



KHYBER PAKHTUNKHWA

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PROVINCIAL ASSEMBLY SECRETARIAT,
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 2nd December, 2014.

No. PA/Khyber Pakhtunkhwa/Bills/2014/12790.—The Khyber Pakhtunkhwa Senior Citizens Bill, 2014 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 19th November, 2014 and assented to by the Governor of the Khyber Pakhtunkhwa on 27th November, 2014 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA SENIOR CITIZENS ACT, 2014

(KHYBER PAKHTUNKHWA ACT NO. XXXV OF 2014)

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa (Extraordinary), dated the 2nd December, 2014).

AN
ACT

to provide for the well-being, comfort and dignity of the senior citizens of the Province of the Khyber Pakhtunkhwa.

WHEREAS it is expedient to provide for the well-being, comfort and dignity of the senior citizens of the Province of the Khyber Pakhtunkhwa;

AND WHEREAS the Constitution of Islamic Republic of Pakistan, enjoins on the State to alleviate the sufferings of all the citizens, irrespective of sex, caste, creed or race;

PART-I
PRELIMINARY

It is hereby enacted as follows:-

1. Short title, extent and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Senior Citizens Act, 2014.

(2) It shall extend to the whole of the Province of the Khyber Pakhtunkhwa.

(3) It shall come into force at once.

2. Definitions.---In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say,-

(a) "Chairperson" means the Chairperson of the Council;

(b) "Council" means the Khyber Pakhtunkhwa Senior Citizens Welfare Council established under section 3;

(c) "Fund" means the Khyber Pakhtunkhwa Senior Citizens Welfare Fund established under section 10;

(d) "Government" means the Government of the Khyber Pakhtunkhwa;

(e) "prescribed" means prescribed by rules or regulations;

(f) "Province" means the Province of the Khyber Pakhtunkhwa;

(g) "regulations" mean regulations made under this Act;

(h) "rules" mean rules made under this Act;

(i) "senior citizen" means a citizen of the Province of the age of 60 years and above;

(j) "welfare" includes all such services relating to social, economic, boarding, lodging and legal protection of senior citizens; and

(k) "welfare packages or grants" mean welfare and social security packages or grants announced for welfare of the senior citizens by Government on the recommendations of the Council.

PART-II

SENIOR CITIZEN WELFARE COUNCIL

3. Establishment of the Council.---(1) As soon as after the commencement of this Act, Government shall establish a Council to be known as the Khyber Pakhtunkhwa Senior Citizens Welfare Council.

(2) The Council shall be a body corporate having perpetual succession and a common seal with power, subject to the provisions of this Act, to enter into contracts, acquire, purchase, hold and dispose of both movable and immovable property and shall by its name, sue or be sued.

4. Composition of the Council.---(1) The Council shall consist of-

- (a) Minister for Social Welfare, Special Education and Women Empowerment Department; Chairperson
- (b) Secretary to Government, Social Welfare, Special Education and Women Empowerment Department; Vice-Chairperson
- (c) two members of the Provincial Assembly Khyber Pakhtunkhwa, one from the Treasury Benches and the other from the Opposition; Members
- (d) Secretary to Government, Health Department; Ex-officio Member
- (e) Secretary to Government, Planning and Development Department; Ex-officio Member
- (f) Secretary to Government, Finance Department; Ex-officio Member
- (g) Secretary to Government, Local Government, Elections and Rural Development Department; Ex-officio Member
- (h) Commissioner, Peshawar Division; Ex-officio Member
- (i) four representatives, two from senior citizen organizations and two from other Non-Governmental Organizations preferably working for senior citizen nominated by Government through a proper selection by a committee chaired by the Chief Secretary or his nominee; and Members
- (j) Director, Social Welfare, Special Education and Women Empowerment Department. Ex-officio Member-cum-Secretary.

(2) The Council shall have powers to co-opt members from amongst persons who are experts in their respective fields, for advice on particular matters under consideration.

(3) The members of the Council, other than ex-officio members, shall be nominated for a term of three years which may be extended for another term of three years if approved by the Council.

(4) If a member of the Council, other than ex-officio member, is unable to perform as member of the Council, he shall inform the Council and the Council after receiving such information, may cancel his membership.

(5) Any casual vacancy of a member, other than an ex-officio member, shall be filled in by a person nominated by Government and the person so nominated shall hold office for the unexpired period of the term of his predecessor.

5. Powers and functions of the Council.---(1) Subject to the provisions of this Act and rules, the Council shall exercise such powers and perform such functions, as may be necessary for carrying out the purposes of this Act.

(2) Without prejudice to the generality of the fore-going sub-section, the Council shall-

- (a) formulate policy proposals on aging in the light of national commitments on the welfare of senior citizens and submit it to Government for the approval from time to time;
- (b) conduct research and compile data on various aspects of aging for the wellbeing of senior citizens for policy or plan formulation;
- (c) take steps towards introduction of geriatrics as part of the syllabus of medical universities or colleges;
- (d) propose arrangements in hospitals for better medical attention to senior citizens;
- (e) create facilities including clubs, for better social inter-action among senior citizens;
- (f) arrange workshops to educate senior citizens about life changes required for a healthy and stratifying old age;
- (g) formulate proposals to accommodate the requirements of senior citizens in urban and rural planning and development;
- (h) undertake social, economic and other welfare activities in collaboration with public and private sectors for the welfare of senior citizens;
- (i) mobilize of financial resources for welfare of the senior citizens;
- (j) constitute committees to assess and carry out welfare activities for senior citizens;

- (k) co-ordinate with Government, non-governmental and international social and welfare organizations at national and international level to take steps for the welfare of senior citizens;
- (l) make regulations for proper functioning of the Council including regulations for appointment of different categories of employees under the administrative control of the Council;
- (m) publish reports and other material for guidance and welfare of senior citizens;
- (n) grant of senior citizens awards in the fields of their expertise;
- (o) create awareness in the public through organizing seminars, workshops, conferences and use of mass media;
- (p) establish senior citizens homes to accommodate homeless, deserted and indigent senior citizens; and
- (q) encourage to setup organization of senior citizen corps for utilization of their potential for service activities and national development.

6. Meetings of the Council.---(1) The meetings of the Council shall be held quarterly, and shall be presided over by the Chairperson or, in absence, by the Vice Chairperson and in the absence of both of them by a member nominated by the Chairperson for the purpose. One third of the total members shall constitute the quorum and no quorum shall be necessary for adjourning the meeting.

(2) All decisions of the Council shall be taken with simple majority of the members of the Council present in the meeting. The Chairperson shall have a casting vote in case of a tie.

(3) Decision of the Council shall be recorded by the Secretary of the Council, who shall circulate such decisions for confirmation to Chairperson and the members within fifteen days of each meeting.

7. Head office of the Council.---The Head office of the Council shall be at Peshawar.

8. Officers, employees, etc.---To carry out the purposes of this Act, the Council may, with the approval of Government, appoint advisors, consultants and experts, having specialization and expertise in the related field and other officers and employees on such terms and conditions as may be prescribed.

9. Privileges to senior citizens.---(1) A senior citizen may, on completion of his sixty (60) year of age, apply for the senior citizen card.

(2) The procedure and criteria for obtaining the senior citizen card shall be such, as may be prescribed by rules.

(3) The senior citizens shall be allowed the following privileges on the basis of senior citizen card:

- (a) free of charge entry to public museums, libraries, parks and recreation facilities;
- (b) financial supports to deserving senior citizens;
- (c) separate counters for senior citizens in hospitals;
- (d) concession in medical and medicine charges;
- (e) separate medical wards; and
- (f) membership of organization of senior citizens corps.

10. Fund.---(1) There shall be established a Fund to be known as the Khyber Pakhtunkhwa Senior Citizens Welfare Fund, consist of-

- (a) all grants, allocations made by the Federal Government or Government;
- (b) donations, endowments, contributions made by the private individual organizations within country and abroad; and
- (c) all sums received by the Council from any other source including Pakistan Bait-ul-Mal, Profits on Investment from funds, funds generated by different motivated campaigns and received from any lawful sources. Funds shall be invested only in scheduled banks, the National Saving Centre or other "Blue Chip" secure schemes. No investment will be made in stock market shares or used for speculation in any manner.

(2) The Fund shall be administered by the Council, which shall make such allocations for specific activities, enumerated in sections 8 and 9 of this Act and may deem appropriate in line with the performance of functions of the Council.

(3) Government shall make annual budgetary allocations for the establishment and other charges of the Council.

(4) The Fund shall be utilized for-

- (a) the establishment charges; and
- (b) welfare of the senior citizens.

(5) The Fund shall be maintained in a scheduled bank and shall be operated in accordance with directions of the Council.

(6) The Fund shall be regularly monitored by the Council and audited in the same manner as in the case of the funds of other Government Departments.

(7) The annual audit report of the Fund shall be made available to the general public and submitted to the Provincial Assembly.

- 11. Public servants.**---All employees of the Council shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code, 1860 (Act No. XLV of 1860).
- 12. Power to make rules.**---Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.
- 13. Power to make regulation:** ---Subject to the Provisions of this Act and rules, the Council may by notification in the official Gazette make regulations for carrying out the purposes of this Act.
- 14. Repeal.**--- The Khyber Pakhtunkhwa Senior Citizens Ordinance, 2014 (Khyber Pakhtunkhwa Ord: No. X of 2014) is hereby repealed.

**BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER PAKHTUNKHWA**

(AMANULLAH)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa