

[AS PASSED BY THE NATIONAL ASSEMBLY]

A

Bill

Further to amend the Privatization Commission Ordinance, 2000

WHEREAS it is expedient further to amend the Privatization Commission Ordinance, 2000 (LII of 2000) for the purpose hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.— (1) This Act may be called the Privatization Commission (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment in section 7, Ordinance LII of 2000.— In the Privatization Commission Ordinance, 2000 (LII of 2000), hereinafter referred to as the said Ordinance, in section 7,-

(a) for sub-section (1), the following shall be substituted, namely:-

“(1) The Prime Minister of Pakistan shall appoint the Chairman, Secretary and members.”;

(b) in sub-section (6), in clause (c), for the words “Federal Government”, the words “Prime Minister of Pakistan” shall be substituted; and

(c) in sub-section (7), for the words “Federal Government”, the words “Prime Minister of Pakistan”, shall be substituted.

3. Substitution of section 19, Ordinance LII of 2000.— In the said Ordinance, for section 19, the following shall be substituted, namely:-

“19. Bank Accounts.— (1) Subject to this section, the Commission may open and maintain its accounts at such scheduled banks as it may determine.

(2) The Commission may open an account in a scheduled bank with at least high credit quality assigned by a credit rating agency recognized by the State Bank of Pakistan.

(3) The Commission shall annually review the credit quality of a bank in which the Commission is maintaining an account and only continue to maintain account in the bank with at least high credit quality under sub-section (2).”

STATEMENT OF OBJECTS AND REASONS

Article 90 of the Constitution as interpreted by the Supreme Court defines the ‘Federal Government’ to mean the Prime Minister and the Federal Ministers, collective known as the Cabinet. Section 7 of the Privatization Commission Ordinance, 2000, *inter alia*, provides that the Chairman, Secretary and member shall be appointed by the Federal Government. Previously, they were appointed by the Prime Minister. Similarly, constitution of Special Medical Board by the Federal Government on physical or mental incapacity of the Chairman, Secretary or Member of the Privatization Commission casts unnecessary burden on the Cabinet. Furthermore, section 19 of the Ordinance provides that the Privatization Commission may open a bank account in consultation with the Federal Government. Burdening the Cabinet in matter like opening of a bank account of an autonomous body is not at all appropriate. All these measures require amendments in the Ordinance. Hence this Bill.

2. The Bill is designed to achieve the aforesaid object.

Minister-in-Charge