



THE PAKISTAN ATOMIC ENERGY COMMISSION ORDINANCE, 1965



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THE PAKISTAN ATOMIC ENERGY COMMISSION ORDINANCE, 1965

¹ORDINANCE No. XVII OF 1965.

[29th May, 1965]

An Ordinance to provide for the establishment of an Atomic Energy Commission

WHEREAS it is expedient to provide for the establishment of an Atomic Energy Commission for the promotion of the peaceful uses of atomic energy in Pakistan, the discharge of international obligations connected therewith, the execution of development projects involving nuclear power stations matters incidental thereto;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render immediate legislation necessary ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 29 of the Constitution and of all other powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance :-

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(1) This Ordinance may be called the Pakistan Atomic Energy Commission Ordinance, 1965.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

¹Approved by the National Assembly on 21st July, 1965, see Gaz. of P., 1965, Ext., p. 596.

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

- (1) "Atomic energy" means the energy or ionizing radiations released in any process which involves transformation of, or reaction between atomic nuclear and includes energy liberated as a result of the fission of special nuclear material of fusion or atomic unuclei :
- (2) "Chairman" means the Chairman of the Commission ;
- (3) "Commission" means the Pakistan Atomic Energy Commission established or deemed to be established under section 3 ;
- (4) "prescribed" means prescribed by rules made under this Ordinance ;
- (5) "special nuclear material" means plutonium-239. uranium -235, or uranium-233 or any other material which the Commission determines to be capable of releasing energy through fission.

3. Establishment of the Commission.—(1) As soon as may be after the commencement of this Ordinance, the ¹[Federal Government] shall establish, in accordance with the provisions of this Ordinance, a Commission to be called the Pakistan Atomic Energy Commission.

(2) The Commission shall be a body corporate by the name of the Pakistan Atomic Energy Commission, having perpetual succession and a common seal, with power, subject to the provisions of Ordinance, to acquire and hold property, both movable and immovable, and shall by the said name sue and be sued.

(3) The headquarters of the Commission shall be at Islamabad.

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³[**3A. Employment under Commission to be employment under Federal Government.** Every employment under the commission shall, for the purposes of the Pakistan Essential Services (Maintenance) Act, 1952 (LIII of 1952), be deemed to be employment under the Federal Government and the said Act shall have effect accordingly.

3B. Ordinance XCI of 2002 not to apply to Commission. Nothing contained in the Industrial Relations Ordinance, 2002 ⁴(XCI of 2002) shall apply to or in relation to the Commission or any of the officers, advisers and employees appointed by it].

¹Subs. by the Pakistan Atomic Energy Commission (Amdt.) Act, 1974 (16 of 1974), s. 2, for "Central Government".

²Sub-section (4) omitted by the Federal Laws (Revision and Declaration) ordinance, 1981 (27 of 1981) s. 3 and Sch. II.

³Added by Act 16 of 1974 s. 3.

⁴Subs by XXX of 2009, s. 2 (valid 25.3.2010) which was previously amended by Ord. No. LXII of 2007, s.2.

CHAPTER II

COMPOSITION AND FUNCTIONS OF THE COMMISSION

4. Composition of the Commission.—(1) The Commission shall consist of the following members¹ to be appointed by the ²[Federal Government], namely :—

Full-time members—

(a) a Chairman ;

3* * *

(b) a Finance member, being representative of the Ministry of Finance, Government of Pakistan; and

⁴[(c) ⁵[seven] technical members of whom one may be a Member for Administration ; and]

⁵* * *

(2) The Chairman ⁶* * * and other members of the Commission ⁶* * * shall be appointed by the ⁷[Federal Government].

(3) The Chairman shall be the chief executive officer of the Commission, and ⁶* * * the other members, except the Finance member, shall perform such functions as the Commission may assign to them from time to time.

(4) The Finance member shall exercise such powers and discharge such duties as may be prescribed.

⁵[(5) Notwithstanding the composition of the Board prescribed in sub-section (1), the Federal Government may increase or decrease the number of members of the Commission and prescribe the qualifications and mode of appointment in such manner as it may deem appropriate.]

5. Term of office of members etc.—(1) Save as hereinafter provided, a member of the Commission ⁶* * * shall hold office for a period of three years from the date of his appointment and shall be eligible for re-appointment for such further period or periods, not exceeding three years at any one time, as the ⁷[Federal Government] may deem fit.

¹ Members of the Commission have been appointed vide S.R.O. 661 (K)/65, see Gaz. of P., 1965, Pt. I, p. 569.

² Subs. by the Pakistan Atomic Energy Commission (Amdt.) Act, 1974 (16 of 1974) s. 2. for "Central Government".

³ Omitted & Subs by Ord. 12 of 2001, ss 2&3.

⁴ Subs. by Act, 16 of 1974 s. 4 for clause "c".

⁵ Subs., omitted & added by Ord XXX of 2009, s.3 (valid upto 25.3.2010)

⁶ subs. *ibid.*, s. 2 for "Central Government".