

**A**  
**BILL**  
*further to amend the Khyber Pakhtunkhwa Public  
Procurement Regulatory Authority Act, 2012.*

WHEREAS it is expedient further to amend the Khyber Pakhtunkhwa Public Procurement Regulatory Authority Act, 2012 (Khyber Pakhtunkhwa Act No. XI of 2012), for the purposes hereinafter appearing;

It is hereby enacted as follows:

**1. Short title and commencement.**---This Act may be called the Khyber Pakhtunkhwa Public Procurement Regulatory Authority (Amendment) Act, 2019.

(2) It shall come into force at once.

**2. Amendment of section 7 of the Khyber Pakhtunkhwa Act No. XI of 2012.**--- In the Khyber Pakhtunkhwa Public Procurement Regulatory Authority Act, 2012 (Khyber Pakhtunkhwa Act No. XI of 2012), hereinafter referred to as the said Act, in section 7, in sub-section (1),-

(a) in clause (c), for the words “Works and Services”, the words “Communication and Works” shall be substituted; and

(b) after clause (f), the following new clause shall be inserted, namely:

“(f-i) Secretary to Government, Member.”.  
Law, Parliamentary Affairs and  
Human Rights Department or his  
nominee, not below the rank of an  
Additional Secretary;

**3. Amendment of section 26 of the Khyber Pakhtunkhwa Act No. XI of 2012.**--- In the said Act, in section 26, for clause (b), the following shall be substituted, namely:

“(b) provincial enlistment and pre-registration shall be undertaken by a Committee, which shall be chaired, steered, represented and coordinated by Communication and Works Department, with representation from Irrigation Department, Public Health Engineering Department, Local Government, Elections and Rural Development Department and any other Members, as co-opted.”.

*Asst. Secy after*  
*Govt. of Khyber Pakhtunkhwa*  
*Law Department*

4. **Amendment of section 35 of the Khyber Pakhtunkhwa Act No. XI of 2012.**--- In the said Act, in section 35, after sub-section (2), the following new sub-section shall be added, namely:

“(3) Unless and until the two tier grievance redressal mechanism, provided in sub-section (1), is exhausted, no Court or any other authority shall take cognizance of the same and grant any injunction.”.

5. **Insertion of new section to the Khyber Pakhtunkhwa Act No. XI of 2012.**--- In the said Act, after section 35, the following new section shall be inserted, namely:

“35C. **Bar of jurisdiction.**---No Civil Court shall have jurisdiction to entertain any proceedings, grant any injunction or make any order in relation to any matter, order and proceedings, carried out by procuring entity and authority against anything done, intended or purported to be done, in good faith, under this Act.”.

*Asst. Secy. Govt. of Khyber Pakhtunkhwa  
Law Dept.*

**STATEMENT OF OBJECTS AND REASONS**

It is desirable further to amend the further to amend the Khyber Pakhtunkhwa Public Procurement Regulatory Authority Act, 2012 (Khyber Pakhtunkhwa Act No. XI of 2012). Hence, this Bill.

Peshawar,  
dated the  
.2018.

**MINISTER-IN-CHARGE**  
Minister Finance  
Govt. of Khyber Pakhtunkhwa  
Peshawar