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KHYBER PAKHTUNKHWA

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PROVINCIAL ASSEMBLY SECRETARIAT, KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 2nd March, 2017.

No. PA/Khyber Pakhtunkhwa/Bills/2017/8584.—The Khyber Pakhtunkhwa Technical Education and Vocational Training Authority (Amendment) Bill, 2017 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 27th February, 2017 and assented to by the Governor of the Khyber Pakhtunkhwa on 28th February, 2017 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA TECHNICAL EDUCATION AND VOCATIONAL TRAINING AUTHORITY (AMENDMENT) ACT, 2017

(KHYBER PAKHTUNKHWA ACT NO. VI OF 2017)

(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 March, 2017).

AN
ACT

*to amend the Khyber Pakhtunkhwa Technical Education
and Vocational Training Authority Act, 2015.*

WHEREAS it is expedient to amend the Khyber Pakhtunkhwa Technical Education and Vocational Training Authority Act, 2015 (Khyber Pakhtunkhwa Act No.XII of 2015) for the purposes hereinafter appearing;

It is hereby enacted as follows:

1. Short title and commencement.--- (1) This Act may be called the Khyber Pakhtunkhwa Technical Education and Vocational Training Authority (Amendment) Act, 2017.

(2) It shall come into force at once except clause (ii) of section 3, which shall be deemed to have taken effect from 11th of March 2015.

2. Amendment of section 2 of the Act No.XII of 2015.--- In the Khyber Pakhtunkhwa Technical Education and Vocational Training Authority Act, 2015 (Act No. XII of 2015), hereinafter referred to as the said Act, in section 2,-

- (i) clause (c) shall be deleted; and
- (ii) in clause (g), for the word "Board", the abbreviation "TEVTA" shall be substituted.

3. Amendment of section 5 of the Act No.XII of 2015.--- In the said Act, in section 5,-

- (i) in sub-section (2), the comma and words ", a Vice Chairperson" shall be deleted;
- (ii) in sub-section (3), the fullstop appearing at the end shall be replaced by a colon and thereafter the following provisio shall be added, namely:

"Provided that the Chief Minister may, if deems appropriate, nominate a Minister, Special Assistant or Advisor, as the case may be, to act as Chairperson of the Board.";

- (iii) sub-section (4) shall be deleted;
- (iv) for sub-section (5), the following shall be substituted, namely:

"(5) The other members shall be:

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| (a) Secretaries to Government, Industries, Commerce and Technical Education Department, Finance Department, Planning and Development Department and Labour Department or their nominees not below the rank of an Additional Secretary; | Member |
| (b) Vice Chancellor, Shuhada-e-Army Public School, University of Technology, Khyber Pakhtunkhwa; | Member |
| (c) Chairperson of the Khyber Pakhtunkhwa Commission on the Status of Women; | Member |

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| (d) President, Women Chamber of Commerce and Industries, Peshawar; | Member |
| (e) three (03) representatives of Large Scale Industries; | Members |
| (f) two (02) representatives of Small Scale Industries; | Members |
| (g) a representative of All Pakistan Contractor Association from categories A, B and C of contractors as defined by Pakistan Engineering Council; | Members |
| (h) a representative of Private Sector's Technical and Vocational Training Institutes; | Member |
| (i) a Principal, Government Polytechnic Institution, to be nominated by Government; and | Member |
| (j) Managing Director KP-TEVTA | Member-cum-Secretary"; |

(v) for sub-section (6), the following shall be substituted, namely;

"(6) The members under clauses (e) to (h) of sub-section (5) shall be nominated by their respective registered associations. In case of more than one registered association of an organization, Government shall nominate the member.";

(vi) for sub-section (7), the following shall be substituted namely;

"(7) The term of office of the members at clauses (e) to (i) of sub-section (5) shall be three years; provided that one third of the members shall cease to be members after completion of two years, in whose place new members shall be appointed for a period of three years in the same manner as was applied in the case of out-going members. The names of such out-going members shall be decided by a draw.";

(vii) sub-section (8) shall be deleted;

(viii) for sub-section (9), the following shall be substituted, namely:

“(9) The members at clauses (e) to (h) of sub-section (5) may resign from his office by tendering his resignation to Government.”;

(ix) for sub-section (10), the following shall be substituted namely:

“(10) Government may remove any member at clauses (e) to (h) of sub-section (5) on grounds of inefficiency or misconduct after giving him an opportunity of being heard.”;

(x) for sub-section (11), the following shall be substituted namely:

“(11) Any vacancy caused due to death, resignation or removal of any member at clauses (e) to (h) of sub-section (5) shall be filled in by Government through appointment of another person as member and such appointee shall hold such office for the unexpired term of his predecessor.”; and

(k) in sub-section (12), for the words “Vice Chairperson”, the word “Chairperson” shall be substituted.

4. Amendment of section 6 of the Act No.XII of 2015.--- In the said Act, in section 6,-

(i) for sub-section (3), the following shall be substituted, namely:

“(3) The Chairperson shall preside over the meetings of the Board.”; and

(ii) in sub-section (4), for the word “fourteen”, the word “nine” shall be substituted.

5. Amendment of section 8 of the Act No.XII of 2015.--- In the said Act, in section 8,-

(i) for sub-section (1), the following shall be substituted, namely:

“(1) Government shall post a Government Officer, not below the rank of Grade 20, to act as the Managing Director for a term not exceeding three years on such terms and conditions as the Board may determine.”; and

(ii) for sub-section (3), the following shall be substituted, namely:

“(3) The Managing Director shall perform such functions as may be prescribed or assigned to him by the Board and shall act as the Principal Accounting Officer of TEVTA.”.

6. Amendment of section 9 of the Act No.XII of 2015.--- In the said Act, in section 9,-

- (i) in sub-section (4), for the word "Board", the words "Institute Management Committee" shall be substituted; and
- (ii) after sub-section (4), as so amended, the following new sub-section shall be added, namely;

“(5) All administrative and financial matters of the Institute Management Committee shall be the responsibility of the Principal concerned.”.

7. Amendment of section 11 of the Act No.XII of 2015.--- In the said Act, for section 11, the following shall be substituted, namely:

“11. Meetings of the Management Committee.--- (1) The Committee shall meet as and when required but not later than at least one's in a month.

(2) The Committee shall meet as such time and place as determined by the Chairperson.

(3) In case Chairperson is not available, member present for the meeting shall chose by majority one of the present members to preside over the meeting.

(4) Presence of at least one third of the total number of members of the Committee shall constitute quorum for the meeting.

(5) All decision of a meeting shall be made by majority of votes. In the event of equality of votes, the person presiding meeting shall have a second or casting vote.”.

8. Amendment of section 13 of the Act No.XII of 2015.--- In the said Act, in section 13, in sub-section (1), for the words "the Authority", the abbreviation "TEVTA" shall be substituted.

9. Amendment of section 14 of the Act No.XII of 2015.--- In the said Act, in section 14, in sub-section (4), for the abbreviation, hyphen, figures and words "BS-19 officer to be nominated by the Board", the words "Director Finance" shall be substituted.

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER PAKHTUNKHWA

(AMANULLAH)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa