



THE KORANGI FISHERIES HARBOUR AUTHORITY ORDINANCE, 1982



CONTENTS

PREAMBLE.

CHAPTER I. PRELIMINARY

- 1 Short title, extent and commencement.
- 2 Definitions.
- 3 Declaration of Harbour area.

CHAPTER II. ESTABLISHMENT OF THE AUTHORITY

- 4 Establishment of the Authority.
- 5 Management.
- 6 Constitution of the Board.
- 7 Duties and functions of Chairman and members.
- 8 Headquarters of the Authority and meetings of the Board.

CHAPTER III. POWERS AND DUTIES OF THE AUTHORITY

- 9 Powers of the Authority.
- 10 Managing Director

CHAPTER IV. ESTABLISHMENT

- 11 Appointment and functions of directors, etc.
- 12 Recruitment, conditions of service for officers, servants, etc.
- 13 Members and officers to be public servants.
- 14 Indemnity.
- 15 Delegation of powers to Chairman, etc.

CHAPTER V. FINANCE

- 16 Korangi Fisheries Harbour Authority Fund.
- 17 Budget.
- 18 Audit and accounts.
- 19 Account.

CHAPTER VI.

PENALTY AND PROCEDURE

- 20 Penalty.
- 21 Penalty for evading rates, etc.
- 22 Compensation for damage to property of Board.
- 23 Cognizance of offences.
- 24 Recovery of dues as arrears of land revenue.

CHAPTER VII. MISCELLANEOUS

- 25 Submission of yearly reports and returns.
- 26 Members not personally liable.
- 27 Limitation of suits, etc.
- 28 Board not responsible for certain acts of its officers and servants.
- 29 Power to dispose of land.
- 30 Power of authority to make rules and regulations.
- 31 Control of Federal Government over acts and proceedings of Board.
- 32 Dissolution of Authority and transfer of its assets and liabilities.
- 33 Removal of difficulties.

THE KORANGI FISHERIES HARBOUR AUTHORITY ORDINANCE, 1982.

ORDINANCE No. XVI OF 1982

[12th July, 1982]

An Ordinance to provide for the establishment of Korangi Fisheries Harbour Authority.

WHEREAS it is expedient to provide for the establishment of an Authority within the limits of Port Qasim for making all arrangements for the planning, construction, operation, management and maintenance of Korangi Fisheries Harbour for exploiting fisheries resources beyond territorial waters ;

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 the fifth day of July, 1977, and in exercise of all 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. This Ordinance may be called the Korangi Fisheries Harbour Authority Ordinance, 1982.

(2) It extends to the whole of the Korangi Fisheries Harbour.

(3) It shall come into force at once.

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

- (a) "agency" means any department or organisation of the Federal Government or a Provincial Government and includes a corporation or other body set up or controlled by such Government ;
 - (b) "Authority" means the Korangi Fisheries Harbour Authority established under section 4 ;
 - (c) "Board" means the Board of Directors constituted under section 6 ;
-

- (d) "building" includes any factory, industrial or business establishment, shop, godown, warehouse, house, outhouse, hut, hutment, shed, garage, stable, well or platform and any other structure, whether meant for residential or business purposes or not, made of masonry, bricks, wood, mud, thatch, metal or any other material, but does not include a temporary structure made for purposes connected with agriculture ;
- (e) "Chairman" means the Chairman of the Board ;
- (f) "fish" means any species of fish or aquatic animal including whales, seals, porpoises, turtles, shell-fish, oyster, crustaceans, ascidians and spawn and eggs of such animals ;
- (g) "Harbour area" means the area falling within the limits of Korangi Fisheries Harbour as may be defined for the purposes of this Ordinance ;
- (h) "land" includes buildings and benefits arising out of land and things attached to the earth or permanently fastened to anything attached to the earth and the foreshore and the bed of sea ;
- (i) "local body" means a local council or council constituted under a law relating to local government ;
- (j) "member" means a member of the Board ;
- (k) "regulations" means regulations made under this Ordinance ;
- (l) "rules" means rules made under this Ordinance ; and
- (m) "vessel" includes any fishing boat and fishing craft of whatever size and in whatever way propelled which is for the time being employed in fishing.

3. Declaration of Harbour areas.— (1) The Federal Government may, by notification in the official Gazette, within the limits of Port Qasim, define the limits of Korangi Fisheries Harbour for the purposes of this Ordinance ; and may, from time to time, by a like notification, alter such limits.

(2) The limits defined under clause (1) may include any wharves, buildings and other works made on behalf of the public for convenience of traffic, for safety of vessels, or for the improvement, maintenance and good government of the Harbour.

CHAPTER II

ESTABLISHMENT OF THE AUTHORITY

4. Establishment of Authority.— (1) There shall be established an Authority to be known as the Korangi Fisheries Harbour Authority for carrying out the purposes 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 and hold property, both movable and immovable, and shall by its name sue and be sued.

5. Management.— (1) The general direction and administration of the Authority and its affairs shall vest in the Board, which may exercise all powers and do all acts and things which may be exercised or done by the Authority.

(2) The Board in discharging its functions shall act on sound principles of fisheries harbour planning, construction, operation, management and maintenance and shall be guided on questions of policy by such directions as the Federal Government may, from time to time, give.

(3) If any question arises as to whether any matter is a matter of policy or not, the decision of the Federal Government shall be final.

6. Constitution of the Board.— (1) The Board shall consist of not less than seven and not more than eleven members, including the Chairman, consisting of—

- (a) the Chairman, to be appointed by the Federal Government ;
- (b) the Managing Director of the Authority ;
- (c) a Representative of the Government of Sind ;
- (d) the Director, Marine Fisheries Department ;
- (e) the Director, Fisheries Department, Government of Sind ;
- (f) a nominee of the Fish Processors' Association ;
- (g) a nominee of local fishermen's association ; and
- (h) such other members as the Federal, Government may appoint.

(2) The Chairman and members, other than *ex-officio* members, shall, unless the Federal Government otherwise directs hold office for a period of three years.