

**A
BILL**

further to amend the Khyber Pakhtunkhwa Partnership Act, 1932.

WHEREAS it is expedient further to amend the Khyber Pakhtunkhwa Partnership Act, 1932 (Act No. IX of 1932), for the purposes hereinafter appearing;

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

1. Short title and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Partnership (Amendment) Act, 2021.

(2) It shall come into force at once.

2. Amendment of section 2 in the Act No. IX of 1932.---In the Khyber Pakhtunkhwa Partnership Act, 1932 (Act No. IX of 1932), hereinafter referred to as the said Act, in section 2, after clause (c), the following new clauses shall be inserted, namely:

“(c-i) **“NADRA”** means the National Database and Registration Authority established under section 3 of the National Database and Registration Authority Ordinance, 2000 (Ordinance No. VIII of 2000);

(c-ii) **“Register of firms”** means a register maintained by the Registrar in soft or hard form containing data of firms registered under this Act;”.

3. Amendment of section 58 in the Act No. IX of 1932.---In the said Act, in section 58, after sub-section (2), the following new sub-section shall be inserted, namely:

“(2-a) NADRA shall verify the partners or their agents, as the case may be, signing the statement under sub-section (1), in the manner, as may be prescribed.”.

4. Insertion of new section 58-B in the Act No. IX of 1932.---In the said Act, after section 58-A, the following new section shall be inserted, namely:

“58-B. Online application for registration of firms.---(1) Application for registration of firm under section 58 may be made online to the Registrar in such a manner as may be prescribed.

(2) Any application for alteration in the firm’s name or principal place of business under section 60 of this Act or any other change required to be made under sections 61, 62, 63 and 64 of this Act may also be made online.

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(3) The requirements of section 58 of this Act, where applicable, shall apply to the application for registration of firms or for alteration made under this section”.

5 Substitution of section 59 of the Act No. IX of 1932. ---In the said Act, for section 59, the following shall be substituted, namely:

“**59. Registration.**---(1) When the Registrar is satisfied that the requirements of section 58 and 58-A of this Act have been fulfilled, he shall make an entry of the statement in the Register of firms and shall accordingly register the firm.

(2) Upon registration of the firm, the Registrar shall issue a registration certificate in respect of the firm in the form as may be prescribed.

(3) In case of applications for registration made online under section 58-B of this Act, where the Registrar is satisfied that the requirements of section 58 and 58-A have been complied with, he shall make an entry of the statement in the Register of firms and issue, in respect of the firm, an electronically generated registration certificate in the form, as may be prescribed.

(4) In case of application for alteration made under sub-section (2) of section 58-B, where the Registrar is satisfy that the requirements have been fulfilled he shall issue a revised electronically generated registration certificate in the form, as may be prescribed”.

6. Amendment of section 70 of the Act No. IX of 1932.---In the said Act, in section 70, after the word “signs”, the commas and words “, whether manually or digitally,” shall be inserted.

7. Amendment of section 70-A of the Act No. IX of 1932. ---In the said Act, in section 70-A, after the word “signed”, the commas and words, “whether manually or digitally,” shall be inserted.

8. Amendment of section 71 of the Act No. IX of 1932. ---In the said Act, in section 71, in sub-section (2), after clause (h), the following new clause shall be inserted, namely:

“(hh) for regulating the online registration of firms and matters ancillary thereto”.

STATEMENT OF OBJECTS AND REASONS

Some of the key policy priorities and focus of the current Government are good governance, service delivery and promotion of trade and commerce in the Province of the Khyber Pakhtunkhwa.

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The firms and partnerships have a commendable role in the development of commerce and business activities. These firms promote business which in the long run helps in reduction of unemployment and poverty. In the Khyber Pakhtunkhwa the firms are registered and regulated under the Khyber Pakhtunkhwa Partnership Act, 1932.

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The firms have hitherto been registered manually which is a cumbersome job for the applicants having to physically attend the office of Registrar several times for registration. In the modern age of information technology where almost every official activity has been digitized, it is necessary to avail the technological and digital means and to bring the registration of firms online.

The option of online registration of firms will prove useful and will facilitate the businesses which want to register themselves as firm.

The Bill seeks to achieve the above mentioned objective.



MINISTER-IN-CHARGE

Peshawar,
dated the: 14 / 09 / 2021.