

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P.III
G A Z E T T E

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, MONDAY, 24TH AUGUST, 2015.

PROVINCIAL ASSEMBLY SECRETARIAT,
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 24th August, 2015.

No. PA/Khyber Pakhtunkhwa/Bills/2015/3405.—The Khyber Pakhtunkhwa Local Government (Fourth Amendment) Bill, 2015 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 20th August, 2015 and assented to by the Governor of the Khyber Pakhtunkhwa on 21st August, 2015 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

**THE KHYBER PAKHTUNKHWA LOCAL GOVERNMENT
(FOURTH AMENDMENT) ACT, 2015**

(KHYBER PAKHTUNKHWA ACT NO. XXX OF 2015)

*(First published after having received the assent of the Governor of the
Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa,
(Extraordinary), dated the 24th August, 2015).*

**AN
ACT**

*further to amend the Khyber Pakhtunkhwa
Local Government Act, 2013.*

WHEREAS it is expedient further to amend the Khyber Pakhtunkhwa Local Government Act, 2013 (Khyber Pakhtunkhwa Act No. XXVIII of 2013), for the purpose hereinafter appearing;

It is hereby enacted as follows:

1. Short title and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Local Government (Fourth Amendment) Act, 2015.

(2) It shall come into force at once.

2. General amendment to the Khyber Pakhtunkhwa Act No. XXVIII 2013.---In the Khyber Pakhtunkhwa Local Government Act, 2013 (Khyber Pakhtunkhwa Act No. XXVIII of 2013) hereinafter referred to as the said Act, for the words and comma "Nazim, District Council" or "Nazim, district council" or "Nazim District Council" wherever occurring, the words and comma "Nazim, District Government" shall be substituted.

3. Amendment of section 52 of the Khyber Pakhtunkhwa Act No. XXVIII 2013.---In the said Act, in section 52, in sub-section (1), in clause (b), after the word "Department", the words "who shall be the Co-Chairman of the Finance Commission" shall be added.

4. Amendment of section 79 of the Khyber Pakhtunkhwa Act No. XXVIII 2013.---In the said Act, in section 79,-

(i) the full stop appearing at the end of sub-section (2), shall be replaced by a colon and thereafter, the following provisos shall be added, namely:

"Provided that the Nazim and Naib Nazim of the District Council or Tehsil or Town Council, as the case may be, shall be elected by the votes of the majority of the total membership of the District Council or Tehsil or Town Council, as the case may be:

Provided further that if no Nazim or Naib Nazim secure such majority in the first poll, a second poll shall be held between the members who secure the two highest number of votes in the first poll and the member who secures a majority of votes of the total membership of the concerned District Council or Tehsil or Town Council shall be declared to have been elected as Nazim or Naib Nazim, as the case may be:

Provided also that if the number of votes secured by two or more members securing the highest number of votes is equal, further two sittings with interval of one week in between, shall be held and if no one of them secures a majority of votes of the total membership of the concerned District Council or Tehsil or Town Council, as the case may be, the Council shall stand dissolved and matter shall be referred to the Election Commission for holding fresh elections."; and

(ii) in sub-section (3), after the word "Government", the words "either itself or through its authorized officers" shall be inserted.

5. Amendment of First Schedule of the Khyber Pakhtunkhwa Act No. XXVIII 2013.---In the said Act, in the First Schedule, in Part-A,-

- (i) the entries at serial Nos. (ii), (iii), (iv), (ix) and (xviii) shall be deleted;
- (ii) in the entry at serial No. (xv), the words "& Soil Fertility" shall be deleted; and
- (iii) for the existing entry at clause (x), the following shall be substituted, namely:
"(x) Sports, Culture and Youth Affairs"

**BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER PAKHTUNKHWA**

**(AMANULLAH)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa**