

[AS PASSED BY THE NATIONAL ASSEMBLY]

A
Bill

to provide a regulatory and enabling environment for private participation in provision of public infrastructure and related services through fair and transparent procurement processes

WHEREAS it is expedient to establish a regulatory framework to execute public private partnership in Pakistan so as to promote domestic and foreign private investment in infrastructure to increase availability of public infrastructure, reduce transaction costs, ensure appropriate regulatory controls, and provide legal and economic mechanisms to enable the resolution of contract disputes, among others through transparent and fair procurement process;

It is hereby enacted as follows:—

CHAPTER I
Preliminary

1. Short title, extent, application and commencement.—(1) This Act may be called the Public Private Partnership Authority Act, 2016.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

(4) It shall apply to all kinds of projects undertaken by an implementing agency under public private partnership.

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

(a) “agreement” means a written agreement between an implementing agency and a private party for implementation of a project and any other agreement subsidiary or incidental to it;

(b) “Authority” means the Public Private Partnership Authority established under section 3;

(c) “Board” means the Board constituted by the Federal Government in accordance with section 6;

(d) “bid documents” means request for proposal or pre-qualification, issued by implementing agency under the provisions of this Act;

(e) “dispute” means any monetary claim or contractual dispute between a private party and an implementing agency under an agreement;

(f) “implementing agency” means any of the line ministries, attached departments, body corporate, autonomous body of the Federal Government or any organization or corporation owned or controlled by the Federal Government;

