



KHYBER PAKHTUNKHWA

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PROVINCIAL ASSEMBLY SECRETARIAT,
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 20th October, 2016.

No. PA/Khyber Pakhtunkhwa/Bills/2016/10868.—The Khyber Pakhtunkhwa Public Private Partnership (Amendment) Bill, 2016 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 7th October, 2016 and assented to by the Governor of the Khyber Pakhtunkhwa on 18th October, 2016 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

**THE KHYBER PAKHTUNKHWA PUBLIC PRIVATE PARTNERSHIP
(AMENDMENT) ACT, 2016**

(KHYBER PAKHTUNKHWA ACT NO. XXVI OF 2016)

*(First published after having received the assent of the Governor of the
Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa,
(Extraordinary), dated the 20th October, 2016).*

**AN
ACT**

*to amend the Khyber Pakhtunkhwa
Public Private Partnership Act, 2014*

WHEREAS it is expedient to amend the Khyber Pakhtunkhwa Public Private Partnership Act, 2014 (Khyber Pakhtunkhwa Act No. XX of 2014), 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 Public Private Partnership (Amendment) Act, 2016.

(2) It shall come into force at once.

2. Amendment of section 2 of the Khyber Pakhtunkhwa Act No. XX of 2014.---In the Khyber Pakhtunkhwa Public Private Partnership Act, 2014 (Khyber Pakhtunkhwa Act No. XX of 2014), hereinafter referred to as the said Act, in section 2,-

(a) in clause (f), the words “ in the sector listed in the Schedule”, appearing at the end, shall be deleted; and

(b) clause (s) shall be deleted.

3. Amendment of section 3 of the Khyber Pakhtunkhwa Act No. XX of 2014.---In the said Act, in section 3, in sub-section (2),-

(a) in clause (ix), the word “and” appearing at the end, shall be deleted; and

(b) in clause (x), the full stop , appearing at the end, shall be replaced by a semi-colon and the word “and” and thereafter the following new clause shall be added, namely:

“(xi) Chief Executive Officer, Khyber Member”.
Pakhtunkhwa Board of Investment and Trade.

4. Amendment of section 9 of the Khyber Pakhtunkhwa Act No. XX of 2014.---In the said Act, in section 9,-

(a) in sub-section (1), the words “only in respect of the sectors listed in the Schedule” shall be deleted;

(b) for sub-section (2), the following shall be substituted, namely:

“(2) The Contracting Authority, in case of projects, costing more than rupees five hundred (500) million, shall obtain the approval of the Chief Minister regarding the application of the provisions of this Act to the projects or otherwise and in case of projects, costing upto rupees five hundred (500) million, the Contracting Authority shall decide itself the mode of its implementation under this Act or otherwise, as the case may be.”; and

(c) after sub-section (2), as so amended, the following new sub-section shall be added, namely:

“(3) Notwithstanding anything contained in sub-section (2), irrespective of the cost, the projects in which leasing of only state land is involved, shall be dealt with in accordance with the lease policy of Government, issued from time to time.”

5. Amendment of section 11 of the Khyber Pakhtunkhwa Act No. XX of 2014.---In the said Act, in section 11, in sub-section (1), for the word and figure “section 10”, the words and figures “sections 9 and 10” shall be substituted.

6. Deletion of Schedule to the Khyber Pakhtunkhwa Act No. XX of 2014.---In the said Act, the Schedule , appended at the end, shall be deleted.

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

**(AMANULLAH)
Secretary,
Provincial Assembly of Khyber Pakhtunkhwa**