



THE PAKISTAN AERONAUTICAL COMPLEX BOARD ORDINANCE, 2000



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THE PAKISTAN AERONAUTICAL COMPLEX BOARD ORDINANCE, 2000

ORDINANCE No. XXVIII OF 2000

[20th July, 2000]

An Ordinance to establish the Pakistan Aeronautical Complex Board Kamra

WHEREAS, it is expedient to establish the Pakistan Aeronautical Complex Board Kamra and to provide for matters connected therewith or incidental thereto;

AND WHEREAS the National Assembly and the Senate stand suspended in pursuance of Proclamation of Emergency of the fourteenth day of October, 1999, and the Provisional Constitution Order No. 1 of 1999;

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 Provisional Constitution Order No. 1 of 1999, as well as Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance:—

1. **Short title, extent and commencement.** —(1) This Ordinance may be called the Pakistan Aeronautical Complex Board Ordinance, 2000.

(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) "Board" means the Pakistan Aeronautical Complex Board Kamra established under section 3;

(b) "Chairman" means the Chairman of the Board;

(c) "factory" means a Pakistan Aeronautical Complex factory established by the Federal Government and functioning under the control of the Board; and

(d) "member" means a member of the Board and includes the Chairman thereof.

3. **Establishment of the Board.** —(1) As soon as may be after the commencement of this Ordinance, the Federal Government shall, by notification in the official gazette, establish, for carrying out the purposes of this Ordinance, a Pakistan Aeronautical Complex Board consisting of a Chairman and five members appointed by it.

(2) The Chairman shall be appointed by the Federal Government on recommendation of the Chief of the Air Staff.

(3) Out of the five members to be appointed by the Federal Government, one shall be appointed as Member Finance in consultation with Ministry of Finance, the second to be as the Member Ministerial Co-ordination, third and fourth to be the Members Technical and Commercial, respectively and the fifth member shall be appointed from the corporate sector to be called the Member (Private) on the recommendation of the secretary, Defence Production Division.

4. Terms of office of the members.—(1) The Chairman and members shall hold office during the pleasure of the Federal Government for a term of four years and, unless earlier removed, shall be eligible for re-appointment and shall receive such salary and allowances as the Federal Government may determine:

Provided that the Member (Private) shall hold office in honorary capacity.

(2) Every member, except Member Ministerial Co-ordination and Member (Private), shall be a whole-time officer of the Board and shall perform such functions as are, or may be, assigned to him under this Ordinance.

(3) Every member, except Member (Private), shall, before assuming his office as such, relinquish or divest himself of any office or interest in any corporation, company or concern other than an industry owned by the Federal Government or sponsored by the Board.

5. Meetings.—(1) No business of the Board shall be transacted except at a meeting at which a quorum of three Members is present.

(2) The Chairman or, in his absence, senior most member shall preside at the meetings of the Board.

(3) At the meetings of the Board each member shall have one vote and, in the event of equality of votes, the Chairman or the member presiding shall have a second or casting vote.

6. Functions of the Board.—(1) The principal function of the Board shall be to manage, organize or, as the case may be, re-organize, within the existing financial resources, any factory and administer the affairs of the factories and to run them on sound commercial lines so as to adequately meet, during war and peace, the needs of the defence of the country .

(2) The Board shall, in discharging its functions, be guided on questions of policy involving national interest, including defence requirement during war and peace, by such directions as the Federal Government, which shall be the sole judge whether or not national interest is involved, may give from time to time.

7. Investment of the Board with certain powers. Notwithstanding anything contained in any law, regulation, rule, order, notification, agreement or other instrument for the time being applicable to any factory, or any officer or other employee appointed or engaged in, or in connection with, any factory, the Board may, in relation to such factory,