

[AS INTRODUCED IN THE SENATE]

A

BILL

to provide for the proper administration and management of the Islamabad Club

WHEREAS the Islamabad Club was established as a social and residential Club for the use, relaxation, convenience and entertainment of the officers of the Federal Government, Parliamentarians, the members of the diplomatic corps stationed at Islamabad and other persons having the requisite social status and holding Pakistani Nationality; and

WHEREAS it is expedient to provide for the proper administration and management of the affairs of the Islamabad Club and for matters connected therewith and ancillary thereto;

It is hereby enacted as follows:-

1. Short title and commencement.—(1) This Act may be called the Islamabad Club Administration and Management Act, 2017.

(2) It shall come into force at once.

2. Definitions.— In this Act, unless there is anything repugnant in the subject or context,—

- (a) "Administrator" means the Administrator appointed under section 8 of this Act;
- (b) "Board" means the Board of Governors constituted under section 4 of this Act;
- (c) "Club" means the Islamabad Club set up under the Islamabad Club (Administration) Ordinance, 1978 (XXXIII of 1978) and reconstituted under this Act;
- (d) "Finance and Planning Committee" means the Finance and Planning Committee set up under section 11;
- (e) "Government" means the Federal Government;

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- (f) "Managing Committee" means the Managing Committee set up under section 10;
- (g) "Prescribed" means prescribed by rules or regulations made under this Act;
- (h) "Regulations" means the regulations made under this Act; and
- (i) "Rules" means the rules made under this Act.

3. Establishment of the Islamabad Club.___(1) On the commencement of this Act, the Islamabad Club established under the Islamabad Club (Administration) Ordinance, 1978 (XXXIII of 1978), shall be re-constituted.

- (2) The Club shall consist of, ____
 - (i) the Administrator;
 - (ii) the Board of Governors;
 - (iii) the Finance and Planning Committee;
 - (iv) the Managing Committee;
 - (v) other committees constituted by the Board ; and
 - (vi) such other officers as may be prescribed.

(3) The Club shall be a body corporate by the name of the Islamabad Club having perpetual succession and a common seal and shall, by the said name, sue and be sued.

(4) The Club shall be competent to acquire and hold property, both movable and immovable, and to lease, sell or otherwise transfer any movable and immovable property which may have vested in it or acquired by it in and outside Pakistan.

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4. Board of Governors.- (1) There shall be a Board of Governors for the Islamabad Club to administer and manage its affairs. The Board of Governors shall have the following members, namely:-

- (i) Administrator;
- (ii) Secretary Establishment Division;
- (iii) Secretary Ministry of Interior and Narcotics Control;
- (iv) Secretary, Ministry of Foreign Affairs;
- (v) two Members appointed by the President;
- (vi) two Members of the National Assembly of Pakistan, nominated by the Speaker National Assembly of Pakistan; and
- (vii) Two Members of the Senate of Pakistan, nominated by the Chairman Senate of Pakistan.

(2) The Administrator shall be the Chairman of the Board of Governors.

(3) The members other than ex-Officio members shall hold office for two years.

5. Meetings of the Board of Governors.-(1) The Board shall ordinarily meet once in three months but a special meeting may be called by the Administrator at any time.

(2) Not less than ten clear days notice of a special meeting shall be given to the Members of the Board of Governors.

(3) The quorum for a meeting of the Board of Governors shall be one-half of its Members, a fraction being counted as one.

(4) The decision of the Board shall be expressed in terms of majority and, in case of equality of votes; the Chairman shall have a casting vote.

6. Powers and functions of the Board of Governors.-(1) The Board of Governors shall perform all functions necessary for the proper administration and management of the Club.

(2) Without prejudice to the generality of the provisions of sub-section (1), the Board of Governors shall exercise and perform the powers and functions hereinafter specified, namely:-

- (a) to hold, control and administer the property, funds and resources of the Club;
- (b) to act as custodian of the Club assets, properties and funds;
- (c) to regulate and govern the finances, accounts, investments, funds, loans, donations and appoint agents for financial purposes;
- (d) to consider and approve, on the advice of the Finance and Planning Committee of the Club, the annual budget estimates and the revised budget estimates and to re-appropriate funds from one head of the budget to the other, and to lay down guidelines or rules of business dealing with financial disbursement;
- (e) to approve, vary or cancel contracts;
- (f) to initiate or approve schemes for the realization of the objectives of the Club;
- (g) to determine the form, provide for custody and regulate the use of common seal of the Club;
- (h) to suspend, punish and remove from service the Club employees whom it is empowered to appoint, in the manner prescribed after due enquiry and defence;
- (i) to approve Regulations on the recommendations of the appropriate bodies;

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- (j) to frame Regulations for membership of the Club;
- (k) to appoint such individuals, committees or sub-committees and delegate such powers and assign such functions as may, in the opinion of the Board of the Governors, lead to its more efficient and effective operation; and
- (l) to determine, regulate and administer all other matters concerning the Club and to this end exercise all necessary powers not specifically mentioned in this Act, Rules and the Regulations.

7. Patron.- The President of Pakistan shall be the Patron of the Islamabad Club.

8. Administrator.—(1) The Federal Government on the recommendation of Board, shall appointment an officer of Government drawing pay in a grade not lower than grade 22 in the National Pay Scales to be the Administrator of the Islamabad Club.

(2) Unless the Board otherwise directs, the Administrator shall hold office for a period of two years and shall not be eligible for reappointment.

(3) The Administrator may, by writing under his hand addressed to the Federal Government, resign his office.

(4) The Administrator shall, subject to any direction issued by the Board, be competent to exercise and perform all such powers and functions as may be necessary for the efficient administration of the affairs of the Islamabad Club.

9. Acting Administrator.- Where at any time the Administrator is unable to perform his functions due to any reason, the Board may appoint Acting Administrator for performance of functions under this Act, till the vacancy is filled or the Administrator resumes his duties.

10. Managing Committee.—(1) To aid and advise the Administrator in the performance of his functions, the Board shall constitute a Managing Committee consisting of,—

- (a) two members, being Service Members of the Islamabad Club;
- (b) one member, being member of the Islamabad Club other than Service Member;

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- (c) one member, being a member of the diplomatic corps in Islamabad, to be nominated by the doyen of that corps;
- (d) One member of the National Assembly being a member of the Club; and
- (e) One member of the Senate of Pakistan being a member of the Club.

(2) The Administrator shall be the Chairman of the Managing Committee.

(3) Unless the Board otherwise directs, a member of the Managing Committee shall hold office for a period of two years and shall not be eligible for re-nomination.

(3) The Managing Committee shall exercise such powers and perform such functions as may be prescribed by the regulations.

(4) A member of the Managing Committee may, by writing under his hand addressed to the Board, resign his office.

11. The Finance and Planning Committee.- (1) There shall be a Finance and Planning Committee of the Club, constituted by the Board. The Finance and Planning Committee shall have the following members, namely;-

- (i) The Administrator who will be the Chairman of the Committee;
- (ii) Any one member from the members given in section 4, clause (1) sub-clauses (ii), (iii) and (iv);
- (iii) An officer responsible for Finance and Accounts of the Club;
- (iv) One member of the National Assembly being Member of the Club; and
- (v) One Member of the Senate of Pakistan being member of the Club.

(2) The term of office of the members of the Committee, other than the *ex-officio* members, shall be for two years.

(3) The quorum for a meeting of the Finance and Planning Committee shall be three.

12. Functions of the Finance and Planning Committee.- The functions of the Finance and Planning Committee shall be-

- (a) to consider the annual statement of accounts and the annual and revised budget estimates and advise the Board of Governors thereon;
- (b) to review periodically the financial position of the Club;
- (c) to advise the Board of Governors on all matters relating to planning, development, finance, investments and accounts of the Club;
- (d) to prepare short-term and long-term development plans;
- (e) to prepare staff and resource development plans; and
- (f) to perform such other functions as may be prescribed by Regulations.

13. Funds, audit, etc.— (1) The funds of the Club shall comprise the following, namely:—

- (i) grants, if any, made by the Government of Pakistan or other agencies;
- (ii) donations, gifts and endowments received by the Club;
- (iii) income from other sources such as sale-proceeds, membership fees and remunerations; and
- (iv) income from any other source according to law.

(2) No expenditure shall be made from the Fund unless a bill for its payment has been audited by a qualified auditor to be appointed by and in a manner approved by the Board.

(3) The accounts of the Club shall be maintained in such form and manner as may be prescribed by the Board and shall be audited once a year by an auditor appointed by the Board.

(4) An Annual report on the activities and performance of the Club shall be submitted by the Administrator for consideration of the Board as soon as possible after the close of each financial year along with the Annual Statement of Accounts and audit report thereon and the Board shall submit them along with its comments to the Government.

14. Terms and conditions of service of employees.- The terms and conditions of an employee shall be such as provided for in the rules made under this Act.

15. Secretary.- (1) The Secretary of the Club shall be appointed by the Board in the manner as may be prescribed.

(2) The Secretary shall,-

(a) be the Chief Executive Officer of the Club;

(b) Control all other officers and Staff of the Club

(c) Be in charge of the office of the Club;

(d) Under directions of the Board carry on all the business and affairs and conduct all the correspondence of the Club;

(e) Perform all such functions as the Board may from time to time generally or specifically prescribe in that behalf.

16. Continuance in service employees.- Unless the Board otherwise directs in any particular case, all the employees of the Club in employment immediately before the commencement of this Act shall continue in their respective employments on the same terms and conditions as were applicable to them immediately before such commencement.

17. Employees Welfare Fund.- (1) There shall be a fund to be known as the Employees Welfare Fund.

(2) The objectives of the Fund shall be the general Welfare of the employees such as:-

- (a) Immediate financial aid to the family in case of death of an employee;
- (b) Immediate financial aid to an employee in case of death of his family member;
- (c) Financial aid to employees who have been declared unfit by an authorized medical authority on account of accident, amputation, mental or physical incapacitation etc.;
- (d) Grant of scholarship (for graduation and post graduation only) to deserving children of employees;
- (e) Financial aid in case of prolonged illness of employees or their family members;
- (f) Financial aid to employees in case of self-marriage and their children up to two in number; and
- (g) Any other case in which the Managing Committee may decide that financial aid to an employee is necessary.

(2) The Club may accept donations in the shape of land, vehicle, equipment or any other item that may facilitate the functioning of the Club and all such donations shall be used, maintained and disposed of by the Club in the prescribed manner.

(3) There shall be no formal membership of the Fund. Members of the Club, any other person or body can make donations to the fund voluntarily.

- (4) The Assets shall be composed of:-
 - (a) Voluntary donations by the Members of the Club;
 - (b) Contribution by the staff of Club;

- (c) Donations and grants from any other person or body etc; and
- (d) Profits earned by the Fund through fix deposit, investment or bonds etc.

18. Indemnity.- No suit or other legal proceeding shall lie against the Federal Government or the Club or any other person in respect of anything in good faith done or intended to be done under this Act.

19. Removal of difficulties.- If any difficulty arises in giving effect to any provision of this Act, Government may make such order not inconsistent with the provisions of this Act as may appear to it to be necessary for the purpose of removing such difficulty and such power may be exercised upto two years after the commencement of this Act.

20. Power to make rules.- Government may, by notification in the official Gazette, make rules for giving effect to the provisions of this Act.

21. Power to make regulations.- The Board may make regulations, not inconsistent with the provisions of this Act and the rules, for carrying out the purposes of this Act.

22. Repeal and saving.- (1) The Islamabad Club (Administration) Ordinance, 1978 (XXXIII of 1978) is hereby repealed.

(2) All assets, rights, powers, authorities and privileges, all property, movable and immovable, cash and bank balances, reserve funds, investments and all other interests and rights in, or arising out of, such property, of the Club shall be regulated under this Act;

(3) All debts and liabilities incurred, all obligations undertaken, all contracts entered into, and all agreements made by or with the Club, shall be regulated under this Act, and be deemed to have been incurred, undertaken, entered into or made, by or with, the Club;

(4) The services of all the employees of Club acquired under the repealed Ordinance shall be deemed to be the services acquired under this Act.

(5) All rules, regulations and orders made or issued under the repealed Ordinance shall continue to hold ground, unless altered, amended, repealed or inconsistent to the provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

The Islamabad Club was established as a social and residential Club for the use, relaxation, convenience and entertainment of the officers of the Federal Government and the members of the diplomatic corps stationed at Islamabad. The ownership and management of the Club was transferred to the Government through Presidential Ordinance No. XXXIII1978. Since the Islamabad Club has huge resources and responsibilities to play, therefore transparency in its administration, management, finances and decision making is needed. Further the Club should have powers to make regulations for the management of its affairs. The Bill has covered all the aspects to ensure transparency in the administration, management, finances and decision making of the club.

The Bill has been designed to achieve the aforesaid objectives.

SENATOR MUHAMMAD AZAM KHAN SWATI
Member-in-Charge