REGULATIONS ON TRANSACTION OF BUSINESS THROUGH THE BOARD MEETINGS OF PUBLIC PROCUREMENT REGULATORY AUTHORITY

S.R.O. 1224(I)/2021.- In exercise of the powers conferred by section 27 of the Public Procurement Regulatory Authority Ordinance, 2002 (No. XXII of 2002), the Public Procurement Regulatory Authority is pleased to direct that the following amendments shall be made in the "Regulations on Transaction of Business through the Board Meetings of Public Procurement Regulatory Authority", namely:-

(2) In the said regulations under regulation 11,-

i. In sub-regulation (2) the words "seven days" the words "three working days of the receipt" shall be substituted;

(3) In the said regulations under regulations (13),-

i. the words "as a non-voting member" shall be omitted;
ii. for the word "Secretariat" the words "Managing Director and the officer assisting him" shall be substituted;

(4) In the said regulations the regulation 14 shall be substituted as under;-

14. Member's Fee for Board Meetings.-

(1) The Board Member shall be entitled for Member's fee of Rs.43000/- (subject to applicable tax) in lieu of attending a board meeting.

(2) The Member's fee for Board Members may be revised by the authority as and when deemed appropriate.

(3) The out station Board Members shall be entitled for travelling allowance, accommodation charges and daily allowance (where applicable), equivalent to those payable to PEG-2/BPS-22 Officers.

[No.7(53)/Admn/PPRA/2021.]

sd/-
ALI TEMOOR,
Director (Coord. & Estab.).

S.R.O.15(I)/2021.- In exercise of powers conferred by Section 27 read with Section 7(3) of the Public Procurement Regulatory Authority Ordinance, 2002 No. XXII of 2002, the Authority is pleased to make and promulgate the following Regulations:

1. Short title and commencement.- (1) These regulations may be called "Regulations on Transaction of Business through the Board Meetings of Public Procurement Regulatory Authority".

(2) These Regulation shall come into force at once.

2. Definitions.- (1) In these Regulations, unless there is anything repugnant in the subject context:

(a) "Authority" means the Public Procurement Regulatory Authority established under section 3 of the Ordinance;
(b) "Board" means the Board constituted under section 6 of the Ordinance;
(c) "Chairperson" means the Chairperson of the Board;
(d) "Meeting" means the meetings of the Board convened under these Regulations;
(e) "Member" means a member of the Board as defined in section 6(2) of the Ordinance;
(f) "Ordinance" means the Public Procurement Regulatory Authority Ordinance, 2002 (XXII of 2002); and
(g) "Secretary" means the Managing Director appointed under section 8 of the Ordinance.

(2) All other words and expressions used in these Regulations but not defined shall have the same meanings as are assigned to them in the Ordinance.

3. Scope & Objective.- The scope of these Regulations is limited to the transaction of business of the Authority through conduct of the Board Meetings in a manner consistent with the Ordinance.

4. Interpretation.- If any difficulty arises in giving effect to the provisions of these Regulations or need arises to interpret any term therefrom, the interpretation made or decision given by the Board in this regard for the purpose of removing such difficulty or interpretation shall be final.

Chapter-I
(Meeting and Decisions of the Board)

5. Meetings of the Board.- (1) The Board shall have at least four (04) meetings in one calendar year. However, in case of emergency, the meeting can be called on the requisition of Secretary (to the PPRA Board) at any time, whenever he deems it necessary.

(2) The Chairperson on requisition of Secretary (to the PPRA Board) may call a meeting of the Board, whenever he deems appropriate.

(3) The meeting may also be called by the Secretary on the requisition of at least three (03) Members. The purpose and reasonable justification of the meeting shall clearly be mentioned in the requisition.

6. Notification of a Meeting.- The Secretary shall notify all the Authority Members, the date, time and venue of the meeting along-with the purpose of the meeting.

7. Agenda of the Meeting.- (1) The Secretary shall prepare the agenda of the meeting which may be circulated amongst all the Members at least five working days prior to the meeting except in case of exigencies mentioned under regulation 5(1) where the agenda may be circulated to all the members within an appropriate time (not less than 24 hours) before commencement of meeting.

(2) Any Member may propose an issue(s) for inclusion as agenda item which may b considered in the next Board meeting.

8. Quorum of the Meeting.- (1) The quorum of the meeting shall be five (05) Members with at least one of them from Private Members or Managing Director as a full time member.

(2) If within half an hour from the time fixed for holding the meeting, the quorum is not complete, the meeting shall be cancelled without any proceedings thereof.

9. Conduct of the Meetings.- (1) All meetings of the Board shall be presided over by the Chairperson. In case of his absence, the Managing Director shall ask the present members to elect the Chair of the said meeting. In case of tie, vote of the Managing Director shall be treated as casting vote.

(2) The meetings of the Board shall only be attended by the Members of the Authority and PPRA Management and there shall be no nominations on behalf of the members. However, Managing Director may call any person as Special Invitee to present his case in line with purpose of the Ordinance.

(3) In case, any Member feels that participation of any expert(s) is necessary for the purpose of advice or otherwise, he may request the Managing Director to call him (or them) as special invitee(s).

10. Postponement of the Meeting.- In case of postponement of any pre-scheduled meeting of the Authority due to unavoidable circumstances, the Managing Director shal communicate to all concerned, the next date of the meeting along-with the reason of postponement.

11. Minutes of the Meeting.- (1) The Secretary shall be responsible to record the minutes of the meetings, as clearly and precisely as possible.

(2) The Secretary shall invite comments of the members on the draft minutes of the meeting, and the comments (if any) shall be incorporated accordingly. In case no comments are received within *[three working days of the receipt] of circulation of draft minutes, the draft shall be presumed to be approved, and shall be issued bearing the signature of Managing Director.

12. Decisions of the Board.- (1) The Board shall take decisions with the approval of majority of the Members present and in case of tie, the vote of the member presiding shall be considered as casting vote.

(2) No member shall be allowed to cast his vote in a meeting through any of his proxy.

(3) The Chairperson may authorize, with justification, an emergent matte to be disposed of through a resolution by circulation.

(4) Any decision of the Board arrived at in this manner shall have the same validity as a decision taken in a meeting of the Board and shall require majority of the total number of

members of the Board in order to be valid. A decision on a resolution so taken shall be recorded at the subsequent meeting of the Board.

Chapter-II
(Secretariat of the Board)

13. Establishment of Secretariat.- There shall be a Secretariat of the Authority headed by the Managing Director with the technical assistance of DG (M&E) *[as non-voting member]. The other officers of the Authority may provide essential support on internal as well as external affairs of the Authority. Following shall be the major responsibilities of the **[Managing Director and the officer assisting him]:

(a) to convene meetings of the Authority as and when directed pursuant to provisions referred in Chapter-I of these Regulations;

(b) to assist the Board on development and accomplishment of regulatory framework of PPRA;

(c) to assist the Board on technical / procurement related issues by presenting the cases after careful evaluation along-with recommendations for the decision making;

(d) to ensure effective liaison and coordination with the stakeholders for effective functioning of the Authority;

(e) to ensure the implementation of the decision of the Board Meetings and present the status in the forthcoming Board Meetings;

(f) to publish all the official notifications and information of the Authority in the manner prescribed in these or any other regulations or procedures; and

(g) to sign, as required, contracts and other legal documents made on behalf of the Authority:

Chapter-III
(Miscellaneous)

14. ***[Member's Fee for Board Meetings.- (1) The Board Member shall be entitled for Member's fee of Rs.43000/- (subject to applicable tax) in lieu of attending of board meeting.

(2) The Member's fee for Board Members may be revised by the Authority as and when deemed appropriate.

(3) The out station Board Members shall be entitled for travelling allowance, accommodation charges and daily allowance (where applicable), equivalent to those payable to PEG-2/BPS-22 Officers].

15. Nominations for the Private Members.- (1) Managing Director shall call for the nominations for Private Members from the private sector and prepare the list of the shortlisted candidates in accordance with the criteria approved by the Federal Government.

(2) PPRA Board after deliberation in the Board Meeting shall finalize three (03) names against each post of Private Member and the Managing Director shall forward these names for consideration by the Federal Government.

16. Constitution of Task Force or Committee.- (1) The Authority may constitute task force or committee if deems appropriate from time ti time to assist the Authority in performance of its functions from amongst its Members or other suitably qualified and

experienced professional(s) within the Authority. Following may be the tasks assigned to the Task Force or Committee:-

(i) technical assistance;
(ii) remuneration of PPRA employees and other capacity building issues; and
(iii) audit and financial issues.

(2) While constituting the respective task force or committee, the Authority shall fully deliberate the need of such committee and clearly devine the terms of reference of that committee in addition to time lines to complete the jobs mentioned in the terms of reference of that committee.

(3) The committee so constituted shall not be considered as a permanent body of the Authority.

17. Composition of the Task Force or Committee.- (1) The committee shall comprise of three to five members and one of them shall be designated by the Board as the Convener of the committee.

(2) At least one of the members of the committee shall be from Private Board Members, and at least one from the professionals of the Authority.

(3) The convener of an advisory committee shall be responsible to submit the periodical and / or final report(s) to the Secretary with regards to the tasks assigned to it and for which that committee is constituted.

18. Recommendations of the Committees.- The recommendations made by the committees shall not in any case be binding upon the Board.

[No.7(44)/Admn/PPRA/2020.]

Sd/-
ALI TEMOOR
Deputy Director HR/
Director (Coord & Estab)