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PART I

Acts, Ordinances, President's Orders and Regulations

SENATE SECRETARIAT

Islamabad, the 26th March, 2013

No. F. 9(8)/2013-Legis.—The following Act of Majlis-e-Shoora (Parliament) received the assent of the President on 22nd March, 2013, is hereby published for general information:—

ACT NO. XVII OF 2013

An Act to provide for establishment of Global Change Impact Studies Centre

WHEREAS significant climate change is taking place due to human interference with nature which is resulting in global warming and occurrence of extreme events such as floods, droughts, tornadoes, etc. with far-reaching consequences for human life;

AND WHEREAS, it is expedient to provide for the establishment of Global Change Impact Studies Centre (GCISC) to undertake scientific investigations of the phenomenon of climate change at regional and sub-regional levels and study its

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impact on various sectors of socio-economic development in order to prepare the country to meet threats to its water resources, agriculture, ecology, energy, health, bio-diversity etc, and for matters connected therewith or ancillary thereto;

It is hereby enacted as under:—

CHAPTER I

PRELIMINARY

1. **Short title, extent and commencement.**—(1) This Act may be called the Global Change Impact Studies Centre Act, 2013.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

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

(a) “Board” means the Board of Governors established under section 5;

(b) “Centre” means the Global Change Impact Studies Centre (GCISC) established under section 3;

(c) “Chairman” means the Chairman of the Board;

(d) “employees” means persons employed by the Centre;

(e) “Executive Director” means the Executive Director of the Centre appointed under section 9;

(f) “Fund” means the Global Change Impact Studies Centre Fund established under section 10;

(g) “prescribed” means prescribed by rules; and

(h) “research studies” means theoretical or experimental research work, including modeling and simulation techniques undertaken to acquire knowledge of fundamental principles of the climate change phenomenon and its impacts.

CHAPTER II

GLOBAL CHANGE IMPACT STUDIES CENTRE**3. Establishment of the Global Change Impact Studies Centre.—**

(1) There shall be established a Global Change Impact Studies Centre (GCISC), to carry out the purposes and objectives of this Act.

(2) The Centre shall be a body corporate, having perpetual succession and a common seal, with power to acquire and hold property, both moveable and immoveable, and sue and be sued in its own name.

(3) The headquarters of the Centre shall be at Islamabad and it may establish its regional offices at such places as it may consider appropriate.

(4) The Centre shall keep close liaison with the corresponding Province level Centres as and when they are established. The Centre shall also help in the capacity building of such Provincial institutions.

4. Functions of the Centre.—(1) The Centre shall take all measures to accelerate research work necessary for the study of climate change and its impacts on various sectors of socio-economic development such as water resources, agriculture, ecology, energy, health, biodiversity, etc.

(2) The Centre shall, in order to carry out its functions,—

- (a) prepare and submit for approval of the Board schemes or projects, including joint projects with national, foreign or international entities;
- (b) proceed to give effect to proposals, schemes or projects as approved by the Board;
- (c) enter into collaboration and joint ventures with domestic and foreign entities for Research Studies related to the climate change phenomenon;
- (d) hold seminars, conferences, workshops, training courses, etc., and publish research papers, etc;
- (e) advise and recommend to government agencies sectoral guidelines for adaptation and mitigation efforts in relation to climate change;
- (f) generate public awareness of the phenomenon of climate change and its likely impacts; and

- (g) perform such other acts as may be necessary for achievement of the purposes of this Act.

CHAPTER III

MANAGEMENT AND ADMINISTRATION OF THE CENTRE

5. **Board of Governors.**—(1) The general direction and administration of the Centre and its affairs shall vest in the Board of Governors which shall determine and execute policies of the Centre and may exercise all powers and do all acts, which may be required to be exercised or done by the Centre, relating to its functions, in accordance with this Act.

(2) For furthering the functions of the Centre, the Federal Government may as and when it considers necessary, issue directives to the Centre on matters of policy. If a question arises as to whether any matter is a matter of policy or not, the decision of the Federal Government thereon shall be final.

(3) The Board shall consist of the Chairman who shall be the Federal Minister-in-charge of the concerned Ministry dealing with the subject of climate change, *ex-officio* members and the following members to be appointed by the Federal Government,—

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| (a) | Secretary, Ministry dealing with the Subject of Climate Change | <i>Vice-Chairman</i> |
| (b) | Secretary, Ministry of Finance | <i>Member</i> |
| (c) | Secretary, Ministry of Science and Technology | <i>Member</i> |
| (d) | Secretary, Ministry of Water and Power | <i>Member</i> |
| (e) | Secretary, Ministry dealing with the Subject of National Food Security and Research | <i>Member</i> |
| (f) | Secretary, Ministry of Industries | <i>Member</i> |
| (g) | Director General, Pakistan Meteorological Department | <i>Member</i> |
| (h) | Chairman, Space and Upper Atmosphere Research Commission. | <i>Member</i> |

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| (i) | Secretary, Environment or of the relevant Department and one Technical Expert nominated by respective Provincial Governments, Azad Governments of Jammu and Kashmir and Gilgit Baltistan | <i>Members</i> |
| (j) | three eminent scientists | <i>Members</i> |
| (k) | two eminent representatives from private sector | <i>Members</i> |
| (l) | Executive Director of the Centre | <i>Member</i> |

(4) In the absence of Chairman, the Vice-Chairman shall exercise the powers of the Chairman.

(5) The Executive Director shall act as the Secretary of the Board.

(6) The Federal Government may vary the constitution of the Board as and when it may deem appropriate.

6. Functions and powers of the Board.— The Board shall,—

- (a) have administrative and financial powers for operation and maintenance of the Centre and to perform all the functions vested in the Centre; and
- (b) oversee the administrative and financial operation and maintenance of the Centre and for that purposes perform the following functions, namely:—
 - (i) delegate administrative and financial powers to various functionaries of the Centre in the manner prescribed;
 - (ii) prescribe service rules, recruitment rules, selection criteria, terms and conditions in all cadres for regular appointment or short term contract engagements for junior, middle and senior level professionals, consultants, experts and advisers in the fields relevant to the programmes and other employees of the Centre;
 - (iii) approve the budget estimates as per provision in the budget of the Centre and utilization of funds on annual basis and exercise the powers in accordance with the rules, procedures and instructions specified by the Federal Government;

- (iv) approve creation of posts in the Centre;
- (v) prescribe rules for training and lay down terms and conditions for training of employees of the Centre; and
- (vi) monitor and approve the progress reports prior to their submission to the Federal Government.

7. **Terms of office of members.**—(1) The members, other than *ex-officio* members, shall be appointed for a period of three years by the Federal Government and shall be eligible for re-appointment for one more term of three years.

(2) The members, other than *ex-officio* members, may at any time resign their offices by a letter addressed to the Federal Government, through the Chairman of the Board, provided that no resignation shall take effect until accepted by the Federal Government.

(3) An *ex-officio* member of the Board shall cease to be a member when he ceases to hold that office or post by virtue of which he was an *ex-officio* member.

(4) The Federal Government may at any time terminate the appointment of any nominated member without assigning any reason.

8. **Meetings of the Board.**—(1) The Board shall regulate procedure for its meetings.

(2) The meeting of the Board shall be convened and chaired by the Chairman and, in his absence, by Vice-Chairman, on such date, time and place as may be specified by him, provided that—

- (a) meeting shall be held on quarterly basis; and
- (b) at least two weeks prior notice shall be given to the members specifying date, time and place of the meeting.

(3) The annual report and the accounts of the Centre for each financial year shall be submitted at a meeting of the Board to be held within six months of the close of that year for approval, adoption and record.

(4) The quorum of the meeting of the Board shall be fifty percent of the total membership.

(5) All decisions at a meeting of the Board shall be by a majority vote of the members present and voting, and in case of a tie, Chairman shall exercise a casting vote.

(6) Any emergent business may be transacted by the Board by circulation among its members and any proposal so circulated and approved by a majority of the members shall be deemed to have been approved by the Board in its regular meeting.

(7) All orders, resolutions, determinations and decisions of the Board shall be properly recorded in writing by the Secretary of the Board for the approval of Chairman and circulation to the members.

9. **Executive Director.**—(1) There shall be an Executive Director of the Centre who shall be its chief executive officer. He shall be a person with extensive relevant education, technical and administrative experience and shall be appointed on contract basis in such manner and on such terms and conditions as may be prescribed.

(2) The Executive Director shall—

- (a) exercise administrative and financial powers as delegated by the Board for the operation and maintenance of the Centre. He shall also have the powers as given by the Board to supervise preparation and disbursement of budget of the Centre;
- (b) submit annual accounts and budget proposals for approval of the Board;
- (c) organize international and national conferences, training courses and seminars.
- (d) prepare annual reports and such other reports as may be required for consideration by the Board;
- (e) ensure implementation of the decisions of the Board; and
- (f) exercise such other financial and administrative powers as may be delegated to him by the Board.

CHAPTER IV

FINANCIAL PROVISIONS

10. **Global Change Impact Studies Centre Fund.**—(1) There shall be a Fund to be known as the Global Change Impact Studies Centre Fund. The Fund shall vest in the Centre and shall be used by the Centre to meet its expenses.

- (2) The Fund shall comprise,—
- (a) such sums as the Federal Government may allocate to the Centre in the annual budget;
 - (b) grants or loans from the Federal Government and the Provincial Governments, or other such institutions or states with approval of the Federal Government;
 - (c) income from investments, royalties and receipts from other sources and donations, etc;
 - (d) donations, gifts, bequests, etc; and
 - (e) all other sums which may by any manner become payable to or vest in the Centre in respect of any matter.
- (3) The Centre shall exercise highest standards of prudence as far as expenditures are concerned.

11. **Budget.**—The Centre, with the approval of the Board, shall by such date in each year as may be prescribed, submit to the Federal Government for approval, a budget in the prescribed form for each financial year showing the estimated expenditure and the sums which are likely to be required from the Federal Government during that financial year.

12. **Pay Scales.**—The employees of the Centre shall be given Special Pay Scales (SPS) and shall also be entitled for any time to time increases, allowances or revisions in salary as are allowed to the employees of other organizations drawing SPS.

13. **Maintenance of accounts.**—The Centre shall ensure proper maintenance of accounts and shall after the end of each financial year prepare a statement of accounts which shall include a balance sheet and an account of government funds receipt and expenditure.

14. **Audit.**—The accounts of the Centre shall be audited each year by the Auditor-General of Pakistan, in accordance with relevant rules of the Centre and other applicable laws.

CHAPTER V

MISCELLANEOUS PROVISIONS

15. **Annual report.**—Within ninety days from the end of each financial year, the Centre shall cause a report to be prepared on its activities including research studies conducted by the Centre during that financial year. The report shall be presented to the Board in its next meeting for approval. After approval by the Board, the report shall be released to public and presented to the President of Pakistan.

16. **Recruitment of officers & staff.**—(1) With approval of the Board, all existing employees of the GCISC, hereinafter referred to as the Project, shall, notwithstanding anything contained in any law or in any agreement, deed, document or other instrument, stand absorbed and transferred with the existing SPS to the Centre, after obtaining prior consent from such employees of the Project and shall be deemed to have been appointed or engaged by the Centre in accordance with the terms and conditions which shall not be less favourable than those in the Project and no employee whose services are so absorbed and transferred shall be entitled to any compensation because of such absorption or transfer.

(2) The Centre, with the approval of the Board, may prescribe the procedure, terms and conditions of service for appointment of its officers and staff. The regional or provincial quota for initial appointment shall be observed in accordance with the instructions issued by the Federal Government. The appointments to the posts of advisers, consultants, visiting scientists or experts shall be made in the Centre as per delegation of powers given by the Board.

(3) The disciplinary and misconduct cases of the employees of the Centre shall be governed in accordance with rules of the Federal Government.

(4) The employees of the Centre shall be entitled to such pension and gratuity or provident fund scheme as in force for Federal Government employees, from such date as the Board may notify.

17. **Appointment by deputation.**—The Centre may appoint on deputation officers or staff of other Divisions or Departments or bodies or corporations, on equivalent or higher posts.

18. **Delegation of powers.**—The Board may, by general or special order in writing, direct that such of its powers shall, in such circumstances and under such conditions as may be prescribed, be exercisable also by the Executive Director, or by any other member or officer of the Centre.

19. **Cooperation with International Organizations, etc.**—The Centre may, subject to approval of the Federal Government, cooperate with foreign or international organizations concerned with climate change-related research and studies. It shall act as facilitator for promoting cooperation between the climate change national institutions or organizations and relevant foreign and international organizations.

20. **Discoveries and inventions.**—All rights including international property rights related to discoveries and inventions made by any officer or employee of the Centre in the course of his employment shall vest in the Centre.

21. **Validity of proceedings.**—No act or proceeding of the Centre or the Board shall be invalid by reason only of the existence of a vacancy in, or defect in the constitution of, the Centre or the Board, as the case may be.

22. **Indemnity.**—No suit, prosecution or other legal proceedings shall lie against the Centre, the Board, the Chairman or any member, officer, staff, adviser or consultant of the Centre in respect of anything done or intended to be done in good faith under this Act or the rules made thereunder.

23. **Common seal.**—(1) The Centre shall have a common seal and such seal be kept by the Executive Director or such other person as may be authorized by the Executive Director.

(2) The seal shall be authenticated in the manner as may be prescribed and any document purported to be sealed with the seal so authenticated shall be receivable as evidence of the particulars as stated in the document.

24. **Winding up.**—The Centre shall not be wound up except by an order of the Federal Government in such manner as the Federal Government may prescribe.

25. **Powers to make rules.**—The Board, may, with the approval of the Federal Government and by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

IFTIKHAR ULLAH BABAR,
Secretary.