

**A
BILL**

*to provide for the establishment of a centralized body for climate action
in the Province of Khyber Pakhtunkhwa.*

WHEREAS it is expedient to establish the Climate Action Board to plan, oversee and execute all climate related initiatives, streamline decision making and synergize cross-sectoral efforts to address climate risks faced by the Province of Khyber Pakhtunkhwa and for matters connected therewith and incidental thereto;

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

**CHAPTER I
PRELIMINARY**

1. Short title, extent, application and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Climate Action Board Act, 2025.

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

(3) It shall apply to matters relating to Climate Change and Climate Actions or Climate Initiatives and matters connected with or incidental to the above in the Province of Khyber Pakhtunkhwa.

Explanation: "Climate Action: or "Climate Initiatives" for the purposes of this Act in general and for this sub-section in particular means any programme, project or activity aimed to mitigate climate change and the risks associated therewith, adapt to climate change, support climate change research and promote awareness about the climate change with the objective to reduce greenhouse gas emissions, encouraging low-carbon economy, enhance climate change resilience and promote sustainable development.

(4) It shall come into force at once.

2. Definitions.---In this Act, unless there is anything repugnant in the subject or context, the following expressions shall have the meanings hereby respectively assigned to them-


(a) **"Board"** means the Khyber Pakhtunkhwa Climate Action Board established under section 3 of this Act;

(b) **"Chairperson"** means the Chairperson of the Board;

(c) **"Competent Authority"** means the Chief Minister of the Province;

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- (d) **“Department”** means a Department of Government or its attached department, an agency of Government, any local body or government or any public entity whether autonomous, semi-autonomous or otherwise and any company or corporation owned or controlled by Government;
- (e) **“Fund”** means the Climate Action Board Fund established under section 9 of this Act;
- (f) **“Government”** means the Government of Khyber Pakhtunkhwa;
- (g) **“Planning and Development Department”** means the Planning and Development Department of Government;
- (h) **“prescribed”** means prescribed by rules or regulations made under this Act;
- (i) **“Province”** means the Province of Khyber Pakhtunkhwa;
- (j) **“regulations”** mean the regulations made under section 20 of this Act;
- (k) **“rules”** mean the rules made under section 19 of this Act; and
- (l) **“Secretariat”** means Secretariat of the Board as provided under section 7 of this Act.


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CHAPTER-II

CLIMATE ACTION BOARD

3. Establishment of Climate Action Board.---(1) There shall be a Board to be known as the Khyber Pakhtunkhwa Climate Action Board to coordinate and oversee climate strategies across Departments so as to ensure harmonization of efforts in this regard.

(2) The Board shall be a body corporate having perpetual succession and common seal with powers to acquire, hold and dispose of property and may sue or be sued in its own name.

(3) The Board shall be administratively and functionally independent and the Government shall use its best efforts to promote, enhance and maintain its independence.

4. Composition of the Board.---(1) The Board shall consist of the following, namely:

- (a) Additional Chief Secretary to Government, Planning and Development Department; Chairperson

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| (b) | Secretary to Government, Finance Department; | Member |
| (c) | Secretary to Government, Law, Parliamentary Affairs and Human Rights Department; | Member |
| (d) | Secretary to Government, Climate Change, Forestry and Wildlife Department; | Member |
| (e) | Secretary to Government, Energy and Power Department; | Member |
| (f) | Secretary to Government, Transport and Mass Transit Department; | Member |
| (g) | Head of the concerned Department of Government, if not already a member; | Member |
| (h) | Secretary to Government, Local Government, Elections and Rural Development Department; and | Member |
| (i) | four nominees from the private sector, including at least one female representative. | Members |

(2) The Chairperson may co-opt such other expert person as members of Board to attend meeting of the Board, as deemed appropriate, in order to ensure effective deliberations and to avail the expertise of the person so co-opted; provided that a person co-opted as member shall participate in the discussion but shall have no right of vote.

(3) The non-official members at clause (i) of sub-section (1) shall be appointed by the Competent Authority for a term of three years on such terms and conditions and in such manner as may be prescribed by rules:

Provided that the non-official members shall be eligible for re-appointment for one additional term but shall cease to hold office upon attaining the age of sixty years or upon the expiry of the term, whichever occurs earlier.

(4) No person shall be recommended for appointment as a non-official member unless that person is known for his integrity, expertise, eminence and experience for not less than seven years in any relevant field including climate change, public private partnerships, industry, law, commerce, economics, finance, academia, accountancy or public administration.

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(5) A non-official member may be removed by the Competent Authority on such grounds and in accordance with such procedure as may be prescribed by rules; provided the member to be removed shall be given an opportunity of being heard.

(6) A non-official member may resign from his office at any time by a notice in writing addressed to the Competent Authority.

(7) A vacancy in the Board caused by the death, resignation or removal of any non-official member shall be filled by the Competent Authority within thirty days of the occurrence of such vacancy.

(8) No act or proceeding of the Board shall be invalid by reason of absence of a member or existence of any vacancy in the Board or any defect in the composition thereof.

(9) The Chief of International Development Section of the Planning and Development Department shall serve as Secretary to the Board. In his capacity as Secretary of the Board, he shall be responsible for the preparation of agenda of the meetings, issuing meeting notices, recording minutes of the meetings of the Board and maintaining a record of the proceedings of the Board:


Provided that the Secretary of the Board shall have no right of vote.

(10) Seven members of the Board shall constitute quorum for a meeting of the Board.


5. Powers and functions of the Board.---(1) The Board shall exercise and perform such powers and functions as assigned to it under this Act and shall have all powers and functions incidental and ancillary thereto or as may be necessary for giving effect to the provisions of this Act.

(2) Without prejudice to the generality of the foregoing provision, the Board shall-

- (a) develop, review, amend and oversee the execution of climate policies and action plans for the Province;
- (b) advise Government on climate policies, commitments and strategies;
- (c) conduct and maintain provincial greenhouse gas (GHG) inventories and establish emissions baselines;
- (d) conduct, promote and oversee research on mitigation, adaptation and climate finance;
- (e) coordinate and facilitate climate action activities across Departments;


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- (f) ensure climate tagging of all schemes in the Annual Development Program (ADP) for alignment with climate goals;
- (g) mobilize financial resources for climate action and establish, operate and maintain the dedicated Climate Action Board Fund as provided in section 9 of this Act;
- (h) coordinate and pitch provincial projects for international climate financing e.g., Green Climate Finance, Climate Investment Finance, Global Environment Facility, etc.;
- (i) facilitate participation in carbon markets and support the generation of carbon credits;
- (j) establish and implement carbon pricing mechanisms to encourage low-carbon development;
- (k) monitor and evaluate the implementation and progress of climate action programs and projects;
- (l) conduct public awareness campaigns on climate change and promote environmental sustainability;
- (m) engage with stakeholders, including communities, industries and civil society to ensure community resilience to climate change including systems for adoptive and shock responsive social protection;
- (n) build capacity through the development and implementation of training programs on climate action;
- (o) nominate and finalize government officials, experts, and representatives for climate-related training, conferences, and events;
- (p) liaise and coordinate with the Federal Government in matters falling within its jurisdiction;
- (q) review, negotiate, approve and execute Memorandum of Understandings, Letters of Intents and other climate related agreements;
- (r) constitution of sub-committees with term of references as the Board may determine; and
- (s) perform any other function as may be assigned to it by Government or as may be prescribed.


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6. **Meetings of the Board and its procedure.**---(1) The Board shall ordinarily meet at least once in every four months. However, the Chairperson may, on his own motion or on the requisition of at least five members, call special meeting of the Board at any time with an advance notice of five days:

Provided that the requirement of advance notice may be done away with in cases of extreme emergency.

(2) The members shall attend the meeting in person and shall not appoint or designate any other person to attend the meeting on their behalf.

(3) The Chairperson shall preside at every meeting of the Board.

(4) The decisions of the Board shall be made by the majority votes of the members present. In the event of an equality of votes, the Chairperson shall have a casting vote.

(5) Subject to the provisions of this Act, the procedure for meetings of the Board shall be such as may be prescribed or until so prescribed, as may be directed by the Chairperson.

7. **Secretariat of the Board.**---(1) There shall be a Secretariat of Board which shall be headed by the Chief of International Development Section of the Planning and Development Department by virtue of his designation.

(2) The Secretariat shall operate under the overall guidance of the Board with the authority to implement the policies, instructions and directions of the Board.

(3) The Secretariat shall serve as the Board's technical arm and resource center providing technical, financial, economic, and or legal expertise to support the Board's effective functioning and the execution of its functions under this Act.

(4) The Head of the Secretariat shall report directly to the Board in matters pertaining to climate action under this Act.

8. **Power to appoint officers, etc.**---(1) The Board may appoint such officers, officials, experts (resource on call), advisers and consultants, as it considers necessary, to assist the Secretariat in the discharge of its functions under this Act.

(2) The terms and conditions of employment of the officers and officials to be appointed by the Board under sub-section (1) shall be such as may be determined by the Board and such officials and officers shall perform such functions as may be assigned to them by the Board from to time or as may be prescribed by the regulations.

CHAPTER-III **FINANCIAL**

9. **The Climate Action Board Fund.**---(1) There shall be established a fund to be known as the Climate Action Board Fund which shall vest in the Board and shall

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be utilized by the Board to meet expenses in connection with the functioning of the Board.

(2) The Fund shall be non-lapsable and shall consist of-

- (a) allocations or grants by Government;
- (b) allocation and grants, if any, by the Federal Government;
- (c) contributions from local and foreign development partners or agencies;
- (d) returns on investments and income from assets of the Board;
- (e) a percentage of the project cost, as determined by the Board, from time to time; and
- (e) all other sums which may in any manner become payable to or vested in the Board.

(3) The Board may open and maintain accounts at such scheduled banks as it may from time to time determine.

10. Custody and maintenance of the Fund.---The Custody and maintenance of the Fund and expenditures from the Fund shall be regulated in the manner as may be prescribed.

11. Budget.---The Board shall cause to be prepared and approve annual budget for a financial year in the manner as may be prescribed.

12. Maintenance of accounts.---The Board shall cause to be prepared and maintained proper accounts and other related financial records in such form and manner as may be prescribed.

13. Audit of accounts.---(1) The accounts of the Board shall be audited annually by the Auditor-General of Pakistan.

(2) The Board may, if it is desired, have the accounts of the Board audited from a reputed audit firm.

(3) The audit report of the Auditor General and the audit firm, if any, shall be submitted by the Board to Government.

(4) Without prejudice to the provisions of any law or rules and regulations, governing the procedure of audit, the Board may, if it is so required, lay down the procedure to be followed by the auditors in conducting audit of accounts of the Board.

14. Investment of excess funds.---(1) Nothing in this Act or in any other law or rules shall be deemed to preclude the Board from investing any excess funds or money in any profitable scheme or venture subject to the condition that such excess

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funds or money is not immediately required in connection with the expenditures of the Board.

(2) For the purpose of investing excess funds or money, the Board may lay down an investment policy.

(3) The policy made under sub-section (2) shall, inter alia, may prescribe the manner of investing the funds, the schemes in which the funds may be invested and the criterion for investing the Funds.

CHAPTER-IV **MISCELLANEOUS**

15. Annual report.---(1) Within ninety (90) days from the end of each financial year, the Board shall cause a report to be prepared about the activities of the Board during that financial year.

(2) Upon approval of the annual activity report by the Board, the same shall be placed before Government for appraisal. After consideration of Government, the annual report shall be published on the official website of the Planning and Development Department for public information.

16. Assistance to the Board.---(1) The Board may seek the assistance of any person or Department for the performance of its functions under this Act.

(2) All officers of the Department and any person whose assistance has been sought by the Board in the performance of its functions shall render such assistance to the extent it is within their power or capacity.

17. Decisions of the Board to be binding.---(1) Notwithstanding anything contained in any other law for the time being in force in the Province, the decisions and directives issued by the Board under this Act shall be binding on all Departments which shall report progress to the Board in the prescribed format and timeframe.

(2) Failure to comply with the Board's directives without valid justification shall be referred to the Competent Authority for determination and appropriate action.

(3) The Board shall ensure that its decisions are practical, effective and aligned with departmental capacities, providing technical and administrative support as necessary.

18. Relation of the Act with other laws.---Unless otherwise specifically provided in this Act, the provisions of this Act shall be in addition to and not in derogation of any other law.

19. Power to make rules.---The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

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20. Power to make regulations.---(1) The Board may, by notification in the official Gazette, make regulations not inconsistent with the provisions of this Act, and the rules generally to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:

- (a) regulating the meetings of the Board and the procedure for conducting business thereat;
- (b) the terms and conditions of service of the officers and employees of the Board to be appointed under this Act;
- (c) powers and functions of the officers and officials of the Board;
- (d) the procedure to be followed by the Board in the conduct of its business, exercise of its powers and discharge of its functions; and
- (d) any other matter which has to be or may be prescribed by regulations.


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STATEMENT OF OBJECT AND REASONS

The Province of Khyber Pakhtunkhwa faces growing climate-related threats such as extreme weather, glacial melt and deforestation, which endanger lives, ecosystems and economic stability. However, the absence of a centralized institutional mechanism has limited its ability to respond effectively.

The proposed Bill intends the establishment of the Khyber Pakhtunkhwa Climate Action Board as an autonomous body to coordinate, lead and implement climate policies and actions. The Board will oversee climate strategy, manage climate finance, facilitate interdepartmental collaboration and engage with global climate actors. It will also maintain greenhouse gas inventories, support climate-tagging and promote low-carbon economy. A dedicated Climate Action Board Fund will be established to finance its operations. The legislation aims to institutionalize climate governance, align with international commitments and strengthen the Province's resilience and sustainable development.

The Bill seeks to achieve the above mentioned objectives.



MINISTER-IN-CHARGE

Peshawar,
dated the: ____/____/2025.