

**THE PRIVILEGES OF MEMBERS OF
NATIONAL ASSEMBLY (EXEMPTION FROM
PREVENTIVE DETENTION AND
PERSONAL APPEAL) ACT, 1963**

ACT NO. I OF 1963

[21 March, 1963]

An Act to provide for certain privileges of Members of national Assembly.

WHEREAS article 111 of the Constitution provides, *inter alia*, that the privileges of Members of an Assembly may be determined by law;

AND WHEREAS it is expedient to provide for exemption from preventive detention, and from personal appearance of Members of the National Assembly of ¹[Bangladesh] in Civil and Revenue Courts and before Election Tribunals, for specified periods;

It is hereby enacted as follows:-

1. (1) This Act may be called the Privileges of Members of National Assembly (Exemption from Prevention Detention and Personal Appearance) Act, 1963. Short title, extent, commencement and duration
- (2) It extends to the whole of ¹[Bangladesh].

(3) It shall come into force at once, and shall remain in force until the expiry of fourteen days after the conclusion of the next session, whereupon it shall stand repealed.

2. In this Act, unless there is anything repugnant in the subject or context:- Definitions

- (a) "Assembly" means the National Assembly of ¹[Bangladesh].;
- (b) "Member" means a Member of the Assembly;
- (c) "session" means the period commencing on the day of the first meeting of the Assembly after having been summoned until the Assembly is prorogued or dissolved.

¹ The word "Bangladesh" was substituted for the word "Pakistan" by Article 5 of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (President's Order No. 48 of 1972).

The privilege, etc.

3. (1) No Member shall be detained under any law relating to preventive detention nor shall any Member be required to appear in person in any Civil or Revenue Court, or before any Election Tribunal, during a session, and for a period of fourteen days before and fourteen days after the session.

(2) Nothing in sub-section (1) shall be construed as applying to any Member detained under any such law as is referred to therein immediately before the commencement of this Act, or at any time during the period commencing of the fifteenth day next after the conclusion of the current session and ending on the fifteenth day before the commencement of the next session.

Proceedings in Civil Court, etc.

4. (1) Notwithstanding anything to the contrary contained in any law in force for the time being, no Civil or Revenue Court, and no Election Tribunal, shall proceed, during a session and for a period of fourteen days before and fourteen days after the session with any matter before it in which a Member is a party, unless the privilege conferred by section 3 is waived, by application made in writing to the Court or Tribunal, as the case may be, by the Member concerned with the matter, and, where more Members than one are so concerned, by all of them.

(2) The provisions of sub-section (1) shall apply to all matters pending immediately before the commencement of this Act in any Civil or Revenue Court, or before any Election Tribunal, in which a Member is a party, and no such Court or Tribunal shall proceed further with any such matter, unless the privilege referred to therein is waived in accordance with the provisions thereof, or the period specified therein has lapsed.
