

AN
ACT

*further to amend the Khyber Pakhtunkhwa
Establishment of Information Technology Board Act, 2011*

WHEREAS it is expedient further to amend the Khyber Pakhtunkhwa Establishment of Information Technology Board Act, 2011 (Khyber Pakhtunkhwa Act No. XI of 2011), for the purposes hereinafter appearing;

1. Short title and commencement.--(1) This Act may be called the Khyber Pakhtunkhwa Establishment of Information Technology Board (Amendment) Act, 2018.

(2) It shall come into force at once.

2. Substitution of Preamble of the Khyber Pakhtunkhwa Act No. XI of 2011.-- In the Khyber Pakhtunkhwa Establishment of Information Technology Board Act, 2011 (Khyber Pakhtunkhwa Act No. XI of 2011), hereinafter referred to as the said Act, for the existing Preamble, the following shall be substituted, namely:

“WHEREAS it is expedient to provide for the establishment of the Khyber Pakhtunkhwa Information Technology Board for promotion, planning, execution, supervision, evaluation and regulation of the Information and Communication Technology, Information and Communication Technology enabled services and education for public and private sectors of the Province of the Khyber Pakhtunkhwa and for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:”.

3. Insertion of new section in the Khyber Pakhtunkhwa Act No. XI of 2011.--In the said Act, after section 3, the following new section 3A shall be inserted namely:

“3A. Status of the Directorate of Information Technology and its employees.--On commencement of the Khyber Pakhtunkhwa Establishment of Information Technology Board (Amendment) Act, 2018,-

- (i) the Directorate of Information Technology, shall cease to be an Attached Department of Science and Technology and Information Technology Department of Government, and shall be merged into Board and the Board shall, take over the functional, administrative, financial and regulatory control over all the activities, offices, projects, centers, etc. of the Directorate of Information Technology, for the disposal of its functions;
- (ii) all the movable and immovable assets and liabilities including furniture, fixture, equipment, vehicles, record, data etc. of the Directorate of Information Technology shall be transferred to the Board and ownership of such assets shall vest in the Board;
- (iii) all the civil servants serving in Directorate of Information Technology, shall be given an option, either to continue to serve as civil servant or may opt for the employment of the Board. The option shall be exercised within a period of thirty days after the commencement of

(e) in clause (m), the full stop appearing at the end shall be replaced by semicolon and thereafter the following new clauses shall be added, namely:

- “(n) finance, promote, train and develop the human resource and entrepreneurs of the Province in the field of information and communication technology, within Pakistan as well as abroad;
- (o) launch Research and Development Programs and up-gradation of its infrastructure;
- (p) monitor and evaluate the outcome and results of Information and Communication Technology projects initiated by Government in the Province and provide policy guidelines to Government departments, Government organizations, semi-autonomous and autonomous agencies under the administrative control of Government, Research and Development institutions for their restructuring and enhancement of Information and Communication Technology activities;
- (q) advise and regulate Government departments, Government organizations, semi-autonomous and autonomous agencies under the administrative control of Government on the introduction and usage of Information and Communication Technology;
- (r) promote usage of Information and Communication Technology by awarding scholarships, awards, certificates, holding of conferences, expos, seminars, workshops, in-service training and acquiring higher education;
- (s) plan, execute, monitor, evaluate and regulate computerization, automation and all Information and Communication Technology related initiatives, activities and projects in Government departments, Government organizations, semi-autonomous and autonomous agencies under the administrative control of Government;
- (t) plan, execute, monitor and regulate electronic governance and mobile governance of Government departments;
- (u) promote, establish, monitor, evaluate and regulate electronic commerce, electronic payments, electronic payment gateways and electronic payment service providers in the Province;
- (v) establish venture capital fund, angel investment fund, crowd sourcing fund, private equity fund or any other variant of fund, for financing, investing and holding equity share in technology startup businesses;
- (w) enter into Concession Contract under the Khyber Pakhtunkhwa Public Private Partnerships Act, 2014, for promoting Public Private Partnership;
- (x) establish academia-industry linkages; and
- (y) ensure that the shares of the Province in all Federal Information and Communication Technology related services, including autonomous bodies and corporations established by, or under the control of, Federal Government, such as, Universal Service Fund, National Information

10. **Amendment in section 13 of the Khyber Pakhtunkhwa Act No. XI of 2011.**--In the said Act, in section 13, after sub-section (2), the following new sub-section (3) shall be inserted, namely:

“(3) The Board may, in addition to the audit under sub-section (2), cause its accounts to be audited by any other external auditor.”.

11. **Repeal.**--The Khyber Pakhtunkhwa Establishment of Information Technology Board (Amendment) Ordinance, 2017 (Khyber Pakhtunkhwa Ordinance No. IV of 2017) is hereby repealed.

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(NASRULLAH KHAN KHATTAK)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa
