[TO BE INTRODUCED IN THE NATIONAL ASSEMBLY]

A

Bill

to establish National Counter Terrorism Authority in Pakistan

WHEREAS, the menace of terrorism and extremism is becoming an existential threat to the state and needs to be responded to and addressed comprehensively;

AND WHEREAS, in order to eliminate this menace, a focal institution to unify state response by planning, combining, coordinating and implementing Government's policy through an exhaustive strategic planning and necessary ancillary mechanism is needed;

AND WHEREAS, circumstances exist which render it necessary to take immediate action to set up such an institution in the country;

It is hereby enacted as follows:-

PRELIMINARY

1. Short title, extent and commencement.- (1) This Act may be called the National Counter Terrorism Authority Act, 2013.

   (2) It extends to the whole of the Islamic Republic of Pakistan.

   (3) It shall come into force at once.
2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) “Authority” means the National Counter Terrorism Authority Pakistan under the Ministry of Interior established under section 3;

(b) “Board” means the Board of Governors constituted under section 5;

(c) “Chairman” means the Chairman of the Board of Governors;

(d) “Executive Committee” means a Committee constituted under section 8;

(e) “Vice-Chairman” means the Vice-Chairman of the Board of Governors;

(f) “National Coordinator” means the National Coordinator of the Authority;

(g) “Deputy National Coordinator” means the Deputy National Coordinator of the Authority;

(h) “rules” means rules made under the Act;

(i) “regulations” means regulations made under this Act, and

(j) “prescribed” means prescribed by rules or, as the case may be, regulations.

3. **Establishment of the Authority.**—(1) As soon as may be, but not later than thirty days after the promulgation of this Act, the Federal Government shall, by notification in the official gazette, establish an Authority to be known as the
National Counter Terrorism Authority Pakistan for carrying out the purposes of this Act.

(2) The Authority shall be a body corporate having perpetual succession and a common seal with powers, subject to the provision of this Act, to acquire and hold property, movable and immovable, and to sue and be sued by its name. The Authority shall have administrative and financial powers to carry out the functions of the Authority.

(3) The headquarters of the Authority shall be at Islamabad and it may set up offices at such other places in Pakistan.

4. Functions of the Authority.- The Authority shall have the following functions, namely:-

(a) to receive and collate information or intelligence and coordinate between all relevant stakeholders to formulate threat assessments with periodical reviews to be presented to the Federal Government for making adequate and timely efforts to counter terrorism and extremism;

(b) to coordinate and prepare comprehensive National counter terrorism and counter extremism strategies, and review them on periodical basis;

(c) to develop action plans against terrorism and extremism and report to the Federal Government about implementation of these plans, on periodical basis;
(d) to carry out research on topics relevant to terrorism and extremism and to prepare and circulate documents;

(e) to carry out liaison with international entities for facilitating cooperation in areas relating to terrorism and extremism;

(f) to review relevant laws and suggest amendments to the Federal Government, and

(g) to appoint committees of experts from Government and non-Government organizations for deliberations in areas related to the mandate and functions of the Authority.

5. Board of Governors.— (1) The Authority shall have a Board of Governors comprising:

(a) Prime Minister — Chairman;
(b) Minister for Interior — Vice-Chairman;
(c) Chief Ministers of Provinces — Members;
(d) Chief Minister of Gilgit Baltistan — Member;
(e) Minister for Finance — Member;
(f) Minister for Foreign Affairs — Member;
(g) Minister for Inter-Provincial Coordination — Member;
(h) Minister for Information and Broadcasting — Member;
(i) Minister for Defence — Member;
(j) Minister for Law, Justice — Member;
and Parliamentary Affairs

(k) Minister for State and Frontier Region
Member;

(l) Prime Minister of Azad Jammu and Kashmir
Member;

(m) One Senator (to be recommended by Chairman Senate)
Member;

(n) One MNA (to be recommended by Speaker National Assembly)
Member;

(o) Secretary, Ministry of Interior
Member;

(p) DG Inter Services Intelligence
Member;

(q) DG Intelligence Bureau
Member;

(r) National Coordinator
Member;

(s) DG Federal Investigation Agency
Member, and

Members.

(2) The National Coordinator shall act as the Secretary to the Board.

(3) The Board may invite any person to the meeting on special invitation.

6. Procedure of the meeting of the Board.- (1) The Prime Minister Azad Jammu and Kashmir or the Chief Ministers shall attend the meeting themselves, however, in case of unavoidable circumstances, may nominate a member
of their cabinet to attend the meeting of the Board to represent them.

(2) The Federal Ministers shall attend the meeting themselves, however, in case of unavoidable circumstances, the Secretary of their Ministry shall attend the meeting.

(3) The quorum to hold a meeting shall be fifty percent of the total membership.

(4) The Board may meet as and when required but it shall meet at least once in each quarter of a year.

(5) In the absence of Chairman of the Board, Vice-Chairman shall preside over the meeting of the Board.

(6) No act or proceedings of the Board shall be invalid by reason only of the existence of a vacancy in, or defect in the constitution of the Board.

7. Powers and functions of the Board.- (1) The powers and functions of the Board shall include, but would not be limited to, the following, namely:-

(a) the Board shall exercise all the powers and functions of the Authority;

(b) to provide strategic vision and oversee activities of the Authority;

(c) to recommend rules and approve policies and manuals in order to carry out the purposes of this Act, and

(d) to approve the annual budget prepared by the Authority.
8. **Executive Committee.**— (1) The Board shall be assisted by an Executive Committee comprising of the following, namely:

(a) Minister for Interior — Chairman
(b) Secretary, Ministry of Interior — Member
(c) Secretary, Ministry of Law, Justice and Parliamentary Affairs — Member
(d) Secretary, Ministry of Foreign Affairs — Member
(e) Secretary, Ministry of Defense — Member
(f) National Coordinator — Member
(g) Additional Chief Secretary (FATA) — Member
(h) Chief Secretaries of Provinces, Gilgit Baltistan and Azad Jammu & Kashmir — Members

(2) The National Coordinator shall also act as Secretary of the Executive Committee.

(3) The quorum to hold meeting of the Executive Committee shall be fifty percent of the total membership.

(4) The Executive Committee may co-opt any other relevant person to the Executive Committee.

(5) The Executive Committee shall ensure effective implementation of the decisions of the Board.

(6) In matters requiring urgent attention, the Executive Committee shall perform all or any of the functions of the Board given under section 7, provided that all such decisions taken by the Executive Committee shall be presented to the Board for approval in its next meeting.

(7) The Executive Committee shall perform such other functions as are assigned to it by the Board.
9. **National Coordinator.** - (1) There shall be a National Coordinator of the Authority to be appointed by the Federal Government.

(2) The National Coordinator shall be an eminent professional of known integrity and competence (BPS-22) with substantial experience in civil law enforcement at Federal or Provincial level.

(3) The National Coordinator shall have the following powers:

(a) to execute the policies and plans approved by the Board and Instructions issued by the Federal Government;

(b) to prescribe terms and conditions of the employees and grant additional allowances or any other incentives;

(c) to have full financial and administrative powers for effective administration of the Authority, as approved by the Board;

(d) to engage any person or entity on contract basis to carry out assignments for the consultancy in accordance with acclaimed best practices;

(e) to establish administrative structures at the field level for efficient implementation and accessibility of the Authority;
(f) to submit quarterly progress reports to the Board on the financial and functional aspects of the Authority;

(g) to perform such other functions as may be delegated by the Board;

(h) to undertake any other assignments given by the Board in the respective fields, and

(i) produce periodical journals relating to counter terrorism and counter extremism issues.

10. Appointment of officers, staff etc., by the Authority.- (1) The Authority may, from time to time appoint, either through direct recruitment or through deputation, such officials, experts or consultants as it may consider necessary for the performance of functions in the prescribed manner. Such employees shall be given additional incentives including special salaries, allowances, pension/gratuity etc.

(2) The Authority shall prescribe service regulations, with the approval of the Board for the appointment, promotion and transfer of officers, staff, experts and consultants, their terms and conditions of service including the constitution and management of pension and gratuity and shall be competent to take disciplinary action against them.

11. Appointment of officers, staff etc., in cases of special requirement.- Subject to the provisions of this Act, the National Coordinator may, in case of urgency, appoint officers, staff, experts and consultants on prescribed terms
and conditions, provided that every such appointment shall be laid before the Board in the next meeting.

12. **Delegation of powers.**- The National Coordinator may by special order delegate his powers and functions to the Deputy National Coordinator or any other senior officer of the Authority.

13. **Fund.**- (1) There shall be established a fund to be known as NACTA Research and Development Fund.

(2) The Fund shall consist of,-

(a) funds or budget amount received from the Federal Government;

(b) grants made by the international bodies, organizations and entities, in accordance with procedures laid down by the Federal Government;

(c) such other sums as may be received by the Authority.

(3) The Fund shall be administered by the National Coordinator in such manner as prescribed.

(4) The Authority may receive international assistance in the field of counter terrorism and counter extremism in the prescribed manner.

14. **Budget for the Authority.**- (1) The National Coordinator shall, in respect of each financial year in accordance with the financial procedures approved by the Board, prepare the annual budget estimates of the Authority
and submit the same to the Federal Government after the approval of the Board.

(2) The National Coordinator shall have full powers to incur expenditures and re-appropriate funds as per system of financial control and budgeting of the Federal Government with the approval of the Board.

15. Maintenance of accounts and internal control.- The Authority shall maintain complete and accurate books of accounts in connection with the discharge of its responsibilities as may be prescribed by the Auditor-General of Pakistan.

16. Audit.- (1) The accounts of the Authority shall be audited every year by the Auditor-General of Pakistan in such manners as may be prescribed.

(2) The Authority shall appoint its own financial advisor to regulate the financial matters and for internal audit.

17. Annual Report.- The Authority shall compile and submit an annual report on its activities and accounts to the Board.

18. Assistance and provision of information.- (1) The Federal Government and Provincial Governments and their Departments shall assist the Authority in carrying out its functions, subject to applicable laws.

(2) All Departments of the Federal and Provincial Governments including Corporations, bodies, set ups, controlled or administered by or under the authority of Federal or Provincial Governments shall provide information and data
required for carrying out the purposes of this Act, subject to applicable laws.

19. **Indemnity.**- No prosecution, suit or other legal proceedings shall lie against the Authority or its officers and consultants for anything done in good faith for carrying out the purposes of this Act or rules and regulations made thereunder.

20. **Power of the Federal Government to issue directives.**- The Federal Government may, as and when it considers necessary, issue directives to the Authority on matters of policy and such directives shall be binding on the Authority, Federal, Provincial and Local Governments and if a question arises whether any matter is a matter of policy or not, the decision of the Federal Government thereon shall be final.

21. **Power to make rules and regulations.**- (1) The Federal Government may, on the recommendation of the Board, make rules for carrying out the purposes of this Act.

   (2) The National Coordinator may make regulations for the following purposes, namely:

   a) effective and smooth functioning of the Authority;
   b) internal working of the Authority;
   c) terms and conditions of the employees and grant of additional allowances or any other incentives.
22. **Provisions of this Act.** - The provisions of this Act shall be in addition to and not in derogation to any other law for the time being enforced.

23. **Employees deemed to be Public Servants.** - The employees of the Authority shall be deemed to be Public Servants within the meaning of section 21 of the Pakistan Penal Code (Act XLV 1860).
Statement of Objects and Reasons

- The Bill reflects Pakistan's resolve to take all possible measures to counter terrorism and extremism.

- The Bill addresses the need for a focal institution to integrate and synergize national counter terrorism and counter extremism efforts in view of the nature and magnitude of terrorists' threat, present strategic policy options to the Government for consideration/implementation by the stakeholders after scientifically studying the phenomenon of extremism and terrorism in historic and professional perspective, develop action plans in that regard and report to the Federal Government about their implementation.

- The Bill aims at establishing the National Counter Terrorism Authority (NACTA), which is also at par with best international standards, to unify and orchestrate national counter terrorism and counter extremism measures and provide for their more effective and efficient enforcement. It would play a pivotal role by coordinating with all law enforcement agencies in taking effective actions against those who carry out acts of terrorism and extremism, besides preparing comprehensive national counter terrorism and counter extremism strategies.

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Member-in-Charge