



THE SMALL AND MEDIUM ENTERPRISES DEVELOPMENT AUTHORITY ORDINANCE, 2002



CONTENTS

CHAPTER I PRELIMINARY

- 1 Short title, extent and commencement
- 2 Definitions

CHAPTER II THE AUTHORITY

- 3 Establishment of the Authority
- 4 Powers and functions of the Authority

CHAPTER III BOARD AND COMMITTEES

- 5 Exercise of the powers and functions of the Authority to be vested in a Board
- 6 Composition of the Board
- 7 Powers and functions of the Board
- 8 Meetings of the Board
- 9 Committees

CHAPTER IV THE CHAIRMAN

- 10 The Chairman of the Board
- 11 Powers and functions of the Chairman

CHAPTER V THE CHIEF EXECUTIVE OFFICER

- 12 The Chief Executive Officer
- 13 Qualifications of the Chief Executive Officer
- 14 Disqualification of the Chief Executive Officer
- 15 Powers and functions of the Chief Executive Officer

CHAPTER VI DELEGATION OF POWERS

- 16 Delegation of powers, duties and functions

CHAPTER VII THE EXECUTIVE SECRETARY

- 17 The Executive Secretary

**CHAPTER VIII
ESTABLISHMENT**

- 18 Appointment of employees, etc
- 19 Conditions of service and disciplinary powers

**CHAPTER IX
RESIGNATION AND REMOVAL**

- 20 Resignation
- 21 Removal of Member

**CHAPTER X
FINANCE, AUDIT AND ACCOUNTS**

- 22 Fund
- 23 Expenditure to be charged to the Fund
- 24 Accounts, annual financial report and audit
- 25 Investment
- 26 Bank accounts

**CHAPTER XI
ANNUAL REPORT**

- 27 Annual Report

**CHAPTER XII
GENERAL AND MISCELLANEOUS PROVISIONS**

- 28 Limitation of liability
- 29 Right of recovery as arrears of land revenue
- 30 Power of the Federal Government to issue policy guidelines
- 31 Chief Executive Officer, Members, employees, etc of the Authority to be public servants
- 32 Indemnity
- 33 Winding up
- 34 Common seal
- 35 Ordinance to override other laws
- 36 Power to make rules
- 37 Power to make regulations
- 38 Removal of difficulties
- 39 Savings
- 40 Repeal

THE SMALL AND MEDIUM ENTERPRISES DEVELOPMENT AUTHORITY ORDINANCE, 2002

ORDINANCE NO. XXXIX OF 2002

[12th August, 2002]

An Ordinance to provide for the establishment of the Small and Medium Enterprises Development Authority as an autonomous body under the Federal Government for encouraging and facilitating the development and growth of small and medium enterprises in Pakistan

WHEREAS it is expedient for the establishment of a Small and Medium Enterprises Development Authority to provide requisite support services for encouraging and facilitating the development and growth of small and medium enterprises in Pakistan by way of policy making and through the provision of resources and support services and to provide for matters connected therewith and ancillary thereto ;

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, and the Provisional Constitution Order No. 1 of 1999, read with the Provisional Constitution (Amendment) Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the President of the Islamic Republic of Pakistanis pleased to make and promulgate the following Ordinance:-

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.— (1) This Ordinance may be called the Small and Medium Enterprises Development Authority Ordinance, 2002.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

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

- (a) "Authority" means the Small and Medium Enterprises Development Authority established under section 3 ;
 - (b) "Board" means the Board of the Authority constituted under section 5 ;
 - (c) "Chairman" means the Chairman of the board ;
 - (d) "Chief Executive Officer" means the Chief Executive Officer of the Authority;
 - (e) "Committee" means a committee constituted by the Board;
 - (f) "employee" means any officer or servant of the Authority ;
 - (g) "Executive Secretary" means the Executive Secretary of the Board;
 - (h) "Federal Government" for purposes of this Ordinance, means the Ministry of Industries and Production;
 - (i) "Fund" means the fund established under section 22 ;
 - (j) "Member" means a member of the Board including the Chairman ;
 - (k) "Person" means any natural person or legal entity, including an individual, association of persons, partnership, company, corporation, statutory body, trust, society, or any other legal entity ;
 - (l) "prescribed" means prescribed by the rules made under this Ordinance;
 - (m) "private sector" means any field of activity not in the public sector or of any statutory body or any body which is owned or controlled, wholly or partially, by the Federal Government or a Provincial Government, except a university or an educational or research institute ;
 - (n) "regulations" means the regulations made under this Ordinance ;
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(o) "rules" means the rules made under this Ordinance ; and

(p) "S.M.E.s" means all entities declared or defined by the Federal Government to be small or medium enterprises for the purposes this Ordinance.

CHAPTER II

THE AUTHORITY

3. Establishment of the Authority.—(1) There shall be established an Authority to be called the Small and Medium Enterprises Development Authority for carrying out the purposes and objectives of this Ordinance.

(2) The Authority shall be a body corporate having perpetual succession and a common seal, with power, subject to the provisions of this Ordinance, to acquire, take-over, hold and dispose of property, both movable and immovable, to enter into contracts and shall by the said name sue and be sued.

(3) The Authority shall have the sole and exclusive right to have and to use all emblems, motto, logo, decorations, descriptive or designating marks and titles, now or heretofore used by the Authority, the name "Small and Medium Enterprises Development Authority" or any similar grammatical variation thereof, and shall also have the sole and exclusive right to have and to use any emblems, motto, logo decorations, descriptive or designating marks or titles hereafter adopted by the Authority for carrying out its objectives.

(4) The Head Office of the Authority shall be at Lahore or at any other place as the Federal Government may, by notification in the official Gazette, specify.

(5) The Authority may establish regional offices at such other places and in such numbers as the Board may, from time to time, deem fit.

4. Powers and functions of the Authority.—(1) The Authority shall have all such powers as may be necessary to perform its duties and functions under this Ordinance.
