

**A
BILL**

*further to amend the Khyber Pakhtunkhwa Lissail-e-Wal Mahroom
Foundation Act, 2015.*

WHEREAS it is expedient further to amend the Khyber Pakhtunkhwa Lissail-e-Wal Mahroom Foundation Act, 2015 (Khyber Pakhtunkhwa Act No. XXVI of 2015), for the purposes hereinafter appearing;

It is hereby enacted by the Provincial Assembly of the Khyber Pakhtunkhwa as follows:

1. Short title and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Lissail-e-Wal Mahroom Foundation (Amendment) Act, 2022.

(2) It shall come into force at once.

2. Amendment of section 2 of the Khyber Pakhtunkhwa Act No. XXVI of 2015.---In the Khyber Pakhtunkhwa Lissail-e-Wal Mahroom Foundation Act, 2015 (Khyber Pakhtunkhwa Act No. XXVI of 2015), hereinafter referred to as the said Act, in section 2,-

(a) after clause (b), the following new clause shall be inserted, namely;

“(b-i) **“Chief Minister”** means the Chief Minister of Khyber Pakhtunkhwa”; and

(b) in clause (f), in sub-clause (ii), before the word “widows”, the words “orphans and” shall be inserted.

3. Amendment of section 3 of the Khyber Pakhtunkhwa Act No. XXVI of 2015.---In the said Act, in section 3, in sub-section (1), the commas, words and quotes “, which, in Urdu may be named as “IDARA BARAI FALAH-E-NADARAN, KHYBER PAKHTUNKHWA” shall be deleted.

4. Amendment of section 5 of the Khyber Pakhtunkhwa Act No. XXVI of 2015.---In the said Act, in section 5, in sub-section (2), for clauses (a) to (h), the following shall be substituted, namely:

“(a) Secretary to Government, Zakat, Ushr, Member
Social Welfare, Special Education and
Women Empowerment Department;

(b) Secretary to Government, Establishment Member
Department;

- | | | |
|-----|---|------------------------|
| (c) | Secretary to Government, Finance Department; | Member |
| (d) | Chairman, Khyber Pakhtunkhwa Zakat and Ushr Council; | Member |
| (e) | Chairperson, Khyber Pakhtunkhwa Commission on the Status of Women; | Member |
| (f) | four persons to be appointed by the Chief Minister for a period of three years on the recommendations of Search Committee from amongst the known philanthropists, retired civil servants in BPS-20 and above from PCS/PMS/PAS and members from civil society; and | Members |
| (g) | Managing Director. | Member-cum-Secretary". |

5. Amendment of section 6 of the Khyber Pakhtunkhwa Act No. XXVI of 2015.---In the said Act, in section 6,-

- (a) in sub-sections (1), (2), (3), (4), (5), (7), (8) and (9), for the word "Government", wherever occurring, the word "Chief Minister", shall be substituted; and
- (b) in sub-sections (2), (4), (5), (6), (7), (8) and (9), for the words, brackets and alphabets "clauses (f) and (g)" the word, brackets and alphabet "clause (f)" shall be substituted.

6. Amendment of section 7 of the Khyber Pakhtunkhwa Act No. XXVI of 2015.---In the said Act, in section 7,-

- (a) for sub-section (1), the following shall be substituted, namely:
- “(1) The Managing Director, with the approval of the Chairman, shall convene meetings of the Board, on such date and time as the Chairman may deem appropriate.”; and
- (b) in sub-section (4), after the word "Board", the words "which shall include at least one ex-officio member and the Managing Director" shall be inserted.

7. Amendment of section 16 of the Khyber Pakhtunkhwa Act No. XXVI of 2015.---In the said Act, in section 16,-

- (a) in sub-section (1), for clauses (a), (b) and (c), the following shall be substituted, namely:

- “(a) grant by Federal Government;
- (b) grant-in-aid by Government of such amount as it may deem fit to allocate every year;
- (c) donations, financial assistance and funds by international and local donor agencies;” and

(b) after sub-section (2), the following new sub-section shall be added, namely:


“(3) The amount allocated by Government under sub-section (1), shall be released to the Foundation within the same financial year.”.

STATEMENT OF OBJECTS AND REASONS

It is desirable to amend the Khyber Pakhtunkhwa Lissail-e-Wal Mahroom Foundation Act, 2015 (Khyber Pakhtunkhwa Act No. XXVI of 2015), with the object to ease and facilitate the approval process, downsize the constitution of the Board of Directors, improving the organization's working/service delivery, ensuring dependable and regular provision of requisite financial resources/grants for the Foundation's welfare activities and operations meant for orphans, widows and have-nots etc. and effectively safeguarding the public interest.

The Bill seeks to achieve the above mentioned objectives.

Peshawar,
Dated the: ___/___/2021.


MINISTER-IN-CHARGE
ANWAR ZEB KHAN
Minister For Zakat Ushr. Social Welfare
Spl: Edu: & Women Empowerment
Khyber Pakhtunkhwa