

EXTRAORDINARY
GOVERNMENT



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G A Z E T T E

KHYBER PAKHTUNKHWA

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PROVINCIAL ASSEMBLY SECRETARIAT,
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 20th September, 2012.

No. PA/Khyber Pakhtunkhwa/Bills/2012/6089.—The Khyber Pakhtunkhwa Disabled Persons (Employment and Rehabilitation) (Amendment) Bill, 2012 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 10th September, 2012 and assented to by the Governor of the Khyber Pakhtunkhwa on 17th September, 2012 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA DISABLED PERSONS (EMPLOYMENT AND REHABILITATION)
(AMENDMENT) ACT, 2012

(KHYBER PAKHTUNKHWA ACT NO. XVI OF 2012)

(first published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa (Extraordinary), dated the 20th September, 2012).

AN
ACT

to amend the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981.

Preamble.— WHEREAS it is expedient to amend the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981 (Ordinance No. XL of 1981), for the purposes hereinafter appearing;

it is hereby enacted as follow:

1. **Short title, extent and commencement.**— (1) This Act may be called the Khyber Pakhtunkhwa Disabled Persons (Employment and Rehabilitation) (Amendment) Act, 2012.

- (2) It extends to the whole of the Province of the Khyber Pakhtunkhwa.
- (3) It shall come into force at once.

2. **General amendment in Ordinance No. XL of 1981.**--- In the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981 (Ordinance No. XL Of 1981), hereinafter referred to as the said Ordinance, for the words "Federal Government", and "Provincial Government", wherever occurring, the word "Government" shall be substituted.

3. **Amendment of section 1 of Ordinance No. XL of 1981.**--- In the said Ordinance, in section 1,-

- (a) in sub section (2), for the word "Pakistan", the words "the Province of the Khyber Pakhtunkhwa" shall be substituted; and
- (b) for sub-section (3), the following shall be substituted, namely:
" (3) It shall come into force at once."

4. **Amendment of section 2 of Ordinance No. XL of 1981.**--- In the said Ordinance, in section 2,-

- (a) in clause (a), the words and comma "the National Council or, as the case maybe," shall be omitted;
- (b) after clause (g), the following shall be inserted, namely:
"(gg) "Government" means the Government of the Khyber Pakhtunkhwa;"
- (c) for clause (h), the following shall be substituted, namely:
"(h) "Government establishment" includes any autonomous or semi-autonomous body, university, college, professional school and any organization controlled or managed by Government;"
- (d) clause (i), shall be omitted;
- (e) for clause (j), the following shall be substituted, namely:
"(j) "Prescribed" means prescribed by rules;" and
- (f) in clause (l), the words and commas "the National Council or, as the case may be," shall be omitted.

5. **Omission of sections 3 and 4 of Ordinance No. XL of 1981.**--- In the said Ordinance, sections 3 and 4 shall be omitted.

6. **Amendment of section 5 of Ordinance No. XL of 1981.**--- In the said Ordinance, in section 5, the word "Each" occurring in the beginning of the section shall be omitted.

7. Substitution of section 6 of Ordinance No. XL of 1981.--- In the said Ordinance, for section 6, the following shall be substituted, namely:

"6. Functions of the Provincial Council.- The Provincial Council shall-

- (a) undertake appropriate projects for these purposes;
- (b) issue directions to the Employment exchanges and other bodies for the implementation of the projects; and
- (c) from time to time take stock of the extent of functional disabilities of disabled persons."

8. Amendment of section 7 of Ordinance No. XL of 1981.--- In the said Ordinance, in section 7, the words "the National Council or a" and "the National Council or the" wherever occurring, shall be omitted.

9. Amendment of section 9 of Ordinance No. XL of 1981.--- In the said Ordinance, in section 9, the words "National Council or a" shall be omitted.

10. Amendment of section 10 of Ordinance No. XL of 1981.--- In the said Ordinance, in section 10, in sub section(3), for the fraction "0.5", the figure "2" shall be substituted.

11. Amendment of section 14 of Ordinance No. XL of 1981.--- In the said Ordinance, in section 14, for the words "National Council" the words "Provincial Council" shall be substituted.

12. Substitution of section 16 of Ordinance No. XL of 1981.--- In the said Ordinance, for section 16, the following shall be substituted, namely:

"16. Appeal (1) Any person aggrieved by an order under section 15 may prefer an appeal to Government within thirty days of the date of the order.

(2) Government may call for the record of the case and may, after giving the parties an opportunity of being heard or after making such further enquiry as it thinks fit, stay or suspend the operation of the order or may pass such order as it thinks fit."

13. Amendment of section 17 of Ordinance No. XL of 1981.--- In the said Ordinance, in section 17, for sub section 2, the following shall be substituted, namely:

"(2) The Fund shall be administered by the Provincial Council in such a manner as it thinks necessary."

14. Substitution of section 19 of Ordinance No. XL of 1981.--- In the said Ordinance, for section 19, the following shall be substituted, namely:

"19. Delegation of powers.- The Provincial Council may delegate all or any of its powers under this Ordinance, to any of its members, subject to such conditions as it may specify."

15. Amendment of section 21 of Ordinance No. XL of 1981.--- In the said Ordinance, in section 21, in sub section (2), the words "the National Council or", shall be omitted.

16. Substitution of section 22 of Ordinance No. XL of 1981.--- In the said Ordinance, for section 22, the following shall be substituted, namely:

"22. Power to make rules.- Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance."

BY ORDER OF MR. SPEAKER

PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(AMANULLAH)

Secretary

Provincial Assembly of Khyber Pakhtunkhwa