

The Constitution (First Amendment) Act, 1973

(Act No. XV of 1973)

[15th July, 1973]

An Act to amend certain provisions of the Constitution of the People's Republic of Bangladesh

WHEREAS it is expedient to amend certain provisions of the Constitution of the People's Republic of Bangladesh for the purposes hereinafter appearing;

It is hereby enacted as follows: -

1. Short title and commencement.—(1) This Act may be called the Constitution (First Amendment) Act, 1973.

(2) It shall come into force at once.

2. Amendment of article 47 of the Constitution.—In the Constitution of the People's Republic of Bangladesh, hereinafter referred to as the Constitution, in article 47, after clause (2), the following new clause shall be added, namely: -

"(3) Notwithstanding anything contained in this Constitution, no law nor any provision thereof providing for detention, prosecution or punishment of any person, who is a member of any armed or defence or auxiliary forces or who is a prisoner of war, for genocide, crimes against humanity or war crimes and other crimes under international law shall be deemed void or unlawful, or ever to have become void or unlawful, on the ground that such law or provision of any such law is inconsistent with, or repugnant to, any of the provision of this Constitution."

3. Insertion of new article 47A in the Constitution.— In the Constitution, in Part III, after article 47, the following new article 47A shall be inserted, namely: -

"47A. Inapplicability of certain articles.— (1) The rights guaranteed under article 31, clause (1) and (3) of article 35 and article 44 shall not apply to any person to whom a law specified in clause (3) of article 47 applies.

(2) Notwithstanding anything contained in this Constitution, no person to whom a law specified in clause (3) of article 47 applies shall have the right to move the Supreme Court for any of the remedies under this Constitution."