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PART I

Acts, Ordinances. President's Orders and Regulations

SENATE SECRETARIAT

Islamabad, the 14th June, 1994

The following Acts of Majlis-c-Shoora (Parliament) received the assent of the President on the 8th June, 1994, and are hereby published for general information :

ACT NO. 41 OF 1994

An Act further to amend the Prohibition (Enforcement of Hadd) Order, 1979

WHEREAS it is expedient further to amend the Prohibition (Enforcement of Hadd) Order, 1979 (P.O, 4 of 1979), for the purpose hereinafter appearing :

It is hereby enacted as follows :—

1. Short title, and commencement.—(1) This Act may be called the Prohibition (Enforcement of Hadd) (Amendment) Act. 1994,

(2) It shall come into force at once.

2. Amendment of Article 4, P.O, 4 of 1979, —In the Prohibition (Enforcement of Hadd) Order, 1979 (P.O. 4 of 1979), in Article 4, in the second proviso, the word "raw" occurring twice, shall be omitted,

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incorporated under the Companies Ordinance, 1984 (XLVII of 1984), and is registered with the Authority in the manner and on payment of such fee as may be prescribed.

(2) A certificate of registration granted under this section shall be valid for one year and shall be renewable on payment of such fee as may be prescribed,

(3) No application for registration shall be refused except after giving the applicant an opportunity of being heard.

(4) Where the Authority is of the opinion that a central depository company has contravened any provision, or has otherwise neglected or failed to comply with any requirement of this Ordinance or the rules, the Authority may suspend the registration for a specified period or cancel the registration of such company :

Provided that the registration shall not be suspended or cancelled except after giving the central depository company a notice to show cause,”.

“32B. Registration of credit rating companies—(1) No company shall function as a credit rating company unless it is incorporated under the Companies Ordinance, 1984 (XLVII of 1984), and is registered with the Authority in the manner and on payment of such fee as may be prescribed.

(2) A certificate of registration granted under this section shall be valid for one year and shall be renewable on payment of such fee as may be prescribed,

(3) No application for registration shall be refused except after giving the applicant an opportunity of being heard.

(4) Where the Authority is of the opinion that a credit rating company has contravened any provision, or has otherwise neglected or failed to comply with any requirement of this Ordinance or the rules, the Authority may suspend the registration for a specified period or cancel the registration of such company:

Provided that the registration shall not be suspended or cancelled except after giving the credit rating company a notice to show cause,”

ACT No. VIII of 1994

An Act to establish the National Fund for Cultural Heritage

WHEREAS 1 is expedient to provide for establishment of the National fund for a Cultural Heritage for conservation and preservation of Pakistan's national heritage a

and its proper maintenance and matters connected therewith or incidental thereto:

It is hereby enacted as follow:—

1. Short title, extent and commencement.—(1) This Act may be called the National Fund for Cultural Heritage Act, 1994.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

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

(a) “Board” means the Board of Governors set up under section 6;

(b) “Fund” means the National Fund for Cultural Heritage established under section 3; and

(c) “national heritage” means the archaeological, architectural, historical and cultural heritage

3. Establishment of the Fund.—As soon as may be, after the commencement of this Act, the Federal Government shall establish the National Fund for Cultural Heritage to carry out the purposes of this Act.

4. Purposes and objectives of the Fund.—(1) The primary purpose of the fund is to promote the conservation and preservation of national heritage of Pakistan through various means, including financial and technical assistance, and to create awareness amongst the people for appreciating and preservation of archaeological, architectural, historical and cultural heritage of Pakistan.

(2) In particular and without prejudice to the foregoing purposes, the Fund shall be used to—

(a) undertake measures for preservation and conservation of cultural heritage having archaeological, historical and architectural value:

(b) acquire or hold in lease any material and cultural property or part thereof;

(c) provide assistance for preservation and maintenance of a historical or archaeological monument or an archaeological site;

(d) create and strengthen cooperation and coordination between international, national, provincial and regional organizations involved in conservation and preservation of cultural heritage;

(e) provide financial and technical assistance towards preservation of national heritage, and for furtherance of academic, scientific and intellectual discourses on the subjects relevant thereto;

(f) undertake promotional activities for enhancement of resources of the fund; and

(g) undertake and promote research and arrange materials for publication of periodicals, monographs and publicity material, including pamphlets, newspapers and posters in furtherance of the objectives of the Act.

5. Sources of Fund.—(1) The Fund shall be financed from the following sources, namely :-

(a) grants from the Federal Government and Provincial Governments;
(b) aid and assistance from local, national and international agencies;
(c) contributions from the private organizations and individuals; and

(d) income and earnings from the movable and immovable properties acquired by, or leased to, the Fund,

(2) The amount credited to the Fund shall not lapse at the end of a financial year and shall be available for utilization at any time.

6. Board of Governors—(1) The management, overall control and supervision of the affairs of the Fund shall vest in a Board of Governors consisting of the following members, namely :—

(i) Prime Minister .. _ R. % .- .. Patron

(ii) Federal Minister in charge of Culture, Sports, Tourism and Youth Affairs Division .. : Chairman

(iii) Federal Minister for Finance .. a .. Member

(iv) Secretary, Culture, Sports, Tourism and Youth Member;

of in Affairs. .. Secretary;

> : 5 E g v y K 7 or:

< Pe - Treasurer

< (v) Fifteen eminent persons in the field of national heritage, Members

_ including nine persons from private sector, two Senators

D and four Member of the National Assembly to be nominated by the Federal Government. “@).f8U”

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7” (vi) Director General, Department of Archaeology and .. Member
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wn Museums. a

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Pe (vii) Secretaries of Culture Departments of all the provinces. Members

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(vill) Joint Secretary (Culture), Ministry 'of Culture, Sports,
Tourism and Youth Affairs. AYO Member".

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(vii) Director-General, Department of Archaeology and Museums; Secretary.

(2) The Members of the Board, other than ex-officio members, shall hold office for a term of three years or for such period as may be determined by the Federal Government and shall be eligible for re-appointment.

(3) No act or proceedings of the Board shall be invalid merely on the ground of the existence of a vacancy in, or a defect in the constitution of, the Board.

(4) The Secretariat of the Fund shall be at Islamabad and the Board may set up regional offices as, when and where required by it.

(5) The Board may appoint an Executive Committee for carrying out its functions as may be assigned to it by the Board.

7. Exemption from tax.—Notwithstanding anything contained in the Income Tax Ordinance, 1979 (XXXI of 1979), all contributions and donations to the Fund shall be exempt from levy of tax.

8. Accounts of the Fund, etc.—(1) The accounts of the Fund shall be audited by the Auditor General of Pakistan. :

(2) The Board may from time to time, submit reports to the Federal Government relating to the Fund and its activities.

9. Rules—The Board may make rules for carrying out the purposes of this Act.

10. Repeal of Ordinance V of 1994.—The National Fund for Cultural Heritage Ordinance, 1994 (V of 1994), is hereby repealed.

AKHTAR SHARIF,
Acting Secretary General.

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