



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 4th SEPTEMBER, 2019.

**PROVINCIAL ASSEMBLY SECRETARIAT
KHYBER PAKHTUNKHWA**

NOTIFICATION

Dated Peshawar, the 4th September, 2019.

No. PA/Khyber Pakhtunkhwa/Bills-52/2019/6185.—The National Disaster Management (Khyber Pakhtunkhwa) (Amendment) Bill, 2019 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 28th August, 2019 and assented to by the Governor of the Khyber Pakhtunkhwa on 2nd September, 2019 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

**THE NATIONAL DISASTER MANAGEMENT (KHYBER PAKHTUNKHWA) (AMENDMENT) ACT, 2019.
(KHYBER PAKHTUNKHWA ACT NO. XXXI OF 2019)**

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa, (Extraordinary), dated the 4th September, 2019).

AN
ACT

further to amend the National Disaster Management Act, 2010

Preamble.— WHEREAS it is expedient further to amend the National Disaster Management Act, 2010 (Act No. XXIV of 2010), for the purposes hereinafter appearing;

It is hereby enacted as follows:

1. Short title and commencement. —(1) This Act may be called the National Disaster Management (Khyber Pakhtunkhwa) (Amendment) Act, 2019.

(2) It shall come into force at once.

2. **Insertion of new section 16(A) to Act No. XXIV of 2010.**--- In the National Disaster Management Act, 2010 (Act No. XXIV of 2010), hereinafter referred to the said Act, after section 16, the following new section shall be inserted, namely:

“16(A). Declaration of state of emergency. --- (1) Whenever the Province or any part thereof is affected or threatened by disaster which, in the opinion of Government, warrants action under this Act, the Secretary to Government Relief, Rehabilitation and Settlement Department, may by notification, declare the whole or any part of the Province, as the case may be, as an-affected area.

(2) On the declaration under sub-section (1),-

(a) the Secretary to Government Relief, Rehabilitation and Settlement Department, shall communicate instructions, directions and recommend measures to the concerned District Nazim, Deputy Commissioner and District Disaster Management Officer, for dealing with the emergency situation in their respective districts and the concerned District Nazim, Deputy Commissioner and District Disaster Management officer shall be bound to comply with the direction and instruction of Secretary Relief, Rehabilitation and shall make available all the required facilities including but not limited to manpower, machinery, transport, equipment, funds and infrastructure which can be useful for dealing with the situation of emergency in the affected area; and

(b) the Deputy Commissioner shall designate an officer to perform, special duty for emergency who shall be assisted by the District Disaster Management Officer to carry out instructions, directions and orders of the Provincial Authority for implementation of emergency measures in affected area.

(3) The Secretary to Government Relief, Rehabilitation and Settlement Department after being satisfied that the situation of emergency has ceased to exist and there is no further apprehension of disaster, may revoke the declaration of state of emergency, by a notification in this regard, in the official Gazette.”.

3. **Addition of new section to Act No. XXIV of 2010.**--- In the said Act, after section 48, the following new section shall be added, namely:

“49. Repeal and saving.---(1) The West Pakistan National Calamities (Prevention and Relief) Act, 1958 (Act No. XXXIII of 1958), is hereby repealed.

(2) Notwithstanding the repeal of the aforesaid Act, anything done, action taken, rules made, and notification or order issued under the aforesaid Act, shall, so far as it is not inconsistent with the provisions of this Act, be deemed to have been done, taken, made or issued under this Act and shall have effect accordingly.

(3) Any document referring to the repealed Act shall be construed as referring to the corresponding provisions of this Act."

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

(NASRULLAH KHAN KHATTAK)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa

Printed and published by the Manager,
Staty. & Ptg. Deptt., Khyber Pakhtunkhwa, Peshawar