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ISLAMABAD, WEDNESDAY, JUNE 29, 2011

PART I

Acts, Ordinances, President's Orders and Regulations

SENATE SECRETARIAT

Islamabad, the 29th June, 2011

No. F. 9(9)/2011-Legis.—The following Act of Majlis-e-Shoora

(Parliament) received the assent of the President on 25th June, 2011, is hereby published for general information:—

Act No. XV or 2011

An Act to Provide for regulation, coordination and policy direction for vocational and Technical Training

WHEREAS it is expedient to provide for an autonomous organization for regulation, coordination and policy direction for vocational and technical training and for matters ancillary thereto or connected therewith;

It is hereby enacted as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the National Vocational and Technical Training Commission Act, 2011.

(2) It extends to the whole of Pakistan.

(3) It shall come into force on and from the 28th February, 2011.

(277)

(575(2011)/Ex.Gaz.] Price: Rs. 10.50

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

- (a) "Board" means the Board established under section 4;
- (b) "Chairman" means Chairman of the Board;
- (c) "Commission" means the National Vocational and Technical Training Commission established under section 3;
- (d) "member" means the member of the Board;
- (e) "prescribed" means prescribed by rules or regulations made under this Act; ::
- (f) - "regulations" means regulations made under this Act;
- (g) "rules" means rules made under this Act; and
- (h) "technical and vocational training" means training in any professional skill, trade, calling or occupation.

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3. Establishment of the Commission.—(1) As soon as may be after the commencement of this Act, the Federal Government shall, by notification in the official Gazette, establish a Commission to be called the National Vocational and Technical Training Commission.

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(2) The headquarters of the Commission shall be at Islamabad and it may establish regional offices at such places as it may decide.

' (3) The Commission shall be a body corporate, having perpetual succession and a common seal with powers, subject to the provisions of this Act, to hold and dispose of property, both moveable and immovable, and shall by the said name sue and be sued.

(4) For the purpose of coordination the Commission shall be administratively attached with Prime Minister's Secretariat.

4. Management.—(1) The general direction, all matters of policy and administration of the Commission and its affairs shall vest in a Board which may exercise all powers, perform all functions and do all acts and things which can be exercised, performed or done by the Commission.

(2) There shall be a Chairman of the Board who shall be appointed by the Federal Government on such terms and conditions as the Federal Government may determine.

(3) The Board shall be the apex body and shall consist of the following members, namely:—

(a) Chairman of the Commission. Chairman

(b) Secretary, Ministry of Labour, Manpower and Member Overseas Pakistanis.

(c) Secretary, Ministry of Finance. Member

(d) Secretary, Ministry of Industries, Production and Member Special Initiatives.

(e) Secretary, Capital Administration and Development Member Division.

(f) Secretary of the concerned provincial department. Member

(g) Executive Director. Member

(h) Not less than six members from the private sector Member who have experience in the area of skills development ' and technical training.

(4) The Executive Director shall also act as Secretary of the Board.

(5) The Board may co-opt any person as a member of the Board for a specific purpose and for a specified period.

(6) The Federal Government may, by notification in the official Gazette, increase or decrease the number of the members of the Board, from time to time, as it deems fit:

Provided that the total number of members of the Board shall not exceed twenty.

(7) The Board in discharge of its functions shall be guided by such directions as the Federal Government may give to it from time to time.

(8) A member, other than an ex officio member, may, by writing under his hand addressed to the Federal Government, resign his office.

(9) The Federal Government may, on the recommendation of the Chairman, remove any member, other than an ex officio member, if he has persistently failed to perform the duties assigned to him or he has abused his position.

(10) The Chairman shall, unless he resigns from office earlier, hold office for a period of three years and shall be eligible for re-employment for such term or terms as the Federal Government may determine, provided that the Chairman shall cease to hold office on attaining the age of sixty-five years or expiry of the term, whichever is earlier.

(11) A member, other than an ex officio member, shall, unless he resigns from office earlier, hold office for a period of three years and shall be eligible for re-appointment for such term or terms as the Federal Government may determine, provided that the member shall cease to hold office on attaining the age of sixty-five years or the expiry of the term, whichever is earlier,

5. Meeting of the Board.—(1) The meetings of the Board shall be held as and when required, but once at least in a quarter, at the time and place as the Chairman of the Board may determine.

(2) The meetings of the Board shall be conducted in accordance with such procedure as may be specified by the Board.

(3) Half of the total membership of the Board shall constitute the quorum for the meeting.

(4) The decisions of the Board shall be taken by the majority of the members present and, in case of a tie, the person presiding over the meeting shall have a casting vote.

(5) All orders, determinations and decisions of the Board shall be reduced in writing together with a record of the discussions held in the meeting.

6. Functions of the Commission.—The functions of the Commission shall be to—

(a) devise and review policies and evolve strategy relating to human resource development with a focus on vocational and technical training and employment in general;

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prepare for approval of the Board, national training plans, programmes and projects in coordination with stakeholders for the expansion of vocational and technical training infrastructure in the country;

formulate policies for capacity building in the field of vocational and technical training;

develop national occupational skill standards, curricula and trade testing certification systems for all sectors in which vocational and technical training is imparted;

prescribe conditions under which institutions in the public and private sector may be established and operated;

facilitate skill development and employment generation through enhancement of public-private partnership;

improve quality of training of instructors through skill up-gradation programmes, :

regulate affiliation of establishments and institutions offering vocational and technical training; :

issue regulations for licensing of Federal establishments and institutions;

organize workshops, seminars, symposia and panel discussions in respect of employment and training issues;

establish national and international linkages with organizations of repute

to make national programmes credible and promote marketing of manpower;

establish an internationally acceptable system of accreditation for vocational and technical training;

coordinate with the Provincial Governments in the field of vocational and technical training.

review existing laws and regulations on vocational and technical training and recommend appropriate legislation;

carry out training needs assessment survey;

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prepare and maintain a data bank of institutions and establishments imparting vocational and technical training and directory of their graduates and their placements;

suggest innovative programmes for promotion of vocational and technical training among females, challenged and neglected sections of society;

suggest performance evaluation parameters for vocational and technical training programmes and conduct performance evaluation of technical and vocational institutes;

bridge the widening gap between planning and implementation for improving access, delivery and quality of vocational and technical training by applying new instructional and communication technologies;

suggest ways and means for effective coordination and linkage between vocational and technical training and industry, business and commerce to make vocational and technical training relevant and responsive to market needs;

formulate and recommend strategies for pre-service and in-service training of vocational and technical training staff; and

develop code of conduct for vocational and technical training institutions and staff for meeting quality assurance standards.

Powers of the Commission ——The Commission may—

take measures, including the allocation of funds, for the establishment of scholarships and stipends for students and training of teachers abroad and within the country;

establish an endowment fund for vocational and technical training with contributions from government as well as non-governmental resources;

allocate funds for infrastructure development, training of faculty as an incentive to improve quality of vocational and technical training;

set up such administrative and technical committees, working groups, skill development councils, trade testing boards or other such bodies and entrust them such functions as it may consider necessary;

(e) regulate quality control for implementation of skills standards, syllabi, trade testing and certification of vocational and technical training institutions;

(f) advise the Federal Government and Provincial Governments on proposals for grant of diplomas and certificates by vocational and technical training institutions;

(g) determine equivalence and recognition of diplomas, certificates awarded by institutions within the country and abroad; and

(h) approve projects up to a ceiling fixed by the Federal Government for Departmental Development Working Party eee

8. Executive Director of the Commission.—(1) There shall be an Executive Director of the Commission appointed by the Federal Government on such terms and conditions as it may determine.

(2) The Executive Director shall be the head of the Secretariat of the Commission. The Secretariat shall act as the executing wing of the Commission and shall be responsible for implementation of all the orders, decisions, directives and policies of the Commission.

9. Delegation of Powers.—The Board may delegate all or any of its powers to its Executive Director or any officer of the Commission, as the case may be.

10. Committee.—(1) The Commission may set up as many committees and working groups as may be required to effectively perform its functions.

(2) The composition and functions of a committee and working group shall be such as the Commission may determine.

11. Appointment of officers and staff—(1) The Commission may, subject to general or special orders, as the Federal Government may give to it from time to time and subject to such rules as may be made in this behalf, create posts, appoint such officers, advisers, consultants and employees as it considers necessary for the efficient performance of its functions on such terms and conditions as may be prescribed.

(2) The Commission shall make rules for the recruitment of its employees.

12. Funds.—(1) The Federal Government shall provide funds to the Commission for meeting all expenses required for discharging its functions.

(2) The Federal Government may provide annual grants to the Commission for carrying out its functions.

(3) All receipts of the Commissions from any source whatsoever shall be credited to a fund to be called National Vocational and Technical Training Commission Fund (NAVTC Fund) and shall vest in the Commission with power to manage and operate.

(4) The mechanism for operation of the Fund shall be prescribed by the Commission with the prior approval of the Federal Government.

13. Submission of reports ——The Commission shall submit an annual report to the Federal Government in respect of its activities or as and when required by the Federal Government.

14. Audit and accounts.—(1) The Commission shall maintain its accounts of receipts and expenditure in such manner as may be prescribed by the Controller General of Accounts.

(2) The accounts of the Commission shall be audited every year by the Auditor-General of Pakistan. *

(3) The Commission may also get its accounts audited by a chartered accountants firm to be appointed with the approval of the Board.

15. Employees of the Commission to be public servants.—Every employee of the Commission and every person acting or purporting to act under this Act and the rules and regulations made thereunder shall be deemed to be a public servant within the meaning of section 21 of the Pakistan Penal Code, 1860 (see XLV of 1860).

16. Indemnity.— No suit, prosecution or other legal proceedings shall lie against any person exercising the powers, or for anything done in good faith or intended to be done, under this Act.

17. Power to make rules—The Federal Government may make rules for carrying out the purposes of this Act.

18. Power to make regulations.—The Commission may, with the approval of the Federal Government, make regulations, not inconsistent with this Act and the rules, for carrying out the purposes of this Act.

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Removal of difficulties.—If any difficulty arises in giving effect to

any of the provisions of this Act, the Federal Government may make such order, not inconsistent with the provisions of this Act, for removing the difficulty.

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Act to override other laws.—The provisions of this Act shall have

overriding effect notwithstanding anything to the contrary contained in any other law for the time being in force.

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Repeal and savings.—On the commencement of this Act,—

the Cabinet Division's Notification No.4-16/2005-Min-I, dated the 30th December, 2005, shall stand rescinded;

the National Vocational and Technical Education Commission constituted under the aforesaid notification shall stand dissolved and all its assets, liabilities, members and staff shall become assets, liabilities, members and staff of the Commission established under this Act; and

notwithstanding anything contained herein before, all orders made, actions taken, vesting orders or notifications issued under any of the powers conferred or vested under the Cabinet Division's Notification No. 4-16/2005-Min-I, dated the 30th December, 2005 shall be deemed always to have been lawfully and validly made, taken, issued and vested under the provisions of this Act.

RAJA MUHAMMAD AMIN,
Secretary.

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