

[AS PASSED BY THE SENATE]

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BILL

further to amend the Pakistan Broadcasting Corporation Act, 1973

WHEREAS, it is expedient further to amend the Pakistan Broadcasting Corporation Act, 1973 (XXXII of 1973) in the manner and for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.— (1) This Act shall be called the Pakistan Broadcasting Corporation (Amendment) Act, 2024.

(2) It shall come into force at once.

2. Amendment of section 2, Act XXXII of 1973.— In the Pakistan Broadcasting Corporation Act, 1973 (No. XXXII of 1973), hereinafter referred as the said Act, in section 2,—

(a) after clause (c), the following new clause shall be inserted, namely:—

“(ca) “division concerned” means the division to which business of the Corporation stands allocated;” ;

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

“(fa) “secretary” shall have the same meaning as assigned thereto in the Rules of Business, 1973;

(fb) “SOE Act” means the State-Owned Enterprises (Governance and Operations) Act, 2023 (VII of 2023); and”.

2A. Insertion of section 3A, Act XXXII of 1973.— In the Pakistan Broadcasting Corporation Act, 1973 (XXXII of 1973), after section 3, the following shall be inserted, namely:—

“3A. Application of Act VII of 2023.— (1) The provisions of the State-Owned Enterprises (Governance and Operations) Act, 2023 (VII of 2023) shall apply to the Pakistan Broadcasting Corporation which shall be deemed to be a state-owned enterprises for the purposes of the said Act.

(2) Where any inconsistency arises in a provision of the said Act and a provision of this Act for the purpose of governance of the corporation as a state-owned enterprise, the provisions of the said Act shall prevail.”.

3. **Substitution of section 4, Act XXXII of 1973.**— In the said Act, for section 4, the following shall be substituted, namely:—

"4. **Board.**— (1) The general direction and the administration of the Corporation shall vest in a Board consisting of —

S. No.	Membership	Status
(1)	(2)	(3)
1.	A person to be appointed by the Federal Government from amongst the independent members	Chairman
2.	Secretary of the division concerned or in his absence his nominee not below the rank of an officer in BPS-20 or equivalent	Member
3.	Additional Foreign Secretary or in his absence his nominee not below the rank of an officer in BPS-20 or equivalent	Member
4.	Additional Secretary Finance or in his absence his nominee not below the rank of an officer in BPS-20 or equivalent	Member
5.	Director General, Inter-Services Public Relations (ISPR) or in his absence his nominee not below the rank of an officer in BPS-20 or equivalent	Member
6.	Managing Director, Pakistan Television Corporation or in his absence his nominee not below the rank of an officer in BPS-20 or equivalent	Member
7.	Director General	Member-cum-Secretary
8.	A representative of the Interior Division not below the rank of an officer in BPS-20 or equivalent	Member
9.	Nine eminent independent members to be appointed by the Federal Government including not less than one from each province, Islamabad Capital Territory, Gilgit-Baltistan and Azad Jammu and Kashmir	Members

(2) The members, other than *ex-officio* members, shall hold office for a term of three years and shall be eligible for re-appointment but in no case for more than two consecutive terms and they may, by writing under

their hand addressed to the Federal Government by giving a notice of not less than one month, resign their offices:

Provided that the resignation shall not take effect until it has been accepted by the Federal Government.

(3) In particular and without prejudice to the generality of the provisions of sub-section (1), the Board shall have full powers with regard to-

- (a) the preparation of the annual revenue budget of the Corporation and approval of the budget and expenditure not included in its annual budget for capital and development expenditure;
- (b) the formulation and implementation of all programs and policies; and
- (c) the making of plans for infrastructural and technological development within the country and for promotion of the Corporation's interests abroad."

4. Amendment of section 6, Act XXXII of 1973.— In the said Act, for section 6, the following shall be substituted, namely:—

"6. Removal of independent members.— The Federal Government may, by notification in the official Gazette, remove an independent member in accordance with the provisions of the SOE Act."

5. Amendment of section 7, Act XXXII of 1973.— In the said Act, in section 7, for sub-section (2), the following shall be substituted, namely: —

"(2) Not less than fifty percent of total membership of the Board including not less than four independent and one *ex officio* members shall constitute quorum for a meeting of the Board."

6. Substitution of section 8, Act XXXII of 1973.— In the said Act, for section 8, the following shall be substituted, namely:—

"8. Director-General.— (1) There shall be a Director General of the Corporation who shall be its chief executive officer to be appointed by the Board in such manner and on such terms and conditions as may be prescribed by the Board.

(2) The Director General shall -

- (a) be responsible for the management of the Corporation and for its procedures in financial and other matters under delegation from the Board and subject to the oversight and directions of the Board;
- (b) ensure the proper implementation of strategies and policies approved by the Board; and

- (c) put in place appropriate arrangements to ensure that funds and resources are properly safeguarded and are used economically, efficiently and effectively and in accordance with the state-owned enterprise business plan, the primary objective and all statutory obligations."

7. Amendment of section 14, Act XXXII of 1973.— In the said Act, in section 14, for the words "Federal Government", occurring twice, the word "Board" shall be substituted.

8. Amendment of section 16, Act XXXII of 1973.— In the said Act, in section 16,—

- (a) for sub-section (1), the following shall be substituted, namely:—

"(1) The accounts of the Corporation shall be maintained and audited in accordance with the provisions of Articles 169 and 170 of the Constitution of the Islamic Republic of Pakistan.";

- (b) in sub-section (3), for the words "Federal Government", the words "secretary finance division through the secretary of the division concerned" shall be substituted; and

- (c) in sub-section (4), for the words "Federal Government", the words "secretary finance division through the secretary of the division concerned" shall be substituted.

9. Addition of new section 22 A, Act XXXII of 1973.— In the said Act, after section 22, the following new section 22A, shall be inserted, namely:—

"22A. Removal of difficulties.— If any difficulty arises in giving effect to any of the provisions of this Act, the Federal Government may make such order, not inconsistent with the provisions of this Act, as may appear to be necessary for the purpose of removing the difficulty."

STATEMENT OF OBJECTS AND REASONS

Recently, under IMF structural benchmark and performance criteria, State-Owned Enterprises (Governance and Operations) Act, 2023 (SOE Act, 2023) has come into force to improve the governance and operations of State-Owned enterprises including Pakistan Broadcasting Corporation (PBC).

2. In order to fulfill the conditions of IMF, there was a need to bring PBC Act, 1973 in conformity with the provisions of SOE Act, 2023. Therefore, any provision in the PBC Act, which is in conflict with any provision of SOE Act, shall be overridden by the relevant provision of the SOE Act.

3. As the SOE Act requires that the independent Directors/private members should be greater in number than the *ex-officio* members in the Board of a State-Owned enterprise, the constitution of the PBC Board has been changed by increasing the independent Directors/private members from four (04) to nine (09), giving them majority over *ex-officio* members.

4. Previously, only four Independent Directors/ private members, representing each province, were included in the Board. By increasing the number of Independent Directors/ private members, representation has been given to Islamabad Capital Territory, Gilgit-Baltistan and Azad Jammu and Kashmir besides four provinces.

5. The role of the PBC Board has been made decisive in the appointment of Director General, PBC. The Federal Government shall appoint Director General on the recommendation of the Board.

Sd/-
(MINISTER IN-CHARGE)

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