pakistan to plead the case of the Federation.

Since its inception in 2007, the CCP has imposed an amount of Rs29 billion penalties on cartels, which have now gone up to Rs75 billion with the penalty imposed on sugar mills. But the cartels have not paid those penalties to the commission and instead challenged the CCP's constitutionality in different courts.

Earlier, the Lahore High Court had decided the cases in CCP's favour by upholding the act as constitutional. These court decisions are expected to pave the way for recovery of penalties.



#### 21 Sep 2021 | Online | Press Release IHC Upholds Legitimacy of Competition Act 2010 and CCP

#### by ProPK Staff

The Islamabad High Court (IHC) has upheld the constitutionality of the Competition Act, 2010 and the Competition Commission of Pakistan (CCP). The decision was announced in the court by Honourable Justice Babar Sattar in WP 4942/2010 titled 'Islamabad Feeds and others vs Federation of Pakistan and others'.

On the constitutionality of the competition law, the court has held that the Parliament is the competent legislature to promulgate laws to regulate trade, commerce and intercourse across provinces and within any part of Pakistan under Article 151 of the Constitution.

Since the Competition Act, 2010 is a law that regulates the individual right to engage in trade and business in the interest of competition in order to provide for free trade, commerce and intercourse throughout Pakistan, the Parliament is competent to promulgate such laws. The Federation of Pakistan has the legislative competence to promulgate the Competition Act, 2010 and consequently the Competition Act, 2010 is intra vires the constitution.

This order of IHC adds on to the unanimous view of a three-member Lahore High Court (LHR) bench that has already declared, through its decision in WP 9518/2009 titled 'LPGAP vs Federation of Pakistan, the Competition Act, 2010 as within the legislative competence of the Parliament. As a result, there remains no doubt about the constitutionality of the Competition Act, 2010.

This is a welcome outcome of an otherwise protracted constitutional litigation imposed on the Federation of Pakistan and CCP since the latter's inception in 2007 by various business undertakings that were facing action under the law for anti-competitive behavior.



#### 21 Sep 2021 | Online | Press Release

#### IHC upholds constitutionality of Competition ACT 2010, Competition

#### **Commission of Pakistan**

September 20, 2021

ISLAMABAD, Sep 20 (SABAH): The Islamabad High Court has issued an order upholding the constitutionality of the Competition Act, 2010 and the Competition Commission of Pakistan. The decision was announced in court by Justice Babar Sattar on 16 September 2021. The order was issued in WP 4942/2010 titled 'Islamabad Feeds and others v Federation of Pakistan and others.

On the constitutionality of the competition law, the court has held that the Parliament is the competent legislature to promulgate laws to regulate trade, commerce and intercourse across provinces and within any part of Pakistan under Article 151 of the Constitution. Since the Competition Act, 2010 is a law that regulates the individual right to engage in trade and business in the interest of competition in order to provide for free trade, commerce and intercourse throughout Pakistan, the Parliament is competent to promulgate such law. In other words, the Federation of Pakistan has the legislative competence to promulgate the Competition Act, 2010 and consequently the Competition Act, 2010 is intra vires the constitution.

This order of the Islamabad High Court adds on to the unanimous view of a three-member Lahore High Court bench that has already declared, through its decision in WP 9518/2009 titled `LPGAP v Federation of Pakistan, the Competition Act, 2010 as within the legislative competence of the Parliament. As a result, there remains no doubt as to the constitutionality of the Competition Act, 2010. This is a welcome outcome of an otherwise protracted constitutional litigation imposed on the Federation of Pakistan and the Competition Commission of Pakistan since the latter's inception in 2007 by various business undertakings that were facing action under the law for anti-competitive behaviour.

The conclusion of this and other long-standing cases in various courts have been made possible due to the constant support of the Federal Government and the Attorney General of Pakistan who has personally appeared before various High Courts of Pakistan to plead the case of the Federation.