

THE BALOCHISTAN GAZETTE
PUBLISHED BY AUTHORITY

NO, 45 QUETTA SATURDAY APRIL 23, 2022,

BALOCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT.

NOTIFICATION.

Dated Quetta, the 23 April, 2022.

No. PAB/Legis:V(09)/2022/8095. The Balochistan Charities Registration, Regulation and Facilitation (Amendment) Bill, 2022 (Bill No.09 of 2022), having been passed by the Provincial Assembly of Balochistan on 19th April, 2020 and assented to by the Governor Balochistan, on 20th April, 2022 is hereby

published as an Act of the Balochistan Provincial Assembly.

THE BALOCHISTAN CHARITIES REGISTRATION, REGULATION

AND FACILITATION (AMENDMENT) ACT, 2022 ACT NO.VILOF
2022

(first published after having received the assent of the Governor of Balochistan in the Balochistan Gazette(Extra-ordinary) dated 23rd April, 2022.

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AN

ACT

to amend the Balochistan Charities Registration, Regulation and Facilitation Act, 2019 (Act No-XI of 2019).

Preamble. WHEREAS, it is expedient to amend the Balochistan Charities Registration and Regulation Authority Act, 2019 (Act No, XI of 2019), in the manner hereinafter appearing;

It is hereby enacted as follows:-

Short Title and 1. (1) This Act may be called the Balochistan Charities Commencement Registration, Regulation and Facilitation (Amendment) Act, 2022.

(2). It shall come into force at once.

Amendment of 2. In the Balochistan Charities Registration, Regulation and Section 3, Act Facilitation Act 2019 (Act XI of 2019), hereinafter referred XI of 2019. to as the said Act, in Section-3, —

(a) In sub-section (3), after clause (g), the following new clauses shall be added:-

“(h) approve the budget of the Authority and order for re-appropriations of fund;

(i) make regulations and approve policies and manuals in order to carry out the purposes of this Act; and

(j) delegate powers and functions to the Executive Committee and other Committees deemed to be fit for any purpose of this Authority.”

(b) for sub-section (5), the following shall be substituted: -

“(5) Besides the Director General, there shall be such officers and staff in the Authority

Insertion of
new section
in Act XI of

2019.

for the smooth function of the authority and assistance of the Director General, as the Government may deem fit from time to time, who shall be deemed to be Public servants appointed and governed by the provisions of the Balochistan Charities Registration, Regulation and Facilitation Act, (Act XI of 2019) as in force for the time being or amended hereinafter, as well as the rules made there under or made applicable to the Public servants.”

In the said Act, after Section-3, the following new sections with marginal headings shall be inserted:-

“3-A.Account and Audit.

(1) The Authority shall maintain complete and accurate books of accounts in connections with discharge of its responsibility under this Act as may be prescribed by the Auditor General,

(2) The Auditor General shall audit the accounts of the Authority in such manner as may be prescribed.

3-B. Budget.

(1) The Executive Committee of the Policy Board with assistance of the Director Admin/Finance of the authority shall, in respect of each Financial Year, in accordance with Financial Procedures prescribed, prepare the annual budget of the Authority and submit the same to the Policy Board for approval.

(2) The Director General of the Authority shall be the principal Accounting officer of the Authority and subject to the regulations and any general or specific instructions of the Policy Board, the Director General shall have the power to incur expenditure for the purpose of this Act.

3-C. Social Sector Development Fund.

(1) There shall be established a fund to be known as the “Social Sector Development Fund” which shall vest in the Authority and shall be utilized in such manner as approved by the Policy Board of the Authority.

(2) The following shall be credited in the Social Sector Development Fund:-

(aj)

(b)

(d)

(c)

Grants made by the Government;

Money received from the Federal Government or any National or International agency by way of grants;

Donations by Persons, association of Persons:

Zakat share transferred by the Government to the Authority;

Income from the investment of any funds of the Authority;

Corporate Social Responsibility funds:
and

All other sums as may be received by the fund.”

Amendment of 4. In the said Act, in Section-7, for sub-section (6), the

Section "7" following shall be substituted:-

Act XI of

2019. "(6) An appeal against an order of the

Registration Authority, disapproving a
change in the Charter of an organization
may be preferred to the Board through
Director General within thirty days of the
receipt of the orders of rejection and the
Board shall decide the matter within Ninety
(90) days, the decision of which shall be
final."

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Amendment of 5. Inthe said Act, in Section-15 —

Section-15, Act

XI of 2019. (a) for sub-sections (2), (3) (4) and (7),the following shall be substituted:-

(2) The Board shall comprise of Eleven (11) members including Chairperson, one Member of Provincial Assembly to be nominated by the Speaker, having three (3) private members from Civil Society and Six (6) ex-officio members not below the rank of an Additional Secretary, from the following Departments:-

G} Home Department, Government of Balochistan:

(ii) Social Welfare Department, Government of Balochistan:

iii) Religious Affairs Department, Government of Balochistan:

iv) Finance Department, Government of Balochistan;

(v) Law & Parliamentary Affairs Department, Government — of Balochistan; and

(vi) Services and General Administration Department, Government of Balochistan.

(3) The Minister of Social Welfare Department, Government of Balochistan shall be the Chairperson of the Board:

Provided that when the Chairperson is absent then the meeting shall be chaired by the Secretary, Government of Balochistan Social Welfare Department.

(4) The Chief Minister shall appoint private members from civil society amongst the persons having established credentials of working in the Sector, who shall be nominated for a period of three years which shall not be extendable for a second consecutive term.

(7) In particular and without the generality of the power prescribed herein above sub-section (1), the Policy Board shall perform the following functions:-

ih Review the quarterly report presented by Registration Authority and suggest measures (if any) for the improvement of the working of the Authority or the Charity Sector;

Gi} Hear and decide the appeals filed against the decisions of Registration Authority, who shall either maintain the decision of the Registration Authority or reverse it along with the reasons to be recorded in writing and that decision shall be final: and

{iii} the Policy Board shall be the final approval Authority of all major financial decisions except allocation of the grant in aid, development schemes of PSDP and Federal grants which will be decided by relevant Government: Federal / Provincial."

TAHIR SHAH KAKAR,
Secretary.