

(As introduced in the House on 26-10-2016)

A  
BILL

Further to amend the Khyber Pakhtunkhwa Public Procurement  
Regulatory Authority Act, 2012

WHEREAS it is expedient further to amend the Khyber Pakhtunkhwa Public Procurement Regularity Authority Act, 2012 (Khyber Pakhtunkhwa Act No. XI of 2012), for the purposes hereinafter appearing;

It is hereby enacted as follows:

1. **Short title and commencement.**---(1) This Act may be called the Khyber Pakhtunkhwa Public Procurement Regularity Authority (Amendment) Act, 2016.

(2) It shall come into force at once.

2. **Amendment of section 2 of the Khyber Pakhtunkhwa Act No. XI of 2012.**---In the Khyber Pakhtunkhwa Public Procurement Regularity Authority Act, 2012 (Khyber Pakhtunkhwa Act No. XI of 2012), hereinafter referred to as the said Act, in section 2, in sub-section (1), after clause (s), the following new clause shall be inserted, namely:

“(s-i) “regulations” mean regulations made under this Act;”.

3. **Amendment of section 5 of the Khyber Pakhtunkhwa Act No. XI of 2012.**---In the said Act, in section 5,-

- (a) in clause (k), the word “and” , appearing at the end, shall be deleted; and
- (b) the existing clause (l) shall be re-numbered as clause (m) and before clause (m), as so re-numbered, the following new clause shall be inserted, namely:

“(l) lay down codes of ethics and procedures for procurement, inspection and quality of goods, services and works; and”.

4. **Insertion of new section in the Khyber Pakhtunkhwa Act No. XI of 2012.**---In the said Act, after section 8, the following new section shall be inserted, namely:

“8-A **Delegation of powers.**--- The Authority may, subject to such conditions and limitations as it may deem appropriate, delegate any of its functions or powers, as the case may be, to the Managing Director.”.

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5. **Amendment of section 14 of the Khyber Pakhtunkhwa Act No. XI of 2012.**---In the said Act, in section 14, in sub-section (2), for the word "printed", the word "print" shall be substituted.

6. **Insertion of new sections in the Khyber Pakhtunkhwa Act No. XI of 2012.**---In the said Act, after section 35, the following new sections shall be inserted, namely:

**"35-A. Power to make regulations.**--- The Authority may make regulations, not inconsistent to this Act or rules, for carrying out the purposes of this Act.

**35-B. Indemnity.**---No suit, prosecution, or other legal proceedings shall lie against the Authority, the Board, the Chairperson Managing Director, officer, servants, advisers or consultants of the Authority in respect of anything done or intended to be done in good faith under this Act."

#### STATEMENT OF OBJECTS AND REASONS

It is desirable to amend the Khyber Pakhtunkhwa Public Procurement Regularity Authority Act, 2012 (Khyber Pakhtunkhwa Act No. XI of 2012), Hence, this Bill.

**MINISTER-IN-CHARGE**  
**MUZAFAR HAD**  
 Advocate  
 Minister (Finance)  
 Govt. of Khyber Pakhtunkhwa

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