



## KHYBER PAKHTUNKHWA

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PROVINCIAL ASSEMBLY SECRETARIAT,  
KHYBER PAKHTUNKHWA

### NOTIFICATION

Dated Peshawar, the 26<sup>th</sup> September, 2016.

No. PA/Khyber Pakhtunkhwa/Bills/2016/8940.—The Khyber Pakhtunkhwa Taking Over of the Industrial Estate or Economic Zones Bill, 2016 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 20<sup>th</sup> September, 2016 and assented to by the Governor of the Khyber Pakhtunkhwa on 22<sup>nd</sup> September, 2016 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

### THE KHYBER PAKHTUNKHWA TAKING OVER OF THE INDUSTRIAL ESTATE OR ECONOMIC ZONES ACT, 2016

(KHYBER PAKHTUNKHWA ACT NO. XVIII 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 26<sup>th</sup> September, 2016).*

AN  
ACT

*to provide for the taking over of the Industrial Estates or Economic Zones of the Khyber  
Pakhtunkhwa Development Authority by the Khyber Pakhtunkhwa Economic  
Zones Development and Management Company and to transfer all its  
assets and liabilities including employees to the said Company.*

**WHEREAS**, it is expedient to provide for the taking over of the Industrial Estates or Economic Zones of the Khyber Pakhtunkhwa Development Authority by the Khyber Pakhtunkhwa Economic Zones Development and Management Company and to transfer all its assets and liabilities including employees to the said Company and for all matters connected therewith and ancillary thereto.

It is hereby enacted as follows:-

**1. Short title and commencement.**---(1) This Act may be called the Khyber Pakhtunkhwa Taking Over of the Industrial Estates or Economic Zones Act, 2016.

(2) It shall come into force at once.

**2. Definitions.**---In this Act, unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them, that is to say,-

- (a) “**asset**” means anything of value which includes but is not limited to property whether tangible or intangible, cash, investments, accounts receivables, loans granted, inventory, real estate, plant, machinery, contracts, licenses, permissions, trademarks, copyrights, patents, approvals, easement rights or otherwise anything that may be beneficial to or can be used for the benefit of the Company for the performance of its function as may be determined by Government;
- (b) “**Authority**” means the Khyber Pakhtunkhwa Development Authority constituted under the Khyber Pakhtunkhwa Khyber Pakhtunkhwa Development Authority Act, 1972 (Khyber Pakhtunkhwa Act No. VI of 1973);
- (c) “**Company**” means the Khyber Pakhtunkhwa Economic Zones Development and Management Company, established under the Companies Act, 1984;
- (d) “**employees**” mean the employees of the Authority;
- (e) “**Government**” means the Government of the Khyber Pakhtunkhwa;
- (f) “**Industrial Estate or Economic Zone**” means Industrial Estates or Economic Zones mentioned in the Schedule;
- (g) “**record**” means any information, documents, ledgers, books, accounts, data, dossiers, files, reports, archives, notes, minutes, transactions, proceedings, transcripts, certificates, deeds, instruments, diaries, logs, inventory lists, catalogues, case files, case studies, or otherwise anything that may be determined by Government to be record of the Authority;
- (h) “**repealed Act**” means the Khyber Pakhtunkhwa Development Authority Act, 1972 (Khyber Pakhtunkhwa Act No. VI of 1973) as repealed under section 8 of this Act; and

(i) "Schedule" means the Schedule appended to this Act.

**3. Transfer of Industrial Estates or Economic Zones.**---On coming into force of this Act, all the Industrial Estates or Economic Zones as mentioned in the Schedule shall stand transferred from the Authority to the Company and the Authority shall cease to exist.

**4. Transfer of assets, liabilities, record and matters ancillary thereto.**---All assets, liabilities, bank accounts, claims, proceedings before judicial or quasi-judicial forums, mediators and regulators, alongwith all necessary records in so far as pertaining to the statutory and administrative functions of the Authority, shall henceforth vest in the Company to the extent of the Industrial Estates or Economic Zones as mentioned in the Schedule.

**5. Status of the employees.**---Notwithstanding anything contained in any law for the time being in force, on the commencement of this Act, all employees shall stand transferred to the Company:

Provided that the Company shall give option to the employees either to continue to serve the Company on their existing terms and conditions as specified in the Khyber Pakhtunkhwa Development Authority Rules, 2015, made under the repealed Act or to continue to serve the Company on the terms and conditions given by the Company including Golden Hand Shake:

Provided further that the option shall be exercised within a period of sixty (60) days and the option once exercised, shall be final.

**6. Act to override other laws.**---The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any law for the time being in force.

**7. Removal of difficulties.**---If any difficulty arises in giving effect to any of the provisions of this Act, the Government may pass any order, as may be deemed necessary for the purpose of removing such difficulty.

**8. Repeal.**---The Khyber Pakhtunkhwa Development Authority Act, 1972 (Khyber Pakhtunkhwa Act No. VI of 1973) is hereby repealed.

**9. Repeal of Khyber Pakhtunkhwa Ordinance No. IX of 2016.**--- The Khyber Pakhtunkhwa Taking Over of the Industrial Estates or Economic Zones Ordinance, 2016 (Khyber Pakhtunkhwa Ordinance No. IX of 2016) is hereby repealed.

**SCHEDULE**  
[see section 3(1)]

**Industrial Estates or Economic Zones**

1. Hattar Industrial Estate Phase VII
2. Rashakai/M-1 Industrial Estate
3. Jalozaï Industrial Estate
4. Ghazi Industrial Estate
5. Dera Ismail Khan Industrial Estate
6. Bannu Industrial Estate
7. Hattar Industrial Estate
8. Gadoon Industrial Estate
9. Hayatabad Industrial Estate
10. Nowshera Industrial Estate
11. Industrial Estate Mansehra
12. Industrial Estate/Marble City at Chitral.

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

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**( KIFAYATULLAH KHAN AFRIDI )**  
Secretary  
Provincial Assembly of Khyber Pakhtunkhwa