



KHYBER PAKHTUNKHWA

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PROVINCIAL ASSEMBLY SECRETARIAT KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 12th March, 2019.

No. PA/Khyber Pakhtunkhwa/Bills-17/2019/10491.— The Khyber Pakhtunkhwa Public Procurement Regulatory Authority (Amendment) Bill, 2019 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 26th February, 2019 and assented to by the Governor of the Khyber Pakhtunkhwa on 7th March, 2019 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA PUBLIC PROCUREMENT REGULATORY AUTHORITY (AMENDMENT) ACT, 2019. (KHYBER PAKHTUNKHWA ACT NO. XII OF 2019)

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa, (Extraordinary), dated the 12th March, 2019).

**AN
ACT**

*further to amend the Khyber Pakhtunkhwa
Public Procurement Regulatory Authority Act, 2012.*

WHEREAS it is expedient further to amend the Khyber Pakhtunkhwa Public Procurement Regulatory Authority Act, 2012 (Khyber Pakhtunkhwa Act No. XI of 2012), for the purposes hereinafter appearing:

It is hereby enacted as follows:

- 1. Short title and commencement.**--- This Act may be called the Khyber Pakhtunkhwa Public Procurement Regulatory Authority (Amendment) Act, 2019.
(2) It shall come into force at once.
- 2. Amendment of section 7 of the Khyber Pakhtunkhwa Act No. XI of 2012.**--- In the Khyber Pakhtunkhwa Public Procurement Regulatory Authority Act, 2012 (Khyber Pakhtunkhwa Act No. XI of 2012), hereinafter referred to as the said Act, in section 7, in sub-section (1),-

- (a) in clause (c), for the words "Works and Services", the words "Communication and Works" shall be substituted; and
- (b) after clause (f), the following new clause shall be inserted, namely:
- "(f-i) Secretary to Government, Member."
Law, Parliamentary Affairs and
Human Rights Department or his
nominee, not below the rank of an
Additional Secretary;

3. **Amendment of section 26 of the Khyber Pakhtunkhwa Act No. XI of 2012.**--- In the said Act, in section 26, for clause (b), the following shall be substituted, namely:

- "(b) provincial enlistment and pre-registration shall be undertaken by a Committee, which shall be chaired, steered, represented and coordinated by Communication and Works Department, with representation from Irrigation Department, Public Health Engineering Department, Local Government, Elections and Rural Development Department and any other Members, as co-opted."

4. **Amendment of section 35 of the Khyber Pakhtunkhwa Act No. XI of 2012.**--- In the said Act, in section 35, after sub-section (2), the following new sub-section shall be added, namely:

- "(3) Unless and until the two tier grievance redressal mechanism, provided in sub-section (1), is exhausted, no Court or any other authority shall take cognizance of the same and grant any injunction."

5. **Insertion of new section the Khyber Pakhtunkhwa Act No. XI of 2012.**--- In the said Act, after section 35, the following new section shall be inserted, namely:

"35C. Bar of jurisdiction.---No Civil Court shall have jurisdiction to entertain any proceedings, grant any injunction or make any order in relation to any matter, order and proceedings, carried out by procuring entity and authority against anything done, intended or purported to be done, in good faith, under this Act."

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(NASRULLAH KHAN KHATTAK)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa