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PART III

Other Notifications, Orders, etc.

GOVERNMENT OF PAKISTAN

MINISTRY OF COMMERCE

RESOLUTION

Islamabad, the 5th August, 2002

No. 1(12)/2002/Exp.V.—WHEREAS the Government of Pakistan has decided to establish a Pakistan Horticulture Development and Export Board with a view to enhancing Pakistan's export of horticulture products.

AND WHEREAS the Government decision contemplates the setting up of an autonomous Board to be responsible for administering the Pakistan's Horticulture Development and Export.

NOW, THEREFORE, it is resolved to establish Pakistan Horticulture Development and Export Board.

Definitions :

1. In this Resolution, unless there is anything repugnant in the subject or context :

(a) "Board" means the Pakistan Horticulture Development and Export Board;

Price : Rs. 10.50

[615(2002)Ex. Gaz.]

(b) "Committee" means the Executive Committee;

(c) "C.E.O" means the Chief Executive Officer of Pakistan Horticulture Development and Export Board.

(d) "Export" means to take out of Pakistan by any means to any place outside Pakistan;

(e) "Federal Government" means the Ministry of Commerce;

(f) "Prescribed" means prescribed by Rules.

(g) "Rules" means Rules made under this Resolution duly approved by the Board.

Creation of the Board

2. As soon as may be after the publication of the Resolution, the Federal Government shall constitute a Board to be called Pakistan Horticulture Development and Export Board. This Board shall consist of a Chairman and such number of members as the Federal Government may decide from time to time.

Tenure of the Chairman : The normal tenure of the Chairman of the Board will be two years which will not exceed two consecutive terms. One third of the members of the Board shall retire after every two years. The one third members of the first Board from the private sector who shall retire after expiry of two years shall be decided by drawl of lots.

Notification :

(i) The Federal Government shall publish in the Official Gazette, the official nominees and other members of the Board and upon publication in the Gazette, the Board shall be deemed to be constituted.

(ii) If a member of the Board absents himself from three consecutive meetings of the Board without the leave of the Chairman, that seat shall become vacant. When the seat of the member becomes vacant either by reason of resignation, death or being absent from the Board for three consecutive meetings, the vacancy shall be filled for the remainder of the term of such member by nomination of another person in his place in the manner as the member was initially nominated.

Functions & Powers of the Board :

3. I. Help in the formulation and implementation of the National Horticulture Policy.

II. Develop and implement horticulture export marketing strategies, which result in higher value for Pakistan's exports.

III. Promotion of technological upgradation and human resource development for enhanced value added exports in all the sub-sectors of horticulture.

IV. Invite international marketing processing companies to source products from Pakistan. Also appoint marketing companies to promote Pakistan's horticultural produce.

V. Develop procedures and regulations to create an environment conducive for exports.

VI. Help promote public — private interaction and partnership and to determine ways and means to finance this sector.

VII. Design and implement quality standards for exports.

VIII. Diversify overseas markets by finding new markets.

IX. Represent the sector on international foras.

X. Facilitate and set-up necessary infrastructure for horticulture development including cold chain all over the country.

XI. To promote export of processed horticulture products.

XII. Develop linkage with research and development institutions of the country and facilitate them in improving research, production and marketing in the field of Horticulture.

XIII. Encourage and facilitate the growers to "grow for exports".

XIV. Provision of commercial intelligence to producers and exporters.

XV. Provision of facilities for settlement of disputes relating to and arising from trade transactions.

XVI. To arrange and attend trade exhibitions/trade delegations/fairs within the country or abroad.

XVII. To arrange and provide export and import services, also provisions of expertise in horticulture trade.

XVIII. Undertake study of international markets to facilitate trade viable measures for export promotion.

XIX. To undertake publicity campaigns nationally and internationally.

Powers to make Rules :

(i) The Board shall be competent to make rules relating to Grading, Quarantine and SPS standards for Horticulture exports. These rules shall not be inconsistent with the WTO commitments and the general provisions of Export Policy and Procedures Order.

(ii) The Board shall also be competent to formulate bylaws and rules under this resolution for smooth functioning of the Board and issues relating to service matters of the Employees of the Board.

Meetings of the Board

(i) Meetings of the board shall be convened as often as may be necessary and shall take place at least once, in every four months, in consultation with the Chairman or in his absence by the Chief Executive Officer. Notice of the meeting shall issue under the signature of the Secretary and shall specify the date, time and place of the meeting and the agenda shall be accompanied by a working paper.

(ii) The notice shall be issued to the members not less than fifteen days before the date of the meeting.

(iii) No business shall be transacted at a meeting unless at least 50% of the members of the Board are present.

(iv) In case of difference of opinion, the opinion of the majority of the members present shall prevail.

(v) Each member shall have one vote and in case of equality of votes, the Chairman shall have a second or casting vote.

(vi) No proxy representation or voting in the Board meetings shall be allowed except in case of official nominees.

(vii) Where an urgent decision has to be taken and there is no time to call a meeting of the Board, the Chief Executive Officer shall obtain the orders of the Chairman who may, if he thinks fit, pass orders forthwith on behalf of the Board, but in every such case the Chairman's orders shall be placed before the next meeting or circulated for confirmation.

Executive Committee

4. The Committee shall be responsible for implementing and monitoring the execution of the policies of the Board for development of exports in the horticulture sector. The Executive Committee shall consist of the following :—

(i)	Chairman of the Board	*Chairman*
(ii)	Chief Executive of the Board	*Member/Secretary*
(iii)	Joint Secretary (EG), Ministry of Commerce	*Member*
(iv) & (v)	Two members of the Board to be nominated by the Board.	*Member*

The Committee shall meet at least once in two months and the quorum for its meetings shall be three persons with presence of either the Chairman or the C.E.O.

Head Office and other Offices.

5. The Board after the publication of this Resolution and its formal composition may decide upon the location of its Headquarters and such other regional offices as it deems necessary and appropriate.

Appointment of Chief Executive Officer

6. The Board shall appoint a Chief Executive Officer either from the market or may requisition the services of an officer from the Government of Pakistan as it deems appropriate. The terms and conditions of the C.E.O. will be decided by the Board.

Appointment of Officers

7. The Chairman of the Board, in consultation with C.E.O. may, subject to the approval of the Board appoint a Secretary and such other officers, advisors and other employees necessary for the efficient performance of the functions of the Board and of the Committee on such terms and conditions as may be decided.

Duties of the Office Bearers

(i) The Chairman shall be responsible for provision of policy guidelines to C.E.O.

(ii) The Chairman of the Board shall be responsible for convening meetings of the Board and Executive Committee in consultation with the Chief Executive Officer.

(iii) The C.E.O. shall be appointing authority for all members of staff of the Board.

(a) The Executive Committee shall authorize the Chairman and Chief Executive Officer to participate in conferences, seminars and symposia in Pakistan and Foreign Countries under intimation to the Ministry of Commerce.

(b) The Secretary shall prepare the budget estimates in consultation with C.E.O. and submit the same to the Chairman. The budget shall be approved by the Board. The Secretary shall keep a record of the proceedings of the meetings.

Assets

8. All movable and immovable properties of the Board shall vest, in the Board, but if the Board is wound up, all such properties shall forthwith vest in the Government of Pakistan. A register of all movable and immovable property shall be kept by the Chief Executive Officer.

Budget and Grants :

9. (i) An annual grant shall be provided to the Board through the Ministry of Commerce for the smooth discharge of its functions and the efficient conduct of its affairs.

(ii) The Chief Executive Officer shall prepare detailed estimates of the receipt and expenditure and the anticipated opening and closing balances for the ensuing financial year. The estimates shall be prepared not later than the 30th day of March each year.

(iii) The aforesaid estimates shall be approved by the Board in time for submission to the Federal Government by such date as may be fixed by the Government. The powers of appropriation, re-appropriation and the incurring of expenditure outside the budget shall vest in the Chairman, but every exercise of such powers shall be reported to the Board in its next meeting.

(iv) The Chief Executive Officer shall be the Chief-Accounts-Officer of the Board.

10. All contracts shall be approved and executed on behalf of, and in accordance with any direction of the Board by the Chief Executive Officer.

Drawing and Disbursing of Fund

11. Grants-in-aid made to the Board by the Federal Government, all fees and contributions received by the Board shall be credited to a fund to be called the Board Fund the accounts of which shall be kept at a scheduled bank in its headquarter and operated by the Chief Executive Officer.

Financing

12. Financing will be from EDS collections on horticulture exports, the ultimate objective being cost-sharing leading eventually to financial self-sustainability. The Board will explore other avenues such as donations, fees and any such sources as may be approved by the Board for its financing. The Board may also seek financing for the research and development projects funding from budgetary resources through Ministry of Commerce.

Maintenance of accounts and audit and annual Reports

13. The Board shall keep regular accounts of all moneys received borrowed and expended by it.

The accounts of the Board shall be audited every year by auditors approved in this behalf by the Auditor General of Pakistan.

The auditors shall submit to the Board and to the Federal Government a statement of the accounts audited by them together with a report stating therein any irregularity noticed in the accounts or any objection to any expenditure.

The Board shall, as soon as may be after the close of a financial year, publish an annual report of its activities during that year together with a statement of its accounts.

Control of the Board

14. (i) The Board shall be subject to the superintendence and control of the Federal Government and shall be guided, in the discharge of its functions by such general or special instructions as may, from time to time, be given to it by the Government.

(ii) The records of the Board shall be open to inspection by an officer authorized in this behalf by the Federal Government.

Delegation of powers

15. The Federal Government may, by notification in the Official Gazette, direct that any power conferred upon it by or under this Resolution shall in relation to such matters and subject to such conditions, if any as may be specified therein, be exercisable also by the Board.

Winding Up

16. In the event of the winding up of the Horticulture Board at any stage of its operation all properties and assets vesting with the Chief Executive Officer shall revert to the Government of Pakistan.

17. ORDERED that copies of the Resolution be forwarded to the Provincial Governments and various Ministries/Divisions of the Government of Pakistan.

18. ORDERED also that the Resolution be published in the Gazette of Pakistan.

SD/-
MIRZA QAMAR BEG,
Secretary Commerce.

MINISTRY OF COMMERCE

NOTIFICATION

Islamabad, the 6th August, 2002

No. 1(12)/2002/Exp.V.—WHEREAS the Government of Pakistan has decided to establish a Pakistan Horticulture Development and Export Board for the improvement of horticulture and export of fruits, vegetables and floriculture from Pakistan.

AND WHEREAS the Government decision contemplates the setting up of an autonomous Board to be responsible for administering the Pakistan's Horticulture Development and Export.

NOW, THEREFORE, in pursuance of Resolution No. 1(12)/2000-E-V dated 5th August 2002, the following Board is notified :

1.	Mr. Afaq Tiwana, C.E.O., Farmers Associates Pakistan 11/19-B, Link Shami Road, Lahore.	*Chairman*
2.	Joint Secretary (E/G) Ministry of Commerce Government of Pakistan Islamabad.	*Member*
3.	Director Horticulture, Pakistan Agriculture Research Council, Plot No. 20, G-5/2, Islamabad.	*Member*
4.	Director General, Plant Protection Department, MINFAL Malir Halt, Jinnah Avenue, Karachi.	*Member*
5.	Chairman, All Pakistan Fruit & Vegetables Exporters, Importers Merchants Association, Karachi.	*Member*
6.	Mr. Jehangir Tareen, Chairman, Task Force Punjab (Wheat Resources) 90, Shahrah-i-Quaid-e-Azam, Lahore.	*Member*
7.	Mr. Saadat Eijaz Qureshi, M/s. Roshan Enterprises, B-51, Rizwan Society, University Road, Karachi.	*Member*
8.	Mr. Kamal-Uddin Ahmed, M/s. Razi Trading Corporation, Jinnah Road, Quetta.	*Member*

9.	Mr. Ikram Ullah Khan, Fruit Grower and Member of the Advisory Committee of Federal Agriculture Minister, C/o Pakistan Tobacco Board, Peshawar.	*Member*
10.	Mr. Masoom Akhtar, Managing Director, Sarah Fruit Trading Co. (Pvt.) Ltd 1-A, Sector 16, Korangi Industrial Area, Karachi.	*Member*
11.	Ms. Faryal Zaman, 1-Zaman Park, Lahore.	*Member*
12.	Mr. Mohammad Sadiqeen, Chief Executive Officer Questpack Pakistan (Pvt) Limited, 666, 6th Floor, Japan Plaza, M.A. Jinnah Road, Karachi.	*Member*
13.	Mr. Iqbal Mustafa, Chief Executive Officer, SMEDA, 1st Floor, Waheed Traders Complex, 36-\xx Khayaban-e-Iqbal, D.H.A, Lahore.	*Member*
14.	A representative of Fruit Processing Industry to be nominated by the Board.	*Member*
15.	Chief Executive Officer, Pakistan Horticulture Development And Export Board.	*Member/Secretary*

The Chairman of the Board has been appointed for a period of two years subject to further extension of two years.

[F. No. 1(12)/2002 E-V.]

SD/-
MUHAMMAD ASHRAF,
Deputy Secretary.

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