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PART III

Other Notifications, Orders, etc.

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 9th March, 2020

No. F. 22(21)/2020-Legis.—The following Bills/Report have been introduced/presented in the National Assembly on 9th March, 2020.

N.A. BILL NO. 37 OF 2020

A

BILL

*further to amend the Members of Parliament (Salaries and Allowances)
Act, 1974*

WHEREAS, it is expedient further to amend the Members of Parliament (Salaries and Allowances) Act, 1974 (No. XXVII of 1974) for the purposes hereinafter appearing;

It is hereby enacted as follows:—

377 (1—68)

Price: Rs. 100.00

[5316(2020)/Ex. Gaz.]

1. **Short title and commencement.**—(1) This Act may be called the Members of Parliament (Salaries and Allowances) (Amendment) Bill, 2020.

(2) It shall come into force at once.

2. **Amendment of section 10, Act XXVII of 1974.**—In the Members of Parliament (Salaries and Allowances) Act, 1974 (XXVII of 1974), in section 10.—

(a) in sub-section (2A),—

- (i) for the expression “be entitled to twenty five business class open return air tickets”, the expression “be entitled to receive travel vouchers of equal amount of twenty-five business class open return air tickets of Pakistan International Airline” shall be substituted;
- (ii) after the word “Islamabad”, the words “through applicable airline route” shall be added; and
- (iii) for full stop at the end, a colon shall be substituted and thereafter the following proviso shall be added, namely:-

“Provided that the un-utilized air tickets and vouchers for financial year 2019-2020 shall remain acceptable till their utilization upto the 30th June, 2020.” ; and

(b) in sub-section (3), for the expression “sub-section (1)”, the expression “sub-section (1) and (2A)” shall be substituted.

STATEMENT OF OBJECT AND REASONS

Section-10 of the Members of Parliament (Salary & Allowances) regulates free travel privilege of the Parliamentarian. Members are entitled for twenty-five business class open return air tickets from airport nearest to their constituencies to Islamabad, per annum. In addition, vouchers of Rs. 300000/- to be utilized for travelling by air or train by Parliamentarian as well as their family members are also provided during a year. There has been persistent demand by the Parliamentarian to extend the utility of 25 air-tickets to their family members as well. National Assembly Standing Committee on Rules of Procedure also recommended accordingly. Therefore, vouchers of equal value in lieu of admissible twenty five business class open return air

tickets are proposed to be issued to the Members of Parliament, which may be utilized by family members of the Parliamentarian as well.

The Bill seeks to achieve the aforesaid objective.

MINISTER-IN-CHARGE,

N.A. BILL NO. 38 OF 2020

A

BILL

to establish the University of Engineering and Emerging Technologies

WHEREAS it is expedient to provide for the establishment of University of Engineering and Emerging Technologies and for matters connected therewith and ancillary thereto;

It is hereby enacted as follows:—

CHAPTER-I

PRELIMINARY

1. **Short title and Commencement.**—(1) This Act shall be called the University of Engineering and Emerging Technology Act, 2020.

(2) It shall come into force at once.

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

- (a) “Academic Council” means the Academic Council of the University;
- (b) “affiliated college” means an educational institution affiliated to the University but not maintained or administered by it;
- (c) “authority” means any of the authorities of the University specified or set up in terms of section 19;
- (d) “Chancellor” means the Chancellor of the University;

- (e) “college” means a constituent college or an affiliated college;
- (f) “Commission” means the Higher Education Commission set up by the Higher Education Commission Ordinance, 2002 (LIII of 2002);
- (g) “constituent college” means an educational institution, by whatever name described, maintained and administered by the University;
- (h) “Dean” means the head of a Faculty or the head of an academic body granted the status of a Faculty by this Act or by the statutes or regulations;
- (i) “department” means a teaching department maintained and administered, or recognized by the University in the manner prescribed;
- (j) “Director” means the head of an institute established as a constituent institution by the University by statutes or regulations in terms of the powers delegated by this Act;
- (k) “Faculty” means an administrative and academic unit of the University consisting of one or more departments, as prescribed;
- (l) “Government” means the Federal Government;
- (m) “prescribed” means prescribed by statutes, regulations or rules made under this Act;
- (n) “Principal” means the head of a college;
- (o) “Representation Committees” means the Representation Committees constituted under section 27;
- (p) “Review Panel” means the Review Panel set up by the Chancellor in accordance with the provisions of section 9;
- (q) “Schedule” means a schedule to the Act;
- (r) “Search Committee” means the Search Committee set up by the Senate under section 14;
- (s) “Senate” means the Senate of the University;

- (t) “statutes”, “regulations” and “rules” mean respectively the statutes, the regulations and the rules made under this Act and for the time being in force;
- (u) “Syndicate” means the Syndicate of the University;
- (v) “Teachers” include Professors, Associate Professors, Assistant Professors and Lecturers engaged whole-time by the University or by a constituent or affiliated college and such other persons as may be declared to be teachers by regulations;
- (w) “University Teacher” means a whole-time teacher appointed and paid by the University, or recognized by the University as such; and
- (x) “Vice-Chancellor” means the Vice-Chancellor of the University.

3. **Establishment of the University.**—(1) The Government shall, by notification in the official Gazette, establish a university to be called the University of Engineering and Emerging Technologies with its campus located in Islamabad.

(2) The University shall be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property and shall, by the said name, sue and be sued.

(3) The University may, with the approval of the Chancellor, open a sub-campus of the University within Pakistan and abroad with prior approval of the Commission.

4. **Powers and functions of the University.**—The University shall have the powers and functions to—

- (i) provide for education in engineering, science and emerging technologies and other branches of knowledge as it may deem fit and make provisions for research, service to the society and for the application, advancement and dissemination of knowledge in such manner as it may determine;
- (ii) provide for education and scholarship and make provision for research, service to society and for the application, advancement and dissemination of knowledge;
- (iii) prescribe courses of studies that are conducted, hold examinations and award and confer degrees, diplomas,

certificates and other academic distinctions on persons who have been admitted to and have passed its examinations under prescribed conditions;

- (iv) decide innovative teaching methods and strategies in order to ensure the most effective educational and training programmes meeting international standards;
- (v) hold examinations in the prescribed manner meeting international standards and, if a person qualifies the examination, award him the requisite degree, diploma, certificate and other academic distinction;
- (vi) prescribe the terms and conditions of employment of the officers, teachers and other employees of the University and lay down terms and conditions that may be different from those applicable to government servants in general;
- (vii) engage, where necessary, persons on contract of specified duration and specify the terms of each engagement;
- (viii) confer honorary degrees or other distinctions on approved persons in the manner prescribed;
- (ix) maintain linkages with alumni;
- (x) provide and support the academic development of the faculty of the University;
- (xi) confer degree on a person who has successfully conducted research in the prescribed manner;
- (xii) institute professorship, associate professorship, assistant professorship and lectureship or any other post and may appoint a person to the post;
- (xiii) create a post for research, extension, administration or other related purposes and appoint a person to the post;
- (xiv) provide for the residence of the students, establish and maintain halls of residence and may approve or license a hostel, lodging or boarding place;
- (xv) demand and receive such fees and other charges as it may determine;

- (xvi) provide instruction for persons not being students of the University as it may prescribe and grant certificates and diplomas to such persons;
- (xvii) provide career counseling and job search services to students and alumni;
- (xviii) institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes under prescribed conditions;
- (xix) establish teaching departments, schools, colleges, faculties, institutes, museums and other centers of learning for the development of teaching and research and to make such arrangements for their maintenance, management and administration as it may prescribe;
- (xx) maintain order, discipline and security on the campuses of the University and the colleges;
- (xxi) promote the extra-curricular and recreational activities students and make arrangements for promoting their health and general welfare;
- (xxii) provide any other prescribed or ancillary service;
- (xxiii) institute programs for the exchange of students and teachers between the University and any other university, educational institution or research organization;
- (xxiv) develop and implement fund-raising plans;
- (xxv) accept an examination and the period of study spent by a student of the University at any other university or place of learning equivalent to an examination or period of study of the University and may withdraw such acceptance;
- (xxvi) cooperate with a public authority, university or private organization in the prescribed manner;
- (xxvii) make provision for research, advisory or consultancy services and enter into arrangements with any other institution, public or private body, commercial or industrial enterprise in the prescribed manner;

- (xxviii) develop an associated technology park of international standard;
- (xxix) develop research, commercialization and intellectual property policy for promotion of commissioned research, spin off companies and incubators;
- (xxx) develop a research fund for the faculty research and innovation, managed independently in line with international funding agencies;
- (xxxi) receive and manage property transferred and grants, contributions made to the University and to invest any fund representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such manner as it may deem fit;
- (xxxii) enter into, carry out, vary or cancel contracts;
- (xxxiii) provide for the printing and publication of research and other works;
- (xxxiv) admit any college or other educational institution to its privileges or withdraw such privileges in the prescribed manner;
- (xxxv) affiliate or disaffiliate a college or any other educational institution in the prescribed manner; and
- (xxxvi) exercise any power ancillary to the aforesaid powers and functions or as may be prescribed.

5. **University to be open to all classes and creeds.**—The University shall be open to all persons irrespective of gender, religion, race, creed, class or color and no person shall be denied the privileges of the University on any such ground.

6. **Fee and other charges.**—(1) An increase in any fee or charge that is in excess of ten percent per annum on an annualized basis from the last such increase may not be made except in special circumstances and only with the approval of the Chancellor.

(2) The University shall institute financial aid programs for students in need, to the extent considered feasible by the Senate given the resources available, so as to enable admission and access to the University and the various opportunities provided by it to be based on merit rather than ability to pay.

CHAPTER-II

OFFICERS OF THE UNIVERSITY

7. **Officers of the University.**—The following shall be the officers of the University, namely:—

- (a) Chancellor;
- (b) Pro-Chancellor;
- (c) Vice-Chancellor;
- (d) Pro-Vice Chancellor;
- (e) Deans;
- (f) Chairpersons;
- (g) Teachers;
- (h) Registrar;
- (i) Treasurer;
- (j) Controller of Examinations; and
- (k) such other persons as may be prescribed.

8. **Chancellor.**—(1) The President of the Islamic Republic of Pakistan shall be the Chancellor of the University.

(2) The Chancellor, when present, shall preside at the meetings of the Senate and the convocation of the University. In absence of the Chancellor, the Federal Minister concerned with the subject of science and technology being Pro-Chancellor shall preside over the convocation of the University.

(3) The members of the Senate as well as the Vice-Chancellor shall be appointed by the Chancellor from amongst the persons recommended by the Representation Committee set up for this purpose or the Search Committee established in accordance with this Act and the statutes, as the case may be, along with those elected.

(4) Every proposal to confer an honorary degree shall be subject to confirmation by the Chancellor.

(5) If the Chancellor is satisfied that serious irregularity or mismanagement with respect to the affairs of the University has occurred, he may –

- (a) as regards proceedings of the Senate, direct that specified proceedings be reconsidered and appropriate action taken within one month of the direction having been issued:

Provided that if the Chancellor is satisfied that either no reconsideration has been carried out or that the reconsideration has failed to address the concern expressed, he may, after calling upon the Senate to show cause in writing, appoint a five member Review Panel to examine and report to the Chancellor on the functioning of the Senate. The report of the Review Panel shall be submitted within such time as may be specified by the Chancellor. The Review Panel shall be drawn from persons of eminence in academics and in the fields of law, accountancy and administration; and

- (b) as regards proceedings of any Authority or with respect to matters within the competence of any Authority, other than the Senate, direct the Senate to exercise powers under section 21.

9. **Removal from the Senate.**—(1) The Chancellor may, upon the recommendation of the Review Panel, remove any person from membership of the Senate on the ground that such person has—

- (a) become of unsound mind; or
- (b) become incapacitated to function as member of the Senate; or
- (c) been convicted by a court of law for an offence involving moral turpitude; or has absented himself from two consecutive meetings without just cause; or
- (d) been guilty of misconduct, including use of position for personal advantage of any kind, or gross inefficiency in the performance of functions.

(2) The Chancellor shall remove any person from membership of the Senate on a resolution calling for removal of such person supported by at least three-fourths of the membership of the Senate:

Provided that before passing such resolution the Senate shall provide the member concerned a fair hearing:

Provided further that the provisions of this section shall not be applicable to the Vice-Chancellor in his capacity as a member of the Senate.

10. **Pro-Chancellor.**—(1) The Federal Minister concerned with the subject of science and technology shall be the Pro-Chancellor of the University.

(2) In case of non-availability of Chancellor, the Pro-Chancellor shall preside at the convocation of the University and meeting of the Senate.

11. Vice-Chancellor.—(1) An eminent scholar and distinguished administrator with international repute who is eligible and who is not more than sixty five years of age on the last date fixed for submission of applications in the advertisement for the post of the Vice Chancellor may apply for the post.

(2) The Vice-Chancellor shall be the chief executive officer of the University responsible for all administrative and academic functions of the University and for ensuring that the provisions of this Act, statutes, regulations and rules are faithfully observed in order to promote the general efficiency and good order of the University. The Vice-Chancellor shall have all powers prescribed for this purpose, including administrative control over the officers, teachers and other employees of the University.

(3) The Vice-Chancellor shall, if present, be entitled to attend any meeting of any Authority or body of the University.

(4) The Vice-Chancellor may, in an emergency that in his opinion requires immediate action ordinarily not in the competence of the Vice-Chancellor, take such action and forward, within seventy-two hours, a report of the action taken to the members of the Emergency Committee of the Senate, to be set up by statute. The Emergency Committee may direct such further action as is considered appropriate.

(5) The Vice-Chancellor shall be appointed for a period of four years on terms and conditions prescribed by statutes. The incumbent Vice-Chancellor shall not be allowed any extension in his tenure but subject to eligibility he may again compete for the post of the Vice-Chancellor for another term in accordance with the procedure prescribed by or under this section.

(6) At any time when the office of the Vice-Chancellor is vacant or the Vice-Chancellor is absent or is unable to perform the functions of his office due to illness, leave or some other cause for a period not exceeding one month, the Federal Minister concerned with the subject of science and technology, being Pro-Chancellor shall make such arrangements for performance of duties of the Vice Chancellor as he may deem fit. In case the absence or leave exceeds one month, the decision shall be taken by the Chancellor.

12. Powers of the Vice-Chancellor.—(1) The Vice-Chancellor shall be the chief executive officer of the University and shall ensure that the

provisions of the charter, statutes, regulations and rules are faithfully observed.

(2) The Vice-Chancellor may attend a meeting of any Authority or body of the University.

(3) Subject to the general supervision and control of the Syndicate, the Vice-Chancellor may—

- (a) direct a teacher, officer or other employee of the University to take up such assignment in connection with examination, administration or any other activity in relation to the University;
- (b) sanction by re-appropriation an amount for an unforeseen item not provided for in the budget of the University;
- (c) make appointments of such categories of employees of the University and in such manner as may be prescribed;
- (d) take disciplinary action against a teacher, officer or any other employee of the University in the prescribed manner;
- (e) delegate, subject to such conditions as may be prescribed, any of his powers to a teacher or officer of the University; and
- (f) exercise such other powers as may be prescribed.

(4) The Vice-Chancellor shall prepare an annual report containing information as regards the preceding academic year including disclosure of all relevant facts pertaining to academics, research, administration and finances of the University.

(5) The Vice-Chancellor shall, within three months of the end of an academic year, submit the annual report of the University before the Senate.

13. Appointment and removal of the Vice-Chancellor.—(1) The Vice-Chancellor shall be appointed by the Chancellor on the basis of recommendations made by the Senate.

(2) A Search Committee for the recommendation of persons suitable for appointment as Vice-Chancellor shall be constituted by the Senate on the date and in the manner prescribed by statutes and shall consist of two eminent members of society nominated by the Chancellor, of whom one shall be appointed the convener, two members of the Senate, two distinguished University teachers who are not members of the Senate and one academic of

eminence not employed by the University. The two distinguished University teachers shall be selected by the Senate through a process, to be prescribed by statutes that provide for recommendation of suitable names by the University teachers in general. The Search Committee shall remain in existence till such time that the appointment of the next Vice-Chancellor has been made by the Chancellor.

(3) The persons proposed by the Search Committee for appointment as Vice-Chancellor shall be considered by the Senate and of these a panel of three, in order of priority, shall be recommended by the Senate to the Chancellor:

Provided that the Chancellor may decline to appoint any of the three persons recommended and seek recommendation of a fresh panel. In the event of a fresh recommendation being sought by the Chancellor, the Search Committee shall make a proposal to the Senate in the prescribed manner.

(4) The Vice-Chancellor shall be appointed for a renewable tenure of four years on terms and conditions prescribed by statutes. The tenure of an incumbent Vice-Chancellor shall be renewed by the Chancellor on receipt of a resolution of the Senate in support of such renewal:

Provided that the Chancellor may call upon the Senate to reconsider such resolution once.

(5) The Senate may, pursuant to a resolution in this behalf passed by three-fourths of its membership, recommend to the Chancellor the removal of the Vice-Chancellor on the ground of in-efficiency, moral turpitude or physical or mental incapacity or gross misconduct, including misuse of position for personal advantage of any kind:

Provided that the Chancellor may make a reference to the Senate stating the instances of inefficiency, moral turpitude or physical or mental incapacity or gross misconduct on the part of the Vice-Chancellor that have come to his notice. After consideration of the reference, the Senate may pursuant to a resolution in this behalf passed by two-thirds of its membership recommend to the Chancellor the removal of the Vice-Chancellor:

Provided further that prior to a resolution for the removal of the Vice-Chancellor being voted upon the Vice-Chancellor shall be given an opportunity of being heard.

(6) A resolution recommending the removal of the Vice-Chancellor shall be submitted to the Chancellor forthwith. The Chancellor may accept the

recommendation and order removal of the Vice-Chancellor or return the recommendation to the Senate.

(7) At any time when the office of the Vice-Chancellor is vacant, or the Vice-Chancellor is absent or is unable to perform the functions of his office due to illness or some other cause, the Senate shall make such arrangements for performance of duties of the Vice-Chancellor as it may deem fit.

14. Pro-Vice-Chancellor.—(1) The Chancellor shall nominate the Pro-Vice-Chancellor of the University, from amongst three senior Professors recommended by Syndicate of the University, for a term of three years.

(2) The Pro-Vice-Chancellor shall perform such functions as may be assigned to him under the statutes or regulations.

(3) The Syndicate or the Vice-Chancellor may assign any other functions to the Pro-Vice-Chancellor in addition to his duties as Professor.

15. Registrar.—(1) There shall be a Registrar of the University to be appointed by the Senate on the recommendation of the Vice-Chancellor, on such terms and conditions as may be prescribed.

(2) The experience as well as the professional and academic qualifications necessary for appointment to the post of the Registrar shall be as may be prescribed.

(3) The Registrar shall be a full-time officer of the University and shall—

- (a) be the administrative head of the secretariat of the University and be responsible for the provision of secretariat support to the Authorities of the University;
- (b) be the custodian of the common seal and the academic records of the University;
- (c) maintain a register of registered graduates in the prescribed manner;
- (d) supervise the process of election, appointment or nomination of members to the various authorities and other bodies in the prescribed manner; and
- (e) perform such other duties as may be prescribed.

(4) The term of office of the Registrar shall be a renewable period of three years:

Provided that the Senate may, on the advice of the Vice-Chancellor, terminate the appointment of the Registrar on grounds of inefficiency or misconduct in accordance with prescribed procedure.

16. **Treasurer.**—(1) There shall be a Treasurer of the University to be appointed by the Senate on the recommendation of the Vice-Chancellor, on such terms and conditions as may be prescribed.

(2) The experience and the professional and academic qualifications necessary for appointment to the post of the Treasurer shall be as may be prescribed.

(3) The Treasurer shall be the chief financial officer of the University and shall —

- (a) manage the assets, liabilities, receipts, expenditures, funds and investments of the University;
- (b) prepare the annual and revised budget estimates of the University and present them to the Syndicate or a committee thereof for approval and incorporation in the budget to be presented to the Senate;
- (c) ensure that the funds of the University are expended on the purposes for which they are provided;
- (d) have the accounts of the University audited annually so as to be available for submission to the Senate within six months of the close of the financial year; and
- (e) perform such other duties as may be prescribed.

(4) The term of office of the Treasurer shall be a renewable period of three years:

Provided that the Senate may, on the advice of the Vice-Chancellor, terminate the appointment of the Treasurer on grounds of inefficiency or misconduct in accordance with prescribed procedure.

17. **Controller of Examinations.**—(1) There shall be a Controller of Examinations, to be appointed by the Senate on the recommendation of the Vice-Chancellor on such terms and conditions as may be prescribed.

(2) The minimum qualifications necessary for appointment to the post of the Controller of Examinations shall be as may be prescribed.

(3) The Controller of Examinations shall be a full-time officer of the University and shall be responsible for all matters connected with the conduct of examinations and perform such other duties as may be prescribed.

(4) The Controller of Examinations shall be appointed for a renewable term of three years:

Provided that the Senate may, on the advice of the Vice-Chancellor, terminate the appointment of the Controller of Examinations on grounds of inefficiency or misconduct in accordance with prescribed procedure.

CHAPTER-III

AUTHORITIES OF THE UNIVERSITY

18. **Authorities.**—(1) The following shall be the authorities of the University, namely:—

(a) **Authorities established by this Act are —**

- (i) the Senate;
- (ii) the Syndicate; and
- (iii) the Academic Council;

(b) **Authorities to be established by statutes shall be —**

- (i) Graduate and Research Management Council;
- (ii) Recruitment, Development, Evaluation and Promotion committees for teachers and other staff whether at the level of the department, the Faculty or the University;
- (iii) Career Placement and Internship Committee of each Faculty;
- (iv) Search Committee for the appointment of the Vice-Chancellor;
- (v) the Representation Committees for appointment to the Senate, Syndicate and the Academic Council;
- (vi) Departmental Council;
- (vii) Boards of Faculties;
- (viii) Board of Advanced Studies and Research;
- (ix) Selection Board;
- (x) Finance and Planning Committee; and
- (xi) any other authority as may be prescribed.

(2) The Senate, the Syndicate and the Academic Council may set up such other committees or sub-committees, by whatever name described, as are considered desirable through statutes or regulations as appropriate. Such committees or sub-committees shall be authorities of the University for the purposes of this Act.

19. **The Senate.**—The body responsible for the governance of the University shall be described as the Senate and shall consist of the following, namely:—

- (a) Chancellor who shall be the Chairperson of the Senate;
- (b) Pro-Chancellor;
- (c) Vice-Chancellor;
- (d) Secretary of the Division dealing with the subject matter of science and technology or his nominee;
- (e) Secretary of the Division dealing with the subject of education or his nominee;
- (f) Pro-Vice-Chancellor;
- (g) four persons from society at large being persons of distinction in the fields of administration, management, education, academics, law, accountancy, medicine, fine arts, architecture, agriculture, science, technology, industry or engineering such that the appointment of these persons reflects a balance across the various fields:

Provided that the special focus or affiliation of the University, to be declared in the manner prescribed, may be reflected in the number of persons of distinction in the areas of expertise relevant to the University who are appointed to the Senate;

- (h) one person from amongst the alumni of the University;
- (i) two persons from the academic community of the country, other than an employee of the University, at the level of Professor or principal of a college;
- (j) four University teachers; and
- (k) Chairman, Higher Education Commission or his nominee.

(2) The numbers of the members of the Senate described against clauses (h) of sub-section (1) may be increased by the Senate through statutes subject to condition that the total membership of the Senate does not exceed twenty one, with a maximum of five University teachers and the increase is balanced to the extent possible across the different categories specified in clause (g) of sub-section (1).

(3) All appointments to the Senate shall be made by the Chancellor. Appointments of persons described in clauses (h) and (i) of sub-section (1) shall be made from amongst a panel of three names for each vacancy recommended by the Representation Committee set up in terms of section 27 and in accordance with procedure as may be prescribed:

Provided that effort shall be made, without compromising on quality or qualification, to give fair representation to women on the Senate:

Provided further that as regards the University teachers described in clause (j) of sub-section (1), the Senate shall prescribe a procedure for appointment on the basis of elections that provide for voting by the various categories of University teachers:

Provided also that the Senate may alternatively prescribe that appointment of University teachers to the Senate shall also be in the manner provided by this sub-section for the persons described in clauses (h) and (i) of sub-section (1).

(4) Members of the Senate, other than *ex-officio* members, shall hold office for three years. One-third of the members, other than *ex-officio* members, of the first restructured Senate, to be determined by lot, shall retire from office on the expiration of one year from the date of appointment by the Chancellor. One-half of the remaining members, other than *ex-officio* members, of the first restructured Senate, to be determined by lot, shall retire from office on the expiration of two years from the date of appointment and the remaining one-half, other than *ex-officio* members, shall retire from office on the expiration of the third year:

Provided that no person, other than an *ex-officio* member, may serve on the Senate for more than two consecutive terms:

Provided further that the University teachers appointed to the Senate may not serve for two consecutive terms.

(5) The Senate shall meet at least twice in a calendar year.

(6) Service on the Senate shall be on honorary basis:

Provided that actual expenses may be reimbursed to the incumbent member as prescribed.

(7) The Registrar shall be the secretary of the Senate.

(8) In the absence of the Chancellor, meetings of the Senate shall be presided over by the Pro-Chancellor.

(9) Unless otherwise prescribed by this Act, all decisions of the Senate shall be taken on the basis of the opinion of a majority of the members present. In the event of the members being evenly divided on any matter the person presiding over the meeting shall have a casting vote.

(10) The quorum for a meeting of the Senate shall be two-thirds of its membership, a fraction being counted as one.

20. Powers and functions of the Senate.—(1) The Senate shall have the power of general supervision over the University and shall hold the Vice-Chancellor and the authorities accountable for all the functions of the University. The Senate shall have all powers of the University not expressly vested in an authority or officer by this Act and all other powers not expressly mentioned by this Act that are necessary for the performance of its functions.

(2) Without prejudice to the generality of the foregoing powers, the Senate shall have the powers to—

- (a) approve the proposed annual plan of work, the annual and revised budgets, the annual report and the annual statement of accounts;
- (b) hold, control and lay down policy for the administration of the property, funds and investments of the University, including the approval of the sale and purchase or acquisition of immovable property;
- (c) oversee the quality and relevance of the University's academic programmes and to review the academic affairs of the University in general;
- (d) approve the appointment of the Deans, Professors, Associate Professors and such other senior faculty and senior administrators as may be prescribed;

- (e) institute schemes, directions and guidelines for the terms and conditions of appointment of all officers, teachers and other employees of the University;
- (f) approve strategic plans;
- (g) approve financial resource development plans of the University;
- (h) consider the drafts of statutes and regulations proposed by the Syndicate and the Academic Council and deal with them in the manner as provided for in sections 36 and 37, as the case may be:

Provided that the Senate may frame a statute or regulation on its own initiative and approve it after calling for the advice of the Syndicate or the Academic Council, as the case may be;

- (i) annul by order in writing the proceedings of any authority or officer if the Senate is satisfied that such proceedings are not in accordance with the provisions of this Act, statutes or regulations after calling upon such authority or officer to show cause why such proceedings should not be annulled;
- (j) recommend to the Chancellor removal of any member of the Senate in accordance with the provisions of this Act;
- (k) make appointment of members of the Syndicate, other than *ex-officio* members, in accordance with the provisions of this Act;
- (l) make appointment of members of the Academic Council, other than *ex-officio* members, in accordance with the provisions of this Act;
- (m) appoint emeritus Professors on such terms and conditions as may be prescribed;
- (n) remove any person from membership of any authority, if such person —
 - (i) has become of unsound mind; or
 - (ii) has become incapacitated to function as member of such authority; or

- (iii) has been convicted by a court of law for an offence involving moral turpitude; and
- (o) determine the form, provide for the custody and regulate the use of the common seal of the University.

(3) The Senate may, subject to the provisions of this Act delegate all or any of the powers and functions of any authority, officer or employee of the University at its main campus, to any authority, committee, officer or employee at its additional campus for the purpose of exercising such powers and performing such functions in relation to such additional campus and for this purpose the Senate may create new posts or positions at the additional campus.

21. **Visitation.**—The Senate may, in accordance with the terms and procedures as may be prescribed, cause an inspection to be made in respect of any matter connected with the University.

22. **The Syndicate.**—(1) The Syndicate shall consist of the following, namely:—

- (a) the Vice-Chancellor who shall be its Chairperson;
- (b) the Pro-Vice-Chancellor,
- (c) the Deans of the Faculties of the University;
- (d) Joint Secretary of the administrative Division;
- (e) three professors from different departments, who are not members of the Senate, to be elected by the University teachers in accordance with procedure to be prescribed by the Senate;
- (f) principals of the constituent colleges;
- (g) the Registrar;
- (h) the Treasurer; and
- (i) the Controller of Examinations.

(2) Members of the Syndicate, other than *ex-officio* members, shall hold office for three years.

(3) As regards the three professors described in clause (c) or (e) of sub-section (1), the Senate may, as an alternative to elections, prescribe a procedure for proposal of a panel of names by the Representation Committee

set up in terms of section 27. Appointment of persons proposed by the Representation Committee may be made by the Senate on the recommendation of the Vice-Chancellor.

(4) The quorum for a meeting of the Syndicate shall be one-half of the total number of members, a fraction being counted as one.

(5) The Syndicate shall meet at least once in each quarter of the year.

23. Powers and duties of the Syndicate.—(1) The Syndicate shall be the executive body of the University and shall take effective measures to raise the standard of teaching, research, technological development, publication and other academic pursuits and exercise general supervision and control over the affairs of the University and management of the property of the University.

(2) Without prejudice to the generality of the foregoing powers and subject to the provisions of this Act, the statutes and directions of the Senate, the Syndicate shall have the powers to –

- (a) consider the annual report, the annual and revised budget estimates and to submit these to the Senate;
- (b) transfer and accept transfer of movable property on behalf of the University;
- (c) enter into, vary, carry out and cancel contracts on behalf of the University;
- (d) cause proper books of accounts to be kept for all sums of money received and expended by the University and for the assets and liabilities of the University;
- (e) invest any money belonging to the University including any unapplied income in any of the securities described in section 20 of the Trusts Act, 1882 (Act II of 1882), or in the purchase of immovable property or in such other manner, as it may prescribe, with the like power of varying such investments;
- (f) receive and manage any property transferred and grants, bequests, trusts, gifts, donations, endowments and other contributions made to the University;

- (g) administer any funds placed at disposal of the University for specified purposes;
- (h) provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of the University;
- (i) establish and maintain halls of residence and hostels or approve or license hostels or lodgings for the residence of students;
- (j) recommend to the Senate affiliation or disaffiliation of colleges;
- (k) recommend to the Senate admission of educational institutions to the privileges of the University and withdraw such privileges;
- (l) arrange for the inspection of colleges and the departments;
- (m) institute professorships, associate professorships, assistant professorships, lectureships and other teaching posts or to suspend or to abolish such posts;
- (n) create, suspend or abolish such administrative or other posts as may be necessary;
- (o) prescribe the duties of officers, teachers and other employees of the University;
- (p) report to the Senate on matters with respect to which it has been asked to report;
- (q) appoint members to authorities in accordance with the provisions of this Act;
- (r) propose drafts of statutes for submission to the Senate;
- (s) regulate the conduct and discipline of the students of the University;
- (t) take actions necessary for the good administration of the University in general and to this end exercise such powers as are necessary;
- (u) delegate any of its powers to any authority or officer or a committee; and

- (v) perform such other functions as have been assigned to it by the provisions of this Act or may be assigned to it by statutes.

24. **Academic Council.**—The Academic Council shall consist of—

- (a) Vice-Chancellor *Chairman*
- (b) Pro-Vice-Chancellor *Member*
- (c) Deans of Faculties and Head of Department as may be prescribed *Member*
- (d) five members representing the departments, institutes and the constituent colleges to be elected in the manner prescribed by the Senate; *Member*
- (e) Director of Advanced Studies, Research and Technological Development *Member*
- (f) two principals of affiliated colleges; *Member*
- (g) the Registrar, *Secretary*
- (h) the Controller of Examination, *Member*
- (i) the Librarian. *Member*

(1) A member of the Academic Council appointed by nomination shall hold office for three years.

(2) The quorum for a meeting of the Academic Council shall be one-third of the total number of its members, a fraction being counted as one;

25. **Powers and duties of the Academic Council.**—(1) The Academic Council shall be the academic body of the University and may lay down proper standards of instruction, research, publication and examination and to regulate and promote the academic life of the University and affiliated colleges.

In particular and without prejudice to the generality of the foregoing provisions, the Academic Council may—

- (a) advise the Syndicate on academic matters;
- (b) regulate teaching, research and examinations;
- (c) regulate the admission of students to the courses of studies and examinations of the University and affiliated colleges;

- (d) regulate the award of studentships, scholarships, medals and prizes;
- (e) regulate the conduct and discipline of students of the University and affiliated colleges;
- (f) propose to the Syndicate schemes for the constitution and organization of faculties, institutes and other academic bodies;
- (g) propose regulations on the recommendations of the boards of faculties and the boards of studies for consideration and approval of the Syndicate;
- (h) propose for each academic year, on the recommendations of the boards of studies, regulations prescribing the courses of studies, the syllabi and the outlines of tests for all examinations, provided that, if the recommendations of a board of faculties or the board of studies are not received by the prescribed date, the Academic Council may, subject to the approval of the Syndicate, permit such regulations to continue for the following years;
- (i) recognize the examinations of other universities or examining bodies as equivalent to the corresponding examinations of the University;
- (j) appoint members to the authorities in accordance with the provisions of this Act; and
- (k) perform such other functions as may be prescribed by statutes.

26. **Representation Committee.**—(1) There shall be a Representation Committee constituted by the Senate through statutes for recommendation of persons for appointment to the Senate in accordance with the provisions of section 20.

(2) There shall also be a Representation Committee constituted by the Senate through statutes for the recommendation of persons for appointment to the Syndicate and the Academic Council in accordance with the provisions of sections 23 and 25.

(3) Members of the Representation Committee for appointments to the Senate shall consist of the following:—

- (a) three members of the Senate who are not University teachers;
- (b) one member, nominated by administrative Division;
- (c) two persons nominated by the University teachers from amongst themselves in the manner prescribed;

- (d) one person from the academic community, not employed by the University, at the level of professor or school principal to be nominated by the University teachers in the manner prescribed; and
- (e) one eminent citizen with experience in administration, philanthropy, development work, law or accountancy to be nominated by the Senate.

(4) The Representation Committee for appointments to the Syndicate and the Academic Council shall consist of the following:—

- (a) two members of the Senate who are not University teachers; and
- (b) three persons nominated by the University teachers from amongst themselves in the manner prescribed.

(5) The tenure of the Representation Committees shall be three years:

Provided that no member shall serve for more than two consecutive terms.

(6) The procedures of the Representation Committees shall be as may be prescribed.

(7) There may also be such other Representation Committees set up by any of the other authorities of the University as are considered appropriate for recommending persons for appointment to the various authorities and other bodies of the University.

27. **Board of Faculty.**—(1) There shall be a board of faculty for each faculty which shall consist of—

- (a) Dean of the faculty; *Chairperson*
- (b) Professors and the chairpersons in the faculty; *Members*
- (c) two teachers to be nominated by the Academic Council on the basis of their specialized knowledge of the subjects which, though not assigned to the faculty, have in the opinion of the Academic Council important bearing on the subjects assigned to the faculty; *Members*
- (d) two experts in the field from outside the University to be appointed by the Syndicate; *Members*
- (e) one member to be nominated by the Vice-Chancellor. *Member*

(2) The members, other than *ex-officio* members of a board of faculty, shall hold office for a period of three years.

(3) The quorum for a meeting of a board of faculty shall be one-half of the total number of its members, a fraction being counted as one.

(4) A board of faculty, subject to the general control of the Syndicate and Academic Council, may—

- (a) co-ordinate the teaching and research work in the subjects assigned to the faculty;
- (b) scrutinize the recommendations of a board of studies comprising a faculty with regard to the appointment of paper setters and examiners for graduate and postgraduate examinations and to forward the panels of suitable paper setters and examiners for each examination to the Vice-Chancellor;
- (c) consider any other academic matter relating to the faculty and to submit its report to the Academic Council;
- (d) prepare a comprehensive annual report regarding the performance of each department, constituent college or institute comprising the faculty for presentation to the Academic Council; and
- (e) perform such other functions as may be prescribed by statutes.

28. **Board of Advanced Studies and Research.**—(1) The Board of Advanced Studies and Research shall consist of—

- | | |
|---|-----------------------------|
| (a) Vice-Chancellor | <i>Chairperson</i> |
| (b) all the Deans | <i>Members</i> |
| (c) Controller of Examination | <i>Member</i> |
| (d) one University Professor from each faculty to be nominated by the Syndicate | <i>Member</i> |
| (e) one member to be nominated by the Vice-Chancellor | <i>Member</i> |
| (f) three members, including at least one woman, from the relevant field, research organizations and Government, to be nominated by the Syndicate | <i>Members</i> |
| (g) Registrar | <i>Secretary-cum-member</i> |

(1) The term of office of the members of the Board of Advanced Studies and Research, other than *ex-officio* members, shall be three years.

(2) The quorum for a meeting of the Board of Advanced Studies and Research shall be one-half of the total number of its members, a fraction being counted as one.

29. Functions of the Board of Advanced Studies and Research.—
The Board of Advanced Studies and Research (BASR) shall—

- (a) advise an authority on all matters connected with the promotion of advanced studies and research publication in the University;
- (b) consider and report to an authority with regard to a research degree of the University;
- (c) propose regulations regarding the award of a research degree;
- (d) appoint supervisors for a postgraduate research student and to approve title and synopses of a thesis or dissertation;
- (e) recommend panels of names of examiners for evaluation of a research examination; and
- (f) perform such other functions as may be prescribed by statutes.

30. Selection Board.—(1) The Selection Board shall consist of —

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|---|-----------------------------|
| (a) Vice-Chancellor; | <i>Chairperson</i> |
| (b) Dean of the faculty concerned; | <i>Member</i> |
| (c) Joint Secretary of the administrative Division; | <i>Member</i> |
| (d) Chairperson concerned; | <i>Member</i> |
| (e) one member of the Syndicate to be nominated by the Syndicate; | <i>Member</i> |
| (f) one eminent scholar to be nominated by the Syndicate | <i>Member</i> |
| (g) two experts to be nominated by the Government; and | <i>Members</i> |
| (h) Registrar. | <i>Secretary-cum-member</i> |

(2) The members, other than *ex-officio* members, shall hold office for a period of three years.

(3) Five members including at least one expert shall constitute the quorum for a meeting of the Selection Board.

(4) No member who is a candidate or whose family member is a candidate, for a post to which appointment is to be made, shall take part in the proceedings of the Selection Board for selection of a candidate on such post.

(5) In selection of candidates for the post of Professor or Associate Professor, the Selection Board shall co-opt or consult three experts in the subject and in selecting candidates for any other teaching post, two experts in the subject, to be nominated by the Vice Chancellor from a standing list of experts for each subject approved by the Syndicate.

(6) The Syndicate may approve or revise the standing list of experts of a subject on the recommendation of the Selection Board.

31. **Functions of the Selection Board.**—The Selection Board shall—

- (a) consider the applications and recommend to the Syndicate, the names of suitable candidates for appointment to teaching and other posts and recommend suitable salary for the selected candidate; and
- (b) consider all cases of promotion or selection of officers of the University and recommend the names of suitable candidates for such promotion or selection to the Syndicate.

32. **Finance and Planning Committee.**—The Finance and Planning Committee shall consist of—

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|---|-----------------------------|
| (a) Vice Chancellor; | <i>Chairperson</i> |
| (b) all the Deans; | <i>Members</i> |
| (c) one member of the Syndicate to be nominated by the Syndicate; | <i>Member</i> |
| (d) one member of the Academic Council to be nominated by the Academic Council; | <i>Member</i> |
| (e) one representative each from Higher Education Commission, Finance Division and administrative Division not below the rank of a Joint Secretary; | <i>Member</i> |
| (f) Director Planning or any other nominee of the Commission; | <i>Member</i> |
| (g) Registrar; and | <i>Member</i> |
| (h) Treasurer. | <i>Secretary-cum-member</i> |

(2) The term of office of the nominated members shall be three years.

(3) Six members of the Finance and Planning Committee shall constitute the quorum for a meeting of the Finance and Planning Committee.

33. Functions of the Finance and Planning Committee.—The Finance and Planning Committee shall perform the following functions, namely:—

- (a) to prepare the annual statement of accounts and propose annual budget estimates and make recommendations to the Syndicate;
- (b) to review periodically the financial position of the University;
- (c) to advise the Syndicate on all matters relating to finance, investments and accounts of the University; and
- (d) to perform such other functions as may be prescribed by statutes.

34. Appointment of committees by authorities.—Any authority may constitute such standing, special or advisory committees as it may deem fit and appoint to such committees persons who may not be its members.

CHAPTER-IV

STATUTES, REGULATIONS AND RULES

35. Statutes.—(1) The Syndicate may draft statutes, not inconsistent with Government rules, and after endorsement of the administrative Division submit the same to the Senate for approval.

(2) The statutes may be made to provide for and regulate all or any of the following, namely.—

- (a) scales of pay, method of recruitment and other terms and conditions of service of officers, teachers and other employees of the University and the constitutions of their pension, insurance, gratuity, provident fund and benevolent fund;
- (b) the contents of and the manner in which the annual report to be presented by the Vice Chancellor before the Senate shall be prepared;
- (c) the institute fees and other charges;
- (d) conduct and discipline of the officers, teachers and other employees of the University;
- (e) constitution, powers and duties of the authorities and conduct of elections to such authorities and related matters;
- (f) affiliation and disaffiliation of colleges, institutes, etc. and related matters;

- (g) admission of educational institutions to the privileges of the University and the withdrawal of such privileges;
- (h) establishment of institutes, faculties, colleges, departments and academic divisions;
- (i) powers and duties of officers, teachers and employees of the University;
- (j) conditions for appointment of Professors emeritus;
- (k) conditions on which the University may enter into arrangements with public bodies or other organizations for purposes of research and advisory services;
- (l) general schemes of studies including the duration of courses, the system of examinations and the number of subjects and papers for examinations;
- (m) award of honorary degrees;
- (n) maintenance of register of students and registered graduates;
- (o) conduct of elections for membership of authorities of the University and related matters; and
- (p) all other matters which are to be or may be prescribed or regulated by statutes.

36. **Regulations.**—(1) The Senate may, on the recommendation of the administrative Division, make regulations not inconsistent with Government rules in respect of any of the following matters, namely:—

- (a) courses of study for degrees, diplomas and certificates of the University;
- (b) manner and method of teaching conducted in the University and affiliated colleges;
- (c) admission of students to the University and conditions under which they are admitted or allowed to take courses and examinations of the University and become eligible for the award of degrees, diplomas and certificates;
- (d) fees and other charges to be paid by students for admission to the courses of studies and the examinations of the University;
- (e) conduct of examinations;
- (f) conduct and discipline of students of the University;

- (g) conditions of residence of the students of the University or colleges including the levying of fee for residence in halls of residence and hostels and approval of hostels, and lodgings for students;
- (h) conditions for acquiring research degrees;
- (i) institution of fellowships, scholarships, medals and prizes;
- (j) institution of stipends and free and half-free studentships;
- (k) academic costume;
- (l) use of the library;
- (m) formation of teaching departments and Boards of Studies; and
- (n) all other matters which under the statutes are to be or may be prescribed by regulations.

(2) The Academic Council shall prepare and submit the regulations to the Syndicate and the Syndicate may forward them with or without modifications to Senate or refer them back to the Academic Council for reconsideration.

37. **Amendment and repeal of statutes and regulations.**—The procedure for adding to, amending or repealing the statutes and the regulations shall be the same as that prescribed respectively for framing or making statutes and regulations.

38. **Rules.**—(1) An authority or a body of the University may make rules consistent with Government rules, to regulate the conduct of its business.

(2) The Senate may direct any authority or body of the University to amend or repeal any rules made by the authority or body.

CHAPTER-V

FINANCIAL PROVISIONS

39. **University Fund.**—(1) There shall be a fund to be known as the University Fund which shall vest in the University and to which shall be credited all sums received by the University.

(2) To the University Fund shall be credited income of the University from fees, charges, donations, trusts, bequests, endowments, contributions, grants and all other sources.

(3) The University may accept donations in the shape of land, vehicle, equipment or any other item that may facilitate the functioning of the University and all such donations shall be used, maintained and disposed of by the University in the prescribed manner.

(4) There shall be a research fund of the University, which shall be independently managed in line with international research funds. The fund shall support indigenous research by faculty and research students on campus.

40. **Audits and accounts.**—(1) The accounts of the University shall subject to the provisions of Article 169 of the constitution of the Islamic Republic of Pakistan, be maintained in such form and in such manner as may be prescribed.

(2) The teaching departments, constituent schools and institutes and all other bodies designated as such by the Syndicate in terms of statutes shall be independent cost centers of the University with authority vested in the head of each cost centre to sanction expenditure out of the budget allocated to it, provided that re-appropriation from one head of expenditure to another may be made by the head of a cost centre in accordance with and to the extent prescribed by the statutes.

(3) All funds generated by a teaching department, constituent school or other unit of the University through consultancy, research or other provision of service shall be made available without prejudice to the budgetary allocation otherwise made, after deduction of overheads in the manner and to the extent prescribed by statutes, to the teaching department, constituent school or other unit for its development. A part of the funds so generated may be shared with the University teachers or researchers in charge of the consultancy, research or service concerned in the manner and to the extent prescribed by statutes.

(4) No expenditure shall be made from the funds of the University, unless a bill for its payments has been issued by the head of the cost centre concerned in accordance with the relevant statutes and the Treasurer has verified that the allocation is provided for in the approved budget of the cost centre, subject to the authority to re-appropriate available to the head of the cost centre.

(5) Subject to Article 170 of the constitution of the Islamic Republic of Pakistan, provision shall be made for an internal audit of the finances of the University.

(6) Without prejudice to the requirement of audit by an auditor appointed the annual audited statement of accounts of the University shall be

prepared in conformity with the Generally Accepted Accounting Principles (GAAP) by a reputed firm of chartered accountants and signed by the Treasurer.

(7) The observations of the Auditor if any, together with such annotations as the Treasurer may make, shall be considered by the Syndicate and shall be placed before the Senate within six months of closing of the financial year.

41. **Budget, audit and accounts.**—(1) Subject to section 41, the budget of the University shall be approved accounts shall be maintained and audited in such manner as may be prescribed by the Senate.

(2) The Senate may approve the budget of the University, appropriations of accounts of the University and settle an audit para relating to the audit of the University.

(3) The Senate may delegate the power of appropriation or re-appropriation of funds to an officer of the University.

42. **Resident Auditor.**—The Government shall appoint, on deputation, an appropriate officer of the Audit and Accounts Group as the Resident Auditor of the University.

CHAPTER-VI

MISCELLANEOUS

43. **Appeal to Syndicate.**—(1) If an order is passed by an authority, body or officer of the University, other than the Chancellor or the Senate, and an appeal against the order is not provided under the statutes or regulations, any aggrieved person may prefer an appeal against the order to the Syndicate.

(2) The Syndicate may constitute a committee of its members to hear and dispose of any appeal on behalf of the Syndicate.

(3) If a member of the Syndicate is the officer who passed the order or who is also member of the authority against whose order appeal is filed before the Syndicate, such member shall not hear the appeal as member of the Syndicate or be part of the committee constituted to hear and dispose of the appeal.

(4) If aggrieved person is not satisfied with the decision of the Syndicate, he may file an appeal before the Senate, decision of which thereon shall be final.

44. **Opportunity to show cause.**—Except as otherwise provided by law no officer, teacher or other employee of the University holding a permanent post shall be reduced in rank, or removed or compulsorily retired from service for cause arising out of any act or omission on the part of the person concerned unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken.

45. **Appeal to the Syndicate and the Senate.**—Where an order is passed punishing any officer, teacher or other employee of the University or altering or interpreting to his disadvantage the prescribed terms or conditions of his service, he shall, where the order is passed by any officer or teacher of the University, other than the Vice-Chancellor, have the right to appeal to the Syndicate against the order, and where the order is passed by the Vice-Chancellor, have the right to appeal to the Senate.

46. **Removal of difficulty.**—(1) If any question arises as to the interpretation of any of the provisions of this Act, it shall be placed before the Chancellor whose decision thereon shall be final_

(2) If any difficulty arises in giving effect to any of the provisions of this Act, the Chancellor may make such order after obtaining the views of the Senate, not inconsistent with the provisions of this Act, as may appear to him to be necessary for removing the difficulty.

(3) Where this Act makes any provision for anything to be done but no provision or no sufficient provision has been made as respects the authority by whom or the time at which or the manner in which it shall be done, then it shall be done by such authority at such time or in such manner as the Chancellor may direct after obtaining the views of the Senate.

47. **Indemnity.**—No suit or legal proceedings shall lie against the Government, the University or any authority, officer or employee of the Government or the University or any person in respect of anything which is done in good faith or deemed to have been done under this Act.

STATEMENT OF OBJECTS AND REASONS

The Bill is designed to establish of University of Engineering and Emerging Technologies (UEET) in the Premises of Prime Minister House, Islamabad. The main proposed University shall have the following powers and functions.

- (i) provide for education in engineering, science and, emerging technologies and other branches of knowledge as it may deem fit, and make provisions for research, service to the society and for the application, advancement and dissemination of knowledge in such manner as it may determine;
- (ii) provides for education and scholarship, and makes provision for research, service to society and for the application, advancement and dissemination of knowledge;
- (iii) prescribes courses of studies that are conducted, holds examinations and award and confers degrees, diplomas, certificates and other academic distinctions who have been admitted to and have passed its examinations under prescribed conditions;
- (iv) decide innovative teaching methods and strategies in order to ensure the most effective educational and training programmes meeting international standards;
- (v) hold examinations in the prescribed manner meeting international standards and, if a person qualifies the examination, award him the requisite degree, diploma, certificate and other academic distinction;
- (vi) prescribes the terms and conditions of employment of the officers, teachers and other employees of the University and lays down terms and conditions that may be different from those applicable to government servants in general;
- (vii) make provision for research, advisory or consultancy services and enter into arrangements with any other institution, public or private body, commercial or industrial enterprise in the prescribed manner;
- (viii) develop an associated Technology Park of international standard;
- (ix) develop research commercialization and intellectual property policy for promotion of commissioned research, spin off companies, and incubators
- (x) develop a research fund for the faculty research and innovation, managed independently in line with international funding agencies

FAWAD HUSSAIN CHAUDHARY,
Federal Minister for Science and Technology.

NA BILL NO. 39 OF 2020

A

BILL

to amend the Pakistan Health Research Council Act, 2016

WHEREAS it is expedient to amend the Pakistan Health Research Council Act, 2016 (Act No. XII of 2016), for the purposes hereinafter appearing:

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act shall be called the Pakistan Health Research Council (Amendment) Act, 2020.

(2) It shall come into force at once.

2. **Amendment of Section 2, Act XII of 2016.**—In the Pakistan Health Research Council Act, 2016 (XII of 2016), hereinafter referred to as the said Act, in section 2, clauses (f), (g), (h), (k), and (s) shall be omitted.

3. **Amendment of section 4, Act XII of 2016.**—In the said Act, in section 4, in sub-section (1),—

- (a) in clause (c), the words “including training of manpower” shall be omitted;
- (b) in clause (d), for the words “organize and facilitate utilization of the words “disseminate the” shall be substituted;
- (c) in clause (f), after the words “support of research” the expression “including publication of research” shall be inserted; and
- (d) clauses (g) and (i) shall be omitted.

4. **Amendment of section 5, Act XII of 2016.**—In the said Act, for section 5, the following shall be substituted, namely:

- “5. **Board.**—(1) The overall control and superintendence of the affairs of the Council shall vest in a Board, consisting of not less than five members and not exceeding seven members.
- (2) The members shall be appointed by the Prime Minister on the recommendation of a nominating committee consisting of—

- | | |
|---|-----------------|
| (a) Minister-in-charge | <i>Chairman</i> |
| (b) Dean Research of the Aga Khan University, Karachi | <i>Member</i> |
| (c) Chief Medical Officer of the Shaukat Khanum Hospital, Lahore; | <i>Member</i> |
| (d) Vice Chancellor of the Khyber Medical University | <i>Member</i> |
| (e) Principal of the Bolan University | <i>Member</i> |
- (3) Nominations to the Board shall be based on the individual's national and international research reputation, who are currently employed by reputable institutions, are involved in research and have a minimum of twenty-five research publications in reputable journals with citation indices greater than 1.0. Experience in research administration, for example as head of a research department or institution or as a research mentor, for example as a supervisor of researchers shall be preferred.
- (4) There shall be a Chairman and Vice Chairman of the Board who shall be elected by the Board members at their first meeting.
- (5) Board members shall, unless otherwise directed by the Prime Minister, hold office for a period of five years and be eligible for re-appointment. Membership of the Board shall cease and fall vacant if a Board's member resigns or fails to attend three consecutive meetings without sufficient cause or for any other reasons which incapacitates him to function as a member. Any such vacancy shall be filled in within one month.
- (6) No person shall be appointed or remain as a member of the Board, if he—
- (a) is declared by a competent court of law to be of an unsound mind,
 - (b) has applied before by a competent court of law to be adjudged as an insolvent and his application is pending;
 - (c) is declared by a competent court of law to be an undischarged insolvent;
 - (d) has been convicted by a court of law for an offence involving moral turpitude,

- (e) has been debarred from holding any public office under provisions of law, or
- (f) has a conflict of interest with such a position.

(7) The nominating committee may recommend removal from the membership of any member of the Board at any time if the member is disruptive or violates the rules of the Council:”.

5. **Amendment of section 6, Act XII of 2016.**—In the said Act, for section 6, the following shall be substituted, namely:—

“6. **Functions of the Board.**—(1) The functions of the Board shall be—

- (a) to formulate policy on health research;
- (b) subject to other provisions of this Act, to appoint necessary officers and employees in a manner and on such terms and conditions as may be prescribed;
- (c) to ensure a transparent, fair and equitable process for evaluating research grant applications and prioritizing the same for grant distribution;
- (d) to ensure that ethical standards are met in all research projects considered for funding, according to the Helsinki principles for human research;
- (e) to ensure a rational merit-based grant distribution system,
- (f) to approve the annual budget,
- (g) to ensure the scientific validity and maintain the highest standards for any publications issued by the Council, including but not limited to the Pakistan journal of medical research, and
- (h) to undertake regular review and evaluation of the research projects and programs funded by the Council to ensure that ethical and scientific principles are not violated and these projects and programs are proceeding according to their objectives.

(2) In the discharge of its functions, the Board shall be guided on questions of policy by the instructions, if any, given to it from time to time by the Federal Government.”.

6. **Amendment of section 7, Act No. XII of 2016.**—In the said Act, in section 7,—

- (a) in sub-section (1),—
 - (i) for the word “two”, the word “four” shall be substituted; and
 - (ii) for the expression “Minister of State or Advisor of the administrative ministry or in their absence the Secretary of the administrative ministry”, the words “Vice-Chairman” shall be substituted;
- (b) in sub-section (2), for the word “One”, the word “Two” shall be substituted; and
- (c) after sub-section (2), amended as aforesaid, the following new sub-section (3) shall be added, namely:

“(3) The Secretary of the Board shall be a full time employee of the Board, who shall perform all secretarial and office functions of the Board at the direction of the Chairman and shall be responsible for taking minutes at the Board’s meetings, convening Board’s meetings, sending out letters to Board’s members as per direction of the Board’s Chairman.”.

7. **Amendment of section 9, Act XII of 2016.**—In the said Act, for section 9, the following shall be substituted, namely:—

- “9. **Office of the Council.**—(1) The Office of the Council shall principally consist of—
- (a) Chief Operating Officer;
 - (b) Finance Director;
 - (c) Director Research Grants; and
 - (d) Director Research Grant Applications.
- (2) The Chief Operating Officer shall be appointed by the Board for a period of three years on the recommendation of a recruitment committee, on such terms and conditions as the Board may determine provided that no Board member shall be appointed as Chief Operating Officer.
- (3) No person shall be appointed as Chief Operating Officer, unless he possesses a recognized post-graduate degree in business

management or public administration or any other relevant management qualifications having experience of management in an organization or institution, provided that an additional post-graduate degree in the biological sciences shall be preferred.

- (4) The Chief Operating Officer may be removed from office by the Board, before the expiration of the period of three years, on such grounds as may be prescribed.
- (5) The appointment of the Chief Operating Officer may be renewed as deemed fit by the Board, based on performance.
- (6) The Chief Operating Officer shall attend all or part of each Board's meeting as required by the Board to update the Board on the Council activities and functions and any other matters as required by the Board.
- (7) The Chief Operating Officer shall be responsible to the Board for all administrative functions of the Council and shall be responsible for-
 - (a) implementation and execution of Board policies and to achieve the targets set by the Board;
 - (b) timely announcements of grant application dates and any other announcements required by the Board;
 - (c) ensuring proper receipt and documentation of all grant applications;
 - (d) ensuring that grant application recommendations from the study sections are appropriately dealt with as may be prescribed;
 - (e) the annual evaluations of all the staff; and
 - (f) undertaking any other responsibilities prescribed by the Board.
- (8) A Finance Director shall be appointed for a term of three years and shall be eligible for re-appointment at the discretion of the Board.
- (9) The Board shall appoint a selection committee including persons with experience in financial matters, to recommend suitable persons for appointment of one of them as a Finance Director to head the finance department of the Council.

- (10) No person shall be appointed as Finance Director unless he is a chartered accountant or a cost and management accountant or have a master's degree in finance or accounts, and who shall have ten years post qualification experience in finance or accounts in a major private or public company or institution.
- (11) Appointment of Finance Director shall be by a transparent process of public advertisement and evaluation as may be prescribed.
- (12) The following shall be the functions and duties of the Finance Director, namely:
 - (a) to coordinate and supervise all financial accounting matters of the Council;
 - (b) to prepare the detailed draft regulations and procedures for the financial management of the Council for approval by the Chief Operating Officer and the Board;
 - (c) to advise the Chief Operating Officer and the Board on all financial matters, ensuring transparency and fiscal probity;
 - (d) to ensure that all the accounts are kept according to the applicable rules and regulations;
 - (e) to assist in the development of the annual budget, ensuring that the financial projections and financial accounts are accurate;
 - (f) to prepare an annual financial report for approval by the Chief Operating Officer and presentation to the Board; and
 - (g) to ensure facilitation of any external audit of the accounts instituted by the Board or Government and implement the recommendations of the audit;
- (13) Any differences arising on financial issues between the Finance Director and the Chief Operating Officer shall be placed before the Board for final decision.
- (14) A Director Research Grants shall be appointed in prescribed manner for a term of five years and shall be eligible for re-appointment at the discretion of the Board.
- (15) The Board shall appoint a selection committee including persons with experience in financial and administrative matters, to recommended suitable persons for appointment of one of them as Director Research Grants.

- (16) No person shall be appointed as Director Research Grants unless he possesses a master's degree in administration and an additional qualification in biology or medicine and have seven years post qualification experience in medical or biological research or administration in a reputable major private or public institution.
- (17) Appointment of Director Research Grants shall be by a transparent process of public advertisement and evaluation as may be prescribed.
- (18) The Director Research Grants shall report to the Chief Operating Officer.
- (19) The following shall be functions and duties of Director Research Grants, namely:—
 - (a) to oversee all research grants, to ensure proper utilization of grants according to the terms and conditions of the grant and to ensure that ethical standards are maintained for the research project;
 - (b) to ensure that annual reports are provided by the principal investigator for each research grant and present the same to the Board; and
 - (c) to undertake any other duties prescribed by the Board.
- (20) The Board may appoint Research Grants Coordinators, as the Board may prescribe, who shall report to the Director Research Grants to assist him in his duties as may be prescribed by the Board.
- (21) A Director Research Grants Applications shall be appointed in the prescribed manner for a term of five years and shall be eligible for re-appointment at the discretion of the Board.
- (22) The Board shall appoint a selection committee including persons with experience in biological or medical research, to recommend suitable persons for appointment of one of them as Director Research Grants Applications.
- (23) No person shall be appointed as Director Research Grants Applications unless he possesses a postgraduate degree in medicine or a Ph.D degree in basic biological sciences and have seven years post qualification experience in medical or biological research in a reputable major private or public institution.

- (24) Appointment of Director Research Grants Applications shall be by a transparent process of public advertisement and evaluation as may be prescribed.
- (25) The Director Research Grants Applications shall report to the Board.
- (26) The following shall be the functions and duties of the Director Research Grants Applications, namely:—
 - (a) to ensure timely advertisement of research grant availability, as may be prescribed by the Board;
 - (b) to accurately log and register receipt of research grant applications and inform the applicant of the same;
 - (c) to review each research grant application for completeness and proper format;
 - (d) to identify the appropriate study section relevant to each individual grant application;
 - (e) to notify each study section, sufficiently in advance of the study section meeting, of all grant applications to be reviewed by them;
 - (f) to ensure absence of conflict of interest or bias regarding each grant application vis-a-vis study section members;
 - (g) to collate the scores received by each grant application, for review by the study section;
 - (h) to arrange and provide support for the study section meeting and advise the study section of rules and administrative matters related to the research applications;
 - (i) to collate all scores from the study section at the end of the study section meeting and grade them in order of merit and present them to the Board for final approval;
 - (j) to inform all grant applicants of the outcomes and critiques of their grant applications; and
 - (k) to perform any other functions as may be prescribed by the Board.
- (27) The Director Research Grant Applications shall be assisted by Research Grant Applications Coordinators having such qualifications for appointment and shall be in such numbers as may be prescribed by the Board.

- (28) The Board may appoint in prescribed manner ancillary staff to perform the functions and achieve objectives of the Council.”.

8. **Substitution of section 10, Act XII of 2016.**—In the said Act, for section 10, the following shall be substituted, namely:—

- “10. **Study sections.**—(1) The Board shall establish study sections as needed to review and advise on research grant applications.
- (2) Each study section shall consist of not less than eleven and exceeding twenty-one members to be appointed in prescribed manner for a term of three years, renewable for one more term.
- (3) Initially there may be one study section, but later, as determined by the Board, different study sections may be established with expertise to cover broad fields of medical research, *e.g.* normal and abnormal function in heart and lung, gastroenterology, renal, infectious diseases, etc.
- (4) No person shall be appointed as member study section unless he is a recognized expert in the fields of medicine or basic biological sciences, preferably with an international reputation and a significant number of research publications in reputable journals as the Board may determine.
- (5) Ad hoc reviewers may be appointed in study sections to review grant applications where there is insufficient expertise amongst the study section members.
- (6) The Director Research Grant Applications shall identify two or three experts from a study section relevant to each grant application who shall be the primary and secondary reviewers for that application.
- (7) Grant applications shall be reviewed in prescribed manner.
- (8) At the study section meeting, for each of which a chairman shall be appointed by the Director Research Grant Applications, each grant application shall be presented and reviewed by the primary and secondary reviewers and discussed by the study section members. The grant application shall then be graded individually by each study section member and the grading noted by the Director or assigned Coordinator.
- (9) Study section members shall receive reimbursement for travel and board to attend the study section meeting and an honorarium to be determined by the Board.”.

9. **Omission of sections 11, 12, 13, 14 and 15, Act XII of 2016.**—In the said Act; sections 11, 12, 13, 14 and 15 shall be omitted.

10. **Amendment of section 16, Act XII of 2016.**—In the said Act, in section 16,—

(a) in sub-section (2),—

(i) in clause (c), for the expression “training, institutional consultancies” the words “grant application fees” shall be substituted and the word “and” at the end shall be omitted; and

(ii) in clause (d), for full stop at the end a semicolon and the word “and” shall be substituted and thereafter the following new clause (e) shall be added, namely:—

“(e) the Council may invest its surplus finds in any security approved by the Federal Government.”; and

(b) after sub-section 2, amended as aforesaid, the following new sub-section (3) shall be added, namely:—

“(3) The Council shall make regulations for, the administration, payment procedure, financial powers and. investment of the fund. These regulations shall require approval of the Finance Division after approval by the Controller-General of Accounts.”.

11. **Omission of section 17, Act XII of 2016.**—In the said Act, section 17 shall be omitted.

12. **Amendment of section 18, Act XII of 2016.**—In the said Act, in section 18, in sub-section (3), after the words “National Bank of Pakistan”, the expression “or any other scheduled bank approved by the Finance Division” shall be inserted.

STATEMENTS OF OBJECTS AND REASONS

Pakistan Medical Research Council under the administrative control of Ministry of National Health Services, Regulations & Coordination, Islamabad has been renamed through Pakistan Health Research Council (PHRC) Act, 2016 by providing administrative and financial autonomy for its efficient functioning.

In order to improve further the working of PHRC and bring at par with the international best practices, certain amendments in the existing Act are crucial to meet the future challenges and bring forth better performance in public interest.

In the above, context, a Bill to be called PHRC (Amendment) Act, 2019 has been ratified by the Federal Cabinet on 30th December, 2019 after vetting from Law and Justice Division and approval of CCLC.

MUHAMMAD AZAM KHAN SAWATI,
Minister for Parliamentary Affairs.

N.A BILL NO. 40 OF 2020

A

BILL

*to regulate the registration, regulation and facilitation of charities in the
Islamabad Capital Territory*

WHEREAS it is expedient to regulate the registration, regulation and facilitation of charities in the Islamabad Capital Territory and for matters connected therewith and ancillary thereto;

It is hereby enacted as follows:—

1. **Short title, extent and commencement.**—This Act shall be called the Islamabad Capital Territory Charities Registration, Regulation and Facilitation Act, 2020.

(2) It shall extend to whole of the Islamabad Capital Territory.

(3) It shall come into force at once.

2. **Definstlons.**—In this Act, unless there is anything repugnant in the subject or context;

(a) “appellate authority” means the appellate authority appointed or designated wider this Act to hear and decide appeals preferred against decision of the registration authority;

- (b) “fund” means money, valuables, land or any contribution having monetary value solicited for funding the project or any activity of a charity or organization;
- (c) “donation” includes cash, kind, land, building, animal, animal hides or anything of monetary value;
- (d) “government funds” means any grant in cash or in kind or land allotted on concessional rates by any government in Pakistan and also includes any funds saved or gained from tax concessions or reduced utility tariffs specific to the charity;
- (e) “prescribed” means prescribed by rules and regulations made under this Act;
- (f) “charter” means a description in writing of the purposes, aims, objectives and the mode of functioning of a charity;
- (g) “governing body” or “executive body” means the council, committee, trustees or other body, by whatever name called, to whom by the constitution of the charity its executive functions and the management of its affairs are entrusted;
- (h) “register” means the register maintained under this Act;
- (i) “registered” means registered under this Act;
- (j) “rules” means rules made under this Act;
- (k) “regulations” means regulations made under this Act;
- (l) “registration authority” means the registration and facilitation authority established under this Act exercising its powers and performing its functions conferred or assigned under this Act;
- (m) “charity” means a society, an agency, a non-governmental organization, non-profit organization, a trust, Madrasa, a religious seminary or any other organization by any other name that is a nonprofit, voluntary association of persons, natural or juristic, not controlled by any government and set up for one or more public benefit or purposes mentioned in the Schedule and includes local branches of foreign non-profit organization but excludes such foreign organizations operating in Pakistan to whose charter, Pakistan is a signatory or where a protocol exists between the Government of Pakistan and an organization and depending for its resources on public subscription, donations or government grants;

- (n) “Schedule” means the Schedule to this Act;
- (o) “financial irregularity” means but not limited to a fraud, an array of irregularities which include illegal acts, concealment of facts, deliberate concealment of information related to financial issues concerning the respective charity or its funding sources as mentioned in its reports or documents and include any embezzlement, internal thefts, payoffs, kickbacks, skimming of funds and spending of funds for non-intending purposes; and
- (p) “person” means both natural and legal person.

3. **Charities registration authority.**—There shall be a body established to be known as charities registration authority which shall appropriately be manned and headed by a director to be appointed or designated in prescribed manner for performance of such functions and exercise of such powers as are conferred or assigned under this Act and the rules and regulations made thereunder.

4. **Functions of the registration authority.**—The registration authority shall perform the following functions, namely:—

- (a) register, regulate, monitor and control charities and perform such other functions as entrusted under this Act and as are assigned to it in the prescribed manner;
- (b) promoting philanthropic, public welfare and charitable activities which are in accordance with law and international obligations aimed at ensuring safer charities and donations;
- (c) ensure purposeful use of resources coming to charities through effective regulations, methods of administration and by supporting the charities, their governing bodies and staff by providing them training, information or any other technical and professional advice and information on any matter that could enhance their effectiveness as well as avert any potential threat of misuse of registered charities;
- (d) devise and issue minimum standards to be adopted by each charity to protect the general public interest and that of the beneficiaries of the charities registered under this Act;
- (e) prepare and provide help and guidance, material and other policy documents for general awareness and adoption by charities;
- (f) prepare and present its quarterly report before the appellate authority; and

- (g) place all the appeals filed against the decisions of the registration authority before the appellate authority within thirty days of the receipt of any such appeal.

(2) All the charities registered under this Act shall follow any specific guidelines issued by the registration authority in prescribed manner with regard to any matter related to the charity in a case specific to a charity, a group of charities or the whole charity sector.

5. Registration of a charity, conditions and procedure of registration.—(1) Registration for the purposes of establishment of a charity shall be mandatory.

(2) All the charities working for welfare or charitable purposes and already registered under any of the laws, other than the laws mentioned in sub-section (3) and rendering services in any or multiple activities mentioned in the Schedule, shall have to seek fresh registration in accordance with the provisions of this Act and on the production of such documents as deemed and required by the registration authority.

(3) The registration of a charity for charitable and welfare purposes under any other law shall cease to be performed. Whereas organisations registered and regulated under section 42 of the Companies Act, 2017 (XIX of 2017) shall continue to be registered and regulated in the manner prescribed thereunder.

(4) Any person or group of persons intending to establish a charity and any person intending that an agency etc. already in existence shall continue as such in the prescribed form, shall on payment of the prescribed fee, make an application to the registration authority, accompanied by a copy of the constitution of the agency and such other documents as may be prescribed.

(5) No charity shall be registered by a name that in the opinion of the registration authority is designed to ethnically exploit or offend any class of people.

(6) No charity shall, except for reasons to be recorded in writing by the registration authority, be registered by a name that contains any words indicating,

- (a) any connections with the Federal Government or a provincial government or district government or any authority or corporation of such government or that of armed forces, judiciary, Senate, National Assembly or a Provincial Assembly;

- (b) any linkage or renaming of proscribed organization or having linkage with a proscribed individual; or
- (c) the patronage of, or any connection with, any foreign government or any international government or multi lateral organization.

(7) A charity which, through inadvertence or otherwise, is registered by a name in contravention of the provisions of sub-section (5) or sub-section (6) shall—

- (a) with approval of the registration authority, change its name; and
- (b) if the registration authority so directs, within thirty days of the receipt of such direction, change its name with the approval of the registration authority.

(8) Any person or charity affected by the decision of the registration authority under sub-section (5), (6) or (7) may prefer an appeal to the appellate authority within sixty days of receipt of such decision and the decision thereon of the appellate authority shall be final.

(9) The registration authority shall, within ninety days from the receipt of the application for registration, issue a certificate of registration or intimate to the charity or organization applying for registration of the deficiencies in the application for registration submitted by it on account of which the charity or organization cannot be registered or provide written reasons for rejection of the application.

(10) Where intimation of flaw in its application is provided to a charity or an organization that has applied for registration, it shall within thirty days redress the deficiencies and resubmit its application, without the payment of fresh registration fee.

(11) Where the specified time of thirty days elapsed as per sub-section (10), fresh application alongwith prescribed fee for registration shall have to be submitted by the intending charity or organization.

(12) If the registration authority has riot intimated a charity or an organization about the flaw in its application and intimation about the rejection of the application along with reasons having been recorded in writing within ninety days, the application shall be deemed to have been accepted and a certificate of registration shall be issued to the charity or organization.

(13) In the event of rejection of the application for registration, an appeal may be preferred to the appellate authority within thirty days of the

receipt of the orders of rejection and the appellate authority shall decide the appeal within sixty days and the decision of which shall be final.

(14) The registration authority may, by notification in the official Gazette, specify in the prescribed manner the registration fee payable.

6. **Validity period of registration certificate.**—(1) A certificate of registration issued by the registration authority shall be valid for one year from the date of issuance which shall be renewable every year on submission of annual progress report, audited accounts for the preceding year, application form, annual fee and such other documents as may be prescribed.

(2) Application for renewal of certificate shall have to be submitted to the registration authority thirty days in advance of completion of following year of registration of the charity concerned.

(3) Conditions specified in section 5 shall also be applicable to the application for renewal of registration certificate alongwith any other condition that. may be specified by the registration authority

7. **Charter of a charity.**—Every charity or organization seeking registration shall, alongwith the application for registration under this Act, file with the registration authority its charter, which shall contain the following, namely:—

- (a) name of the charity or organization;
- (b) objectives of the charity or organization;
- (c) names and addresses of the initial three signatories of the charter as well as the names and addresses of the members of the governing body of the charity or organization at the time that application for registration is made;
- (d) manner in which membership of the charity or organization be acquired and lost;
- (e) manner in which the governing body, by whatever name described, shall come into existence and function; and
- (f) qualifications and disqualifications of any person continuing as a member of the governing body of the charity or organization.

8. **Amendments in the charter of a registered charity.**—(1) No amendment in the charter of a registered charity shall be valid unless it has been approved by two-third majority of its general body members and

thereafter by the registration authority, for which purpose a copy of the amendment shall be forwarded to the registration authority.

(2) If the registration authority is satisfied that any amendment in the charter is not contrary to any of the provisions of this Act or the rules or regulations made thereunder, it may approve the amendment.

(3) Where the registration authority approves an amendment in the charter, it shall issue to the charity a certified copy of the amendment, which shall be conclusive evidence that the same is duly approved.

(4) Any change in the charter of a charity that has been disapproved by the registration authority shall cease to be effective immediately from the date of disapproval communicated to the organization concerned.

(5) An appeal against an order of the registration authority disapproving a change in the purpose or purposes of a charity may be preferred to the appellate authority within thirty days of the receipt of the order of the registration authority which shall be placed before the appellant authority for decision, thereon which shall be final.

9. Conditions to be complied with by registered charity.—(1)
Every registered charity shall —

- (a) maintain book of accounts in a manner laid down by the registration authority in prescribed manner;
- (b) at such time and in such manner as may be prescribed, submit its annual report and annual audited accounts to the registration authority and publish the same and place it on its web-site for general information;
- (c) pay all moneys, received by it, into a separate account kept in its name at any branch of any scheduled bank;
- (d) furnish to the registration authority such particulars with regard to accounts and other records as the registration authority may from time to time require;
- (e) specifically mention financial contributors for activities of the charity; and
- (f) have its own web-site within ninety days from the date of issuance of registration certificate to be linked with database of charities of the registration authority. The web-site shall contain all information regarding constitution of the charity, names and brief introduction of executive members, year-wise financial

quantum and details of the projects undertaken by the charity during the preceding three years of reporting and list of its funding partners.

(2) The registration authority, or any officer duly authorized by it in this behalf, may at all reasonable times visit the office or any of the facility or project run by that charity to ascertain the working and progress of charity and examine its books of account and other records, the securities, cash and other properties held by a charity and all documents relating thereto. Any refusal by a charity to authorize such visit or any breach of the conditions laid down in sub-section (1) may result in deregistration of a charity.

(3) Words in respect of a registered charity of the fact that it is a registered charity shall be stated in urdu and English in legible characters alongwith its registration number.—

- (a) in all notices, advertisements, correspondences and other documents issued by or on behalf of the charity and soliciting money or other property for fulfillment of aims and objectives of the charity;
- (b) in all bills of exchange, promissory notes, endorsements, cheques and orders for money or goods purporting to be signed on behalf of the charity; and
- (c) in all bills rendered by it and in all its invoices, receipts and letters of credit.

(4) Any person who issues or authorizes the issuance of any document falling within clause (a), (b) or (c) of sub-section (3) in which the fact that the charity is a registered body is not stated as required by that sub-section, shall be liable to a fine not exceeding one hundred thousand Rupees.

10. suspension or dissolution of executive bodies of registered charities.—(1) After making such inquiries as it may deem appropriate, if the registration authority is satisfied that the registered charity has been responsible for any irregularity in respect of its funds or for any mal-administration in the conduct of its affairs or has failed to comply with the provisions of this Act or rules or regulations made thereunder, it may, by order in writing, suspend or dissolve the governing body thereof.

(2) Where a governing body is suspended under sub-section (1), the registration authority shall appoint an administrator or a caretaker body consisting of not more than five persons, two from the government and three from the general body of the charity, who shall not be eligible for any appointment in the governing body for the next term.

(3) The administrator or caretaker body appointed under sub-section (2) shall have all the authority and powers of the governing body under the constitution of the charity to carry out the day to day activities of the charity.

(4) The governing body against which an order of suspension or dissolution is made under sub-section (1) may make appeal to the appellate authority against such order, which shall have the power to make such orders as to the reinstatement of the executive, body within thirty days from the date of receipt of such appeal and the decision of the appellate authority shall be final.

11. De-registration of registered charity.—(1) If at any time, the registration authority has reason to believe that a registered charity is acting in contravention of its charter or contrary to any of the provisions of this Act or the rules or the regulations made thereunder or in a manner prejudicial to the interests of the public, the state or its institutions, it may order that the charity shall stand de-registered and removed from the register on and from such date as may be specified in the order:

Provided no order under this sub-section shall be made unless an opportunity of being heard is provided to the charity.

(2) The executive body of a charity on behalf of that charity against whom an order of de-registration is made under sub-section (1) may make an appeal to the appellate authority within thirty days of the receipt of the order, which shall have the power to make such orders as to the re-instatement or endorsement of the decision of registration authority as it may think fit within ninety days from the date of receipt of such appeal and the decision thereon of the appellate authority shall be final.

12. Voluntary dissolution of registered charity.—(1) No registered charity shall be dissolved by the executive body or members thereof.

(2) If it is proposed to dissolve any registered charity, not less than three-fifths of its executive body members may apply to the registration authority in such manner as may be prescribed, for making an order for the dissolution of such charity.

(3) The registration authority, may allow de-registration after examination of the charter, accounts and other prescribed documents of the charity and remove that charity from the register on and from such date as may be specified in the order.

(4) In the event of a delay of more than one hundred and eighty days in the determination of the application for de-registration moved by a charity,

the application shall be deemed to have been accepted unless reasons for the delay are recorded in writing by the registration authority. Such delay shall in no case be more than ninety days beyond the specified original period of one hundred and eighty days.

(5) Appeal against an order to de-register or an order refusing to de-register, passed by the registration authority may be preferred within thirty days of receipt of the order to the appellate authority for placing the same before appellate authority the decision thereon of which shall be final.

13. Consequences of de-registration and voluntary dissolution.—Where any charity is dissolved or de-registered under section 10 or 11, its registration thereunder shall stand cancelled on and from the date of the order of dissolution takes effect and the registration authority may—

- (a) order any bank or other person who hold moneys, securities or other assets on behalf of the charity not to part with such moneys, securities and assets without the prior permission in writing of the registration authority;
- (b) appoint a competent person to wind up the affairs of such charity, with power to institute and defend suits and other legal proceedings on behalf of such charity and to make such orders and take such action as may appear to him to be necessary for the purpose; and
- (c) order any moneys, securities and assets remaining after the satisfaction of all debts and liabilities of such charity to be paid or transferred to such other charity, having objects similar to the objects of the charity, as may be specified in the order.

14. Rights at registered charity.—(1) The property, movable and immovable, belonging to a charity registered under this Act shall be vested in the governing body. In all proceedings, civil and criminal, such property may be described as the property of charity.

(2) Every charity registered under this Act may sue or be sued in the name of the person or persons authorized and designated, for this purpose by the charter or the rules and regulations of a charity and in default of such authorization in the name of such person as shall be appointed by the governing body for the occasion.

(3) Every charity registered under this Act may solicit public donations subject to the fulfilment of conditions and regulations, rules made under this Act and may—

- (a) apply for tax exemptions in the manner prescribed by Federal Board of Revenue; and
- (b) enter into agreements with the state and private parties for the realization of aims and objectives specified in its charter.

15. **Register of charities.**—(1) The registration authority shall, in respect of certificate of registration issued under this Act, maintain a register containing such particulars as may be prescribed.

(2) The registration authority shall keep a manual register of charities, as well as a database of all registered charities in an electronic form, which shall be kept in such manner as may be prescribed.

(3) Any charity which ceases to exist or operate shall be removed from the register, provided a one month notice is served to such a charity to provide it an opportunity to produce documentary evidence of its existence for the purpose for which it was created.

(4) Any charity which does not obtain its annual renewal certificate as required under section 6 shall deem to be considered an un-registered and illegal entity and its name from the register shall be removed.

16. **Appellate authority.**—The Chief Commissioner, Islamabad Capital Territory shall be the appellate authority to hear and decide appeals preferred under this Act.

17. **Financial irregularity.**—(1) On receipt of a complaint in writing alleging financial irregularities supported by one-third of the members of the governing body of registered charity or from a person or body that had contributed more than five percent of the total funds received by the charity in the last year for which final accounts are available, the registration authority, after giving the charity an opportunity of being heard, authorize an external auditor to carry out within sixty days an audit of the charity.

(2) Upon authorization of an external audit in terms of sub-section (1), the registration authority may direct immediate possession of the books of account, ledgers or the relevant electronically or manually preserved data of the charity by an officer of the registration authority.

(3) The external auditor shall, upon authorization in writing, complete the audit and submit the audit report within sixty days:

Provided that registration authority may extend the period of sixty days for another thirty days on the basis of a request in writing from the external auditor clearly stating the grounds therein.

(4) In the event of a complaint being found by the registration authority to be vexatious or frivolous, the registration authority may impose an administrative fine of up to twenty-five thousand Rupees on each one of the complainants. In the case of a member of the governing body or other member or an official of a charity being fined under this sub-section, he shall stand removed from the office held by him as well as the membership of the charity. Appeal against an order imposing a fine in terms of this sub-section may be preferred within thirty days of such order to the appellate authority for placing the same before the appellate authority who shall decide it on merit and that decision shall be final

(5) In the event of the external auditor's report indicating serious financial irregularity or irregularities, the registration authority shall provide with the auditor's report and the issues required to be addressed by the charity or any of its office bearers or members who shall be provided due opportunity of being heard. The registration authority, if not convinced with the reply, may initiate an inquiry. If upon completion of its inquiry, the registration authority is satisfied that serious financial irregularity has been committed with respect to the affairs of a registered charity, it may—

- (a) suspend or remove, after recording reasons in writing one or more members of the governing body or such other members or office bearers thereof as appear to be responsible for the irregularities detected; and
- (b) initiate civil as well as criminal proceedings against such office bearer or member, including proceedings for the recovery of the mis-appropriated assets.

(6) The vacancies caused by removing of the members of the governing body of a charity shall be filled in accordance with the charter of the charity, but in no case later than sixty days from the date of removal of the members of the governing body found responsible for financial irregularities.

(7) The vacancies created as a result of such suspensions shall be filled up in accordance with the charter or bye-laws of the charity.

(8) Any member of the governing body of the charity or office bearer thereof or any other member the Charity suspended under sub-section (5) shall not act as office-bearer of the charity during the period of his suspension.

18. Fund raising and public solicitation.—(1) Any charity registered under this Act shall have the authority to indulge into fund-raising activities and seek public solicitation, both local and foreign.

(2) Any charity registered under this Act and undergoing an activity to collect funds shall ensure that,—

- (a) purposes of solicitations for donations have accurately and transparently been conveyed to donors for which donations are being collected;
- (b) the projects have actually been carried out for which funds were collected; and
- (c) the beneficiaries are real and that the intended beneficiaries are the ones for whom funds were actually received.

(3) Any person or group of persons, whether the office bearer, employee or a third party, found involved in collection of funds or public solicitation for or on behalf of an un-registered, illegal or proscribed entity, shall be liable to punishment of one year imprisonment or fine of two million Rupees or both.

(4) No individual, organization, society, charity, trust, non-governmental organization or non-profit organization etc. shall collect or raise funds or donations for charitable purposes as mentioned in Schedule-I from public through any campaign using, mass media including electronic, social, digital or print media or through banners, placards, hoardings, public gathering etc. until such society, charity, NGO or NPO etc. is registered under this Act and any violation of this provision shall attract prosecution for the offences as mentioned in Schedule-II.

19. Opportunity of hearing.—(1) No administrative order or action adversely affecting any person or charity shall be passed or taken under this Act unless such person or charity is afforded an opportunity of being heard.

(2) After receiving any complaint in writing from any quarter or if the registration authority itself has information that any of the provisions of this Act has been violated by any person or charity, such person or charity shall be served with a notice for explanation giving therein the opportunity of personal hearing and to respond within fifteen days to that notice. In case of no response, a second notice shall be served. In case that notice is also not responded within ten days of its issuance, it shall be presumed that the person or charity has nothing to say in his or its defence and the decision shall be made *ex-parte*.

20. **Penalties and procedure.**—(1) Any person who—

- (a) contravenes any of the provisions of this Act or any rule, regulation or order made thereunder shall be punished accordingly; or
- (b) commits an offence which falls under the Pakistan Penal Code, 1860 (Act V of 1860), the Anti-Terrorism Act, 1997 (XXVII of 1997), The Anti-Money Laundering Act, 2010 (VII of 2010), the Prevention of Corruption Act, 1947 (II of 1947), the Foreign Exchange Regulation Act, 1947 (VII of 1947), the Copyright Ordinance, 1962 (XXXIV of 1962), the Pakistan Arms Ordinance, 1965 (W.P. Ord. No. XX of 1965), the Emigration Ordinance, 1979 (XVIII of 1979), the Control of Narcotic Substances Act, 1997 (XXV of 1997), the Pakistan Environmental Protection Act, 1997 (XXXIV of 1997), the National Accountability Ordinance, 1999 (XVIII of 1999), the Registered Designs Ordinance, 2000 (XLV of 2000), the Trade Marks Ordinance, 2001 (XIX of 2001), the Prevention and Control of Human Trafficking Ordinance, 2002 (LIX of 2002), the Federal Excise Act, 2005, or any other relevant law, for the time being in force, shall be punished accordingly; and
- (c) contravenes the provision of sub-section (4) of section 18, shall be liable to a fine upto the extent of one million Rupees or imprisonment upto six months or both.

(2) When the offence is committed by a charity, every office bearer thereof shall, unless he proves that the offence was committed without his knowledge or consent, be deemed to be guilty of such offence.

(3) Any person convicted under this Act shall stand disqualified for life time for becoming member of any charity or to seek employment in any charity.

21. **Indemnity.**—No suit, prosecution, or other legal proceeding shall be instituted against any person for anything that is done in good faith or intended to be done in good faith under this Act.

22. **Power to amend the Schedules.**—The Government may, by notification in the official Gazette, amend the Schedules so as to amend therein or omit therefrom or add thereto any field of social welfare service or, as the case may be, offences of any law.

23. **Delegation of powers.**—The Government may, by notification in the official Gazette, delegate all or any of its powers under this Act, either generally or in respect of such charity or class of charities as may be specified in the notification, to any of its officers.

24. **Power to make rules.**—The Government may, by notification in the official Gazette, make rules, not inconsistent with any provision of this Act, for carrying into effect the provisions of this Act.

25. **Power to make regulations.**—The Chief Commissioner Islamabad Capital Territory may make regulations, not inconsistent with any of the provisions of this Act and of the rules made thereunder, to carry out purposes of this Act.

26. **Removal of difficulties.**—If any difficulty arises in giving effect to any of the provisions of this Act may make such order as may be necessary:

Provided that this power shall not be exercised beyond the period of two years from the commencement date of this Act.

26. **Repeal.**—The Voluntary Social Welfare Agencies (Registration and Control) Ordinance, 1961 (XLVI of 1961) is hereby repealed to the extent of Islamabad Capital Territory.

THE SCHEDULE-I

(Thematic areas of welfare activities)

[See section 2]

1. Child welfare;
2. Youth welfare;
3. Women's welfare;
4. Welfare, Training and Rehabilitation of the persons with disabilities;
5. Family planning and population welfare;
6. Recreational programmes intended to keep people away from anti-social activities;
7. Civic education, aimed at developing sense of civic responsibility;
8. Welfare and rehabilitation of prisoners;
9. Welfare of juvenile delinquents;

10. Welfare of the beggars and destitute;
11. Welfare and rehabilitation of patients;
12. Welfare of the aged and infirm;
13. Training and capacity building of personnel engaged in social services delivery;
14. Environment protection and related issues;
15. Drug abuse and narcotics;
16. Social research;
17. Human rights;
18. Religious education, interfaith and sectarian harmony;
19. Education;
20. Health and reproductive health;
21. Poverty alleviation;
22. Cultural heritage and promoting culture of Pakistan;
23. Vocational and professional training; and
24. De-radicalization and counter violent extremism.

SCHEDULE-II

OFFENCES

1. The Pakistan Penal Code, 1860 (V of 1860);
2. The Anti-Terrorism Act, 1997(XXVII of 1997);
3. The Anti-Money laundering, Act, 2010 (VII of 2017);
4. The Prevention of Corruption Act, 1947 (II of 1947);
5. The Foreign Exchange Regulation Act, 1947 (VII of 1947);

STATEMENT OF OBJECTS AND REASONS

Charities in a welfare society perform a pivotal role in uplifting of the poor and needy people which are made with an object to get religious piousness as well as to serve the deserving human beings in order to enable them to become equally good citizens. The confidence and trust of the charity makers requires utilization of their financial resources endowed for the purpose, in accord with their religious commands as well as the internationally recognized principles of humanity to the effect. So, it becomes necessary to make effective provisions for registration, administration, regulation and facilitation of the charities so as not only to encourage the resourceful people who endow their sources for the welfare of mankind but also ensure the receipt, registration, administration, regulation and utilization of the charities just for the purposes of human uplift.

It is also necessary that the charities may not be mis-used in any illegal activities like terrorism, sectarianism, money laundering, discord, distortion or the activities declared illegal by any national or international law.

BRIG.(R) IJAZ AHMAD SHAH,
Minister For Interior.

N.A BILL NO. 41 OF 2020

A

BILL

*further to amend the Pakistan Arms Ordinance, 1965 to the extent of
Islamabad Capital Territory*

WHEREAS it is expedient further to amend the Pakistan Arms Ordinance, 1965 (W. P. Ord. XX of 1965), to the extent of Islamabad Capital Territory for the purpose hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.**—(1) This Act shall be called the Pakistan Arms (Amendment) Act, 2020.

(2) It shall come into force at once.

2. **Amendment of section 11A, W.P. Ordinance No. XX of 1965.**—In the Pakistan Arms Ordinance, 1965 (W. P. Ord. XX of 1965), in Section 11A, after subsection (4), the following new sub-sections shall be added, namely:—

- “(5) The Federal Government may, by notification in the official Gazette, delegate any of its powers under this Ordinance to be exercised by any authority or officer sub-ordinate to it, subject to such extent, limitations and conditions as are specified in the notification.
- (6) All prohibited bore and non prohibited bore arms licences issued, cancelled, suspended or modified, actions done, powers exercised, appointments made, persons authorized, agreements made, prior to commencement of the Pakistan Arms (Amendment) Act, 2020, shall be deemed to have validly been issued, cancelled, suspended, modified, done, exercised, made and authorized under this Ordinance.”.

STATEMENT OF OBJECTS AND REASONS

Under Section 11(A)(2) and (3) of Pakistan Arms Ordinance, 1965, Federal Government is the Authority to issue Arms Licences in Prohibited Bore (PB) and Non-Prohibited Bore (NPB) category. As per Arms Policy, 2012, Prime Minister is the Authority for PB, while Minister for Interior / Secretary is the authority for NPB Arms Licences. Supreme Court *vide* its Judgement dated 18-08-2016 in Mustafa Impex case declared Federal Government as Cabinet. Hence, in accordance with aforementioned Sections of Pakistan Arms Ordinance, 1965 the powers to issue licenses rest with the Cabinet. However, issuance of Arms Licences continued as per Arms Policy, 2012 even after the above said judgement of Supreme Court.

2. Further, the Cabinet in its meeting held on 8th September, 2017 in case No. 419/19/2017-C decided that all Ministries and Divisions should in consultation with Law & Justice Division, make amendments in the respective Acts/Rules and replace the words “Federal Government” with appropriate authority (ies). Also, the cases of Arms Licences do not fall in the category which should be brought before the Cabinet as per Rule 16 of Rules of Business, 1973. The large number of such cases of routine nature may not be a burden on the Cabinet.

3. Therefore, the Bill in consultation with Ministry of Law & Justice is hereby submitted to amend the Pakistan Arms Ordinance, 1965 that Federal Government (Cabinet) may delegate any of its powers under this

Ordinance to any of its sub-ordinate authority or officer and to validate the issuance of arms licenses, in accordance with section 11-A of the Pakistan Arms Ordinance, 1965.

BRIG. (R) IJAZ AHMAD SHAH,
Minister for Interior.

Pursuant to rule 235 (4) of the Rules of Procedure and Conduct of Business in the National Assembly, 2007, the following report of the Standing Committee, presented to the National Assembly on 9th March, 2020 are published for information:—

**REPORT OF THE STANDING COMMITTEE ON INTERIOR
ON THE ANTI-TERRORISM (AMENDMENT) BILL, 2020
(GOVERNMENT BILL)**

I, Chairman of Standing Committee on Interior have the honor to present this report on the Bill further to amend the Anti-terrorism Act, 1997 (Act XXVII of 1997), [The Anti-Terrorism (Amendment) Bill, 2020] (Government Bill), referred to the Committee on 31st January, 2020.

2. The Committee comprises the following:

(1) Raja Khurram Shahzad Nawaz	Chairman
(2) Mr. Sher Akbar Khan	<i>Member</i>
(3) Mehar Ghulam Muhammad Lali	<i>Member</i>
(4) Mr. Raza Nasrullah	<i>Member</i>
(5) Khawaja Sheraz Mehmood	<i>Member</i>
(6) Mr. Rahat Aman Ullah Bhatti	<i>Member</i>
(7) Malik Karamat Ali Khokhar	<i>Member</i>
(8) Sardar Talib Hassan Nakai	<i>Member</i>
(9) Ms. Nafeesa Inayatullah Khan Khattak	<i>Member</i>
(10) Mr. Muhammad Akhtar Mengal	<i>Member</i>
(11) Nawabzada Shazain Bugti	<i>Member</i>
(12) Malik Sohail Khan	<i>Member</i>
(13) Syed Iftikhar-Ul-Hassan	<i>Member</i>
(14) Mr. Mohammad Pervaiz Malik	<i>Member</i>
(15) Mr. Nadeem Abbas	<i>Member</i>

(16)	Ms. Maryam Aurangzaib	<i>Member</i>
(17)	Syed Agha Rafiullah	<i>Member</i>
(18)	Nawab Muhammad Yousuf Talpur	<i>Member</i>
(19)	Mr. Abdul Qadir Patel	<i>Member</i>
(20)	Mr. Asmatullah	<i>Member</i>
(21)	Mr. Ijaz Ahmad Shah Minister for Interior	Ex-officio <i>Member</i>

3. The Committee considered the Bill as introduced in the National Assembly placed at **Annex-A**, in its meeting held on 14-02-2020 and 17-02-2020. The Committee recommends that the Bill as introduced may be passed by the National Assembly.

-Sd-
(TAHIR HUSSAIN),
Secretary.

-Sd-
(RAJA KHURRAM SHAHZAD NAWAZ),
Chairman.
Standing Committee on Interior.

[Islamabad, the 17, Feb., 2020.]

Annex-A

[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

further to amend the Anti-terrorism Act, 1997

WHEREAS, it is expedient further to amend the Anti-terrorism Act, 1997 (XXVII of 1997) for the purposes hereinafter appearing;

It is hereby enacted as under:—

1. **Short title, Extent and Commencement.**—(1) This Act may be called the Anti-terrorism (Amendment) Act, 2020.

(2) It shall come into force at once.

2. **Amendment of section 2, XXVII of 1997.**—In the Anti-terrorism Act, 1997 (XXVII of 1997), hereinafter referred to as “the Act”, in section 2 the existing clause (pa) shall be re-numbered as clause (paa) and before the aforesaid re-numbered clause the following new clause shall be inserted, namely:—

“(pa) ‘Person’ means any natural or legal person including government body, autonomous or semi-autonomous entity, regulatory authority, body corporate partnership association, trust, agency or any other undertaking responsible for carrying out the purposes of this Act”.

3. **Amendment of section 11O, Act XXVII of 1997.**—In the Act, in section 11O.—

(a) in sub-section (2), the words “to penalty of fine not exceeding ten million rupees” the words “on conviction to a term not exceeding ten years or with fine not exceeding twenty-five million rupees or with both” shall be substituted;

(b) in sub-section (3), for the word “to penalty of fine not exceeding ten million rupees and every director, officer or employee of such person found guilty of the violation shall be punished in terms thereof”, the words “on conviction to fine not exceeding fifty million rupees and every director, officer or employees of such person found guilty of the violation shall be liable on conviction to a term not exceeding ten years or with fine not exceeding twenty five million rupees or with both” shall be substituted; and

(c) after sub-section (3), the following new sub-section shall be inserted, namely-

“(4) Notwithstanding anything contained in sub-section (2), if any public servant is found negligent in complying with the provision of sub-section (1) such public servant shall be proceeded against under respective service rules for administrative action.”

4. **Insertion of section 11OOO, Act XXVII of 1997.**—In the Act, after section 11OO, the following new section shall be inserted namely:—

“11OOO. **Violation of UN Security Council Resolution.**—(1) A person is guilty of an offence if he, in any way whatsoever, refuses or fails to comply with the orders of the Federal Government under section 2 of United Nations (Security Council) Act, 1948 (XIV of 1948).

- (2) A person guilty of an offence under sub-section (1), shall be liable to conviction to imprisonment for a term not exceeding ten years or with fine not exceeding twenty five million rupees or with both.
- (3) If a legal person commits an offence under sub-section (1), such person shall be liable on conviction to fine not exceeding fifty million rupees and every director, officer or employee of such legal person found guilty of the violation shall be liable on conviction to imprisonment for a term not exceeding ten years or with fine not exceeding twenty five million rupees or with both.
- (4) Notwithstanding anything contained in sub-section (2), of 11000, if any public servant is found negligent in complying with the provisions of sub-section (1), such public servant shall be proceeded against under respective service rules for administrative action.”

STATEMENT OF OBJECTS AND REASONS

The Anti-Terrorism Act (ATA), 1997, though comprehensive in its scope, lacks certain provisions in relation to the implementation of United Nations Security Council Resolutions (UNSCRs) 1267 and 1373. The UNSCRs 1267 and 1373 were adopted under Article 41 of Chapter-VII of the United Nations Charter making them obligatory for all members of the United Nations. Through UNSCR 1267, member states of the United Nations implement the sanctions measures of assets freeze (targeted financial sanctions), arms embargo and travel ban on the entities and individuals who are designated on the sanctions list. UNSCR 1373 requires member states to implement counter terrorism measures, especially countering the financing of terrorism through their domestic laws. The above obligation is implemented in Pakistan through Anti-Terrorism Act, 1997. The penalties already provided in the said Act are not dissuasive for violations of assets seizure provision in section 11-O and the provided amount of fine is insufficient.

IJAZ AHMED SHAH,
Minister for Interior.

TAHIR HUSSAIN,
Secretary.