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THE GUN AND COUNTRY CLUB ACT, 2023

(ACT No. LI OF 2023)

AN ACT

[7th August, 2023]

to provide for the establishment, administration and management of the affairs of the Gun and Country Club in Islamabad.

WHEREAS a shooting facility was established in Islamabad having indoor and outdoor ranges along with other relaxation and entertainment facilities exclusively for its members;

AND WHEREAS it is expedient to provide for the establishment of the Gun and Country Club and to properly regulate, administrator and manage its affairs and allied matters.

It is hereby enacted as follows:—

1. Short title and commencement.— (1) This Act shall be called the Gun and Country Club Act, 2023.

(2) It shall come into force at once.

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

(a) "Administrator" means the Administrator mentioned under section 5;

(b) "Club" means the Gun and Country Club established under this Act;

(c) "Division concerned" means the division to which business of the Club stands allocated under the Rules of Business, 1973;

(d) "Management Committee" means the Managing Committee setup under section 7; and

(e) "Prescribed" means prescribed by regulations.

3. Establishment of the Gun and Country Club.—(1) On commencement of this Act, already functioning shooting facility in Islamabad shall stand established to be called as the Gun and Country Club.

(2) The Club shall be a body corporate having succession perpetual and a common seal and shall have power to acquire property both moveable & immovable in its name and shall by the said name, sue and be sued.

(3) The Club shall consist of such classes of members as may be prescribed and all the existing members of the shooting facility shall be deemed to be members of the Club.

(4) Any person, authority, committee etc. exercising or having right to exercise prior to commencement of this Act any power or function in relation to the Club shall cease to exercise or to have the right to exercise such power or function.

(5) Except the land at which the Club stands established under this Act, all assets, rights, powers, authorities and privileges, cash and bank balances and all other interests and rights in, or

arising out of, such property prior to commencement of this Act shall stand transferred to, and vest in, the Club.

(6) All debts and liabilities incurred, all obligations undertaken, all contracts entered into, and all agreements made prior to commencement of this Act shall stand transferred to, and be deemed to have incurred, undertaken, entered into or made, by or with the Club.

(7) Any sum payable to, or recoverable prior to commencement of this Act shall be deemed to be payable to, or recoverable by, the Club.

4. Patron-in-Chief of the Club.—The Prime Minister of the Islamic Republic of Pakistan shall be the Patron-in-Chief of the Gun and Country Club.

5. Administrator of the Club.—(1) The Secretary of the division concerned shall be the Administrator of the Club. However, in extraordinary circumstances, the Patron-in-Chief may appoint an administrator as he deems fit.

(2) The Patron-in-Chief, however, may appoint any other person as Administrator of Club in his discretion for a period of two (2) years extendable for another term of two (2) years only once.

(3) The Patron-in-Chief may remove Administrator of Club from his office, at any time by assigning reasons thereof.

(4) The Administrator shall, subject to any special direction issued by Patron-in-Chief, exercise and perform all such powers and functions as may be necessary for the efficient management and administration of the Club.

6. Powers and functions of the Administrator— (1) The overall supervision, control, oversight, management and administration of affairs of the Club shall vest in the Administrator who shall be competent to exercise all such powers and perform all such functions which are necessary for the efficient and proper administration of the Club.

(2) Without prejudice to the generality of the foregoing, the Administrator shall exercise the following powers and shall perform the following functions, namely:—

(a) framing and executing general policy guidelines for the proper administration of the Club in relation to its internal affairs;

(b) framing and revision of regulations with respect to the administration of the Club including, but not limited to, membership issues, employment matters, financial matters, disciplinary matters and procurement issues;

(d)

(e)

(f)

(g)

(h)

(i)

G)

(k)

formation of Functional Committees on honorary basis with only advisory role and shall conduct their business in such manner as prescribed;

planning, including consideration and approval of annual plan of work and budget;

consideration of audited statement of accounts;
entering into contracts;

to enforce the implementation of approved plans, programs and budgets in order to ensure transparent and accountable administration;

to appoint or nominate Secretary of the Club to look after and manage day to day affairs of the Club as may be prescribed;

relax compliance of any policy, guidelines, regulations etc.;
to seek and raise grants, funds etc. for the purposes of the Club; and

any other functions and powers as may arise to address the affairs of the Club.

(3) The Administrator may, at any time, delegate any or all of its powers and functions to the Secretary of the Club for the efficient administration of the Gun and Country Club.

7. Management Committee.— (1) To aid and assist the Administrator in the performance of his functions, a Management Committee shall be constituted comprising—

(a)

(b)

(c)

(d)

(e)

(f)

Three regular active members of the Club of any class, to be nominated by the Patron-in-Chief;

Chairman Capital Development Authority;
Director General Pakistan Sports Board;
President Federal Rifle Association; and
Joint Secretary of the concerned division; and

Secretary of the Gun and Country Club.

(2) The tenure of members referred to in clause (a) of sub-section (1) shall be for two (2) years, extendable by one year based on performance.

(3) Subject to sub-section (2), the Patron-in-Chief may remove any member any time and may appoint another person as member of the Management Committee.

(4) Subject to sub-section (2), a member nominated under clause (a) of sub-section (1) may resign by writing under his hand addressed to the Patron-in-Chief. The Patron-in-Chief may appoint another person as his or her replacement, as the case may be.

(5) Meetings of the Management Committee shall be held in such manner as may be prescribed.

(6) The Administrator shall preside over the meetings of the Management Committee.

8. Bank accounts.—The Club may open and maintain its accounts at such scheduled banks as it may determine from time to time.

9. Accounts.— (1) Subject to Articles 169 and 170 of the Constitution, the Club shall maintain proper books of accounts and other records relating to its financial affairs to be kept in such forms and manner as determined by the Auditor General of Pakistan and shall as soon as practicable after the end of each financial year cause to prepare for that financial year statements of accounts of the Club which shall include a balance sheet and an account of income and expenditure.

(2) The financial year of the Club shall be the period of twelve months ending thirtieth (30) June, each year.

10. Audit.— (1) Subject to Articles 169 and 170 of the Constitution, the accounts of the Club shall be audited annually by the Auditor General of Pakistan.

(2) Within six months of the close of the financial year, the Club shall submit to the Federal Government an audited report, statement of account of the Club including a balance sheet and an account of income and expenditure in respect of the preceding financial year.

(3) Notwithstanding anything contained in this section, the Federal Government at any time may, at its own or on the recommendation of the Administrator, direct the Auditor General of Pakistan to carry out audit of the Club and submit audit report in such time as it may deem appropriate.

11. Employment of Officers and Staff.—(1) The Administrator may employ such officers and staff or appoint such experts from time to time as he may consider necessary for the performance of functions of the Club, on such terms and conditions as may be prescribed.

12. Continuance of service employees.—(1) Unless the Administrator of the Club otherwise directs in any particular case, all employees of the Club in employment prior to the commencement of this Act, may continue in their respective employments on the same terms and conditions as were applicable to them immediately before such commencement.

(2) Notwithstanding anything contained in any other law for the time being in force, for any contract or agreement of service no compensation shall be admissible because of such transfer under sub-section (1).

13. Bar of jurisdiction.— No court shall grant any injunction or make any order or entertain any proceedings in relation to anything done or intended to be done in good faith under this Act.

14. Act to override other laws.— The provisions of this Act shall have effect notwithstanding anything contained in any other law for the time being in force or any instrument having effect by virtue of any law other than this Act.

15. Power to make rules, regulations and protocol.— (1) The Federal Government shall, by notification in the official Gazette, make rules to carry out external matters of the Club.

(2) The Management Committee shall, by notification in the official Gazette, make regulations to carry out the internal matters of the Club.

(3) The Administrator shall, by notification in the official Gazette, make and issue the protocols, not inconsistent with the rules and regulations, for the efficient management of the Club.

16. Removal of difficulties.— (1) If any difficulty arises in giving effect to any provision of this Act, the Patron-in-Chief may make such orders not inconsistent with the provision of this Act, as may appear to him to be necessary for purpose of removing the difficulty.