



PROVINCIAL ASSEMBLY KHYBER PAKHTUNKHWA



**THE PROVINCIAL ASSEMBLY OF THE KHYBER
PAKHTUNKHWA PROVINCE (SALARIES AND
ALLOWANCES OF MEMBERS) ACT 2026**



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PREFACE

In pursuance of Article 250 read with Article 127 of the Constitution of the Islamic Republic of Pakistan inter-alia provides that provision shall be made by law for determining the Salaries and Allowances of Members Provincial Assembly and Article 88 read with Article 127 of the Constitution of Islamic Republic of Pakistan provides that the expenditure of the Provincial Assembly within authorized appropriations shall be controlled by the Assembly acting on the advice of its Finance Committee.

The Provincial Assembly of the Khyber Pakhtunkhwa Province (Salaries and Allowances of Members) Act, 1974 was passed on 5th December, 1974, assented on 6th December, 1974 and published on 6th December, 1974. Various amendments were made on 16th October, 1976, 5th November, 1985, 9th July, 1987, 28th May, 1989, 10th June, 1991, 7th October, 1991, 12th July, 1995, 16th October, 1996, 19th June, 2003, 4th February, 2009 and 18th June, 2014 to provide a comprehensive legal framework for the regulation and administration of matters pertaining to its subject area and has remained in force for several decades. During this period, substantial changes have occurred in the legal, administrative, institutional, and socio-economic landscape, necessitating a thorough review and modernization of the existing law.

Consequently, the Government has repealed the Provincial Assembly of the Khyber Pakhtunkhwa Province (Salaries and Allowances of Members) Act, 1974, in order to more accurately reflect the broadened scope, objectives, and contemporary character of the legislation.

SYED WIQAR SHAH

Secretary,
Provincial Assembly of
Khyber Pakhtunkhwa



**The Provincial Assembly of The Khyber Pakhtunkhwa
Province (Salaries and Allowances of Members)
Act 2026**

Table of Contents

Sections	Title/Subject	Pages
1	Short title, extent and commencement	1
2	Definitions	1-3
3	Salary, allowances and other facilities of Member	3-4
4	Facilities for Leader of Opposition	4-5
5	Travelling allowance	5
6	Daily allowance	6
7	Short intervals between sessions or sittings of Committee	6
8	Telephone	6
9	Office maintenance allowance	6
10	Accommodation allowance	7
11	Utility allowance	7
12	House rent	7
13	Conveyance allowance	7
14	Increase in salary and other emoluments	7
15	Medical facility	7
16	Session allowance	8
17	Form of certificate	8
18	Residuary powers	8
19	Power to make rules	8
20	Repeal and savings	8

to provide for salaries and allowances of Members of the Provincial Assembly of the Khyber Pakhtunkhwa Province.

WHEREAS, Article 250 read with Article 127 of the Constitution of the Islamic Republic of Pakistan inter-alia provides that provision shall be made by law for determining the Salaries and Allowances of Members Provincial Assembly;

AND WHEREAS, Article 88 read with Article 127 of the Constitution of Islamic Republic of Pakistan provides that the expenditure of the Provincial Assembly within authorized appropriations shall be controlled by the Assembly acting on the advice of its Finance Committee;

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

1. Short title, extent and commencement.---(1) This Act may be called the Provincial Assembly of the Khyber Pakhtunkhwa Province (Salaries and Allowances of Members) Act, 2026.

(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 there is anything repugnant in the subject or context,-

(a) **“Assembly”** means the Provincial Assembly of the Khyber Pakhtunkhwa;

(b) **“Committee”** means a standing committee, a select committee or any other committee of the Assembly, and includes any committee appointed by Government for a purpose connected with the

Assembly and declared to be a committee of Assembly;

- (c) **“Finance Committee”** means the Finance Committee constituted in pursuance of Article 88 of the Constitution of the Islamic Republic of Pakistan read with Article 127 thereof;
- (d) **“Government”** means the Government of Khyber Pakhtunkhwa Province;
- (e) **“meeting”** means a meeting of the Assembly or of a committee thereof;
- (f) **“Member”** means a Member of the Assembly other than a Minister, Advisor, Parliamentary Secretary, Special Assistant to Chief Minister, Speaker or Deputy Speaker for the purpose of this Act;
- (g) **“period of residence on duty”** means the period during which a Member resides, at a place where a session of the Assembly or a sitting of a Committee is held or where any other business connected with his duties as such Member is transacted, for the purpose of attending such session or sitting or for the purpose of attending to such other business and includes-
 - (i) in the case of a session of the Assembly, a period of such residence, not exceeding three days, immediately preceding the commencement of the session and a period of such residence, not exceeding three days, immediately following the end of the session; and

- (ii) in the case of a sitting of a Committee or transaction of any other business, a period of such residence, not exceeding two days, immediately preceding the commencement of the business of the Committee or other business and a period of such residence, not exceeding two days, immediately following conclusion of the business of the Committee or any other business;

Explanation:- In the case of a Member who ordinarily resides at a place where a session of the Assembly or a sitting of a Committee is held or where any other business, connected with his duties as such Member, is transacted, the period of residence on duty shall include the duration of the session or sitting or the time occupied for the transaction of such other business but shall not include the three or two days immediately preceding or following, as the case may be, and any period during which the Assembly is adjourned from more than ten days; and

- (h) “**session**” means the period commencing on the day of the first meeting of the Assembly after having been summoned and ending on the day the Assembly is prorogued or dissolved.

3. Salary, allowances and other facilities of Member.---(1) Subject to the provisions of sub-section (2), a Member shall be entitled to salary, allowances and other facilities at such rates as may be determined by the Finance Committee on the recommendations of sub-committee to be constituted by the Finance Committee for the purpose, including but not limited to the following:

- (a) sumptuary allowance;
- (b) house rent allowance;
- (c) utilities allowance;

- (d) daily allowance;
- (e) conveyance allowances;
- (f) special allowance;
- (g) accommodation allowance;
- (h) travelling allowance and mileage allowance;
- (i) free travelling facility;
- (j) telephone allowance;
- (k) medical facilities;
- (l) session allowance;
- (m) office maintenance allowance; and
- (n) such other allowance or facility.

(2) A Member shall not be eligible to draw salary for a month, who, without permission of the Assembly,-

- (a) fails to attend at least three-fourth of the total number of meetings held in that month, or
- (b) if elected during the course of a month, fails to attend at least three-fourth of the total number of meetings held in that month subsequent to the date on which he makes an oath.

(3) No salary shall be paid to any Member in respect of any period during which he was under detention on conviction for an offence involving moral turpitude under any law for the time being enforce.

4. Facilities for Leader of Opposition.---A Member, who has been declared as Leader of the Opposition, shall be entitled to such salary,

allowances and privileges determined by the Finance Committee but shall not be less than a Provincial Minister.

5. Travelling allowance.---(1) For every journey performed for the purpose of attending a session or meeting of Committee or for attending to any other business connected with his duties as Member from his usual place of residence to the place where the session or meeting is held or other business is transacted and for the return journey from such place to his usual place of residence, a Member shall be entitled to receive travelling allowance as may be determined by the Finance Committee.

Provided that-

- (i) no travelling allowance shall be admissible for journeys made during a session between the place where the session is held and any other place; and
- (ii) a Member who ordinarily resides or carries on business at any place within five miles of the place at which his attendance is required in connection with his duties as a Member, shall not be entitled to travelling allowance.

(2) Travelling allowance at the rates determined by the Finance Committee under sub-section (1) shall be admissible to a Member for journey performed during the period of adjournment of a session, if the session is adjourned for a period of more than three days.

(3) Every Member shall be entitled to such sum per annum for travelling within Pakistan as may be determined by the Finance Committee:

Provided that when a person becomes a Member during course of a year, the amount to which he is so entitled shall be reduced proportionately.

6. Daily allowance.---(1) For each day during any period of residence on duty, a Member shall be entitled to receive daily allowance as may be determined by the Finance Committee.

(2) A Member who arrives in the forenoon at the place of duty or departs from such place in the afternoon, shall be entitled to draw daily allowance at the full rate for the day of arrival or the day of departure, as the case may be, and, if he arrives at such place in the afternoon or departs there from in the forenoon, the daily allowance drawn shall be at half such rate:

Provided that no more than one daily allowance at the full rate may, in any case, be claimed in respect of any one day.

7. Short intervals between sessions or sittings of Committee.---Where the interval between the termination of one session, or one sitting of a Committee, and the commencement of another session or, as the case may be, another sitting, at the same place does not exceed seven days and, during such interval, a Member remains at such place, he shall be entitled to receive for each day of residence at such place a daily allowance as may be determined by the Finance Committee.

8. Telephone.---A Member shall be entitled, at Government expense, to the facility of telephone at the place where he ordinarily resides, if the installation facility is feasible at such place:

Provided that the Government shall not pay more than the amount determined by the Finance Committee as telephone charges and the telephone call bills shall be paid by a Member himself:

Provided further that Government shall not pay expenses of reinstallation in case the place of residence is changed.

9. Office maintenance allowance.---A Member shall be entitled to receive an office maintenance allowance on monthly basis as may be determined by the Finance Committee.

10. Accommodation allowance.---Where official accommodation is not provided to a Member, he shall be paid an accommodation allowance as may be determined by the Finance Committee for the period of residence on duty:

Provided that a Member shall not be required to produce any written certificate while claiming accommodation allowance under this section.

11. Utility allowance.---A Member shall be entitled to receive utility allowance on monthly basis as may be determined by the Finance Committee.

12. House rent.---A Member shall be entitled to receive house rent allowance on monthly basis as may be determined by the Finance Committee.

13. Conveyance allowance.---A Member shall be entitled to receive conveyance allowance as may be determined by the Finance Committee, for the period of residence on duty and for the day of arrival and the day of departure from the place where a Session of the Assembly or a meeting of Committee is held or where any other business connected with his duties as such Member is transacted only during Assembly Session.

14. Increase in salary and other emoluments.- The salary and other emoluments of the Members shall be increased by the Finance Committee, from time to time.

15. Medical facility.---(1) A Member shall be entitled for himself, spouse, minor children, dependent parents, special children and unmarried children residing with or wholly dependent on the Member to free indoor medical facilities as may be determined by the Finance Committee.

(2) A Member shall be entitled to receive medical allowance at such rate as may be determined by the Finance Committee.

16. Session allowance.---A Member shall be entitled to a session allowance per day including daily allowance as may be determined by the Finance Committee.

Explanation:-In this section the word “session” includes any meeting of the Committee or the Committees, as the case may be, of the Provincial Assembly in accordance with the Provincial Assembly of Khyber Pakhtunkhwa Procedure and Conduct of Business Rules for the time being in force.

17. Form of certificate.---Every claim by a Member for travelling allowance or daily allowance shall be supported by a written certificate in the following form signed by the Member:

“Certified that the amount has not been claimed by me in any other bill or drawn by me from any other source”.

18. Residuary powers.---Where any matter arises in relation to the implementation of this Act for which no provision is made therein, the same shall be decided by the Speaker, and the decision of the Speaker thereon shall be final. All questions relating to the application of this Act shall be regulated in such manner as the Speaker may, from time to time, direct.

19. Power to make rules.---The Speaker may make rules for carrying out the purposes of this Act.

20. Repeal and savings.---(1) The Provincial Assembly of Khyber Pakhtunkhwa Province (Salaries and Allowances of Members) Act, 1974 (Khyber Pakhtunkhwa Act No. XI of 1974), is hereby repealed.

(2) Notwithstanding the repeal under sub-section (1), the salaries and allowances of Members under the repealed Act shall continue until the Finance Committee determines the salaries and allowances of Members under this Act.