

# [AS PASSED BY THE NATIONAL ASSEMBLY]

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BILL

*further to amend the Private Power and Infrastructure Board Act, 2012*

WHEREAS it is expedient to merge the Alternative Energy Development Board into the Private Power and Infrastructure Board (PPIB) due to similar mandate of both the autonomous bodies, for implementation of various policies, programs and projects in the field of Alternative or Renewable Energy Technologies by the Private Power and Infrastructure Board;

AND WHEREAS upon dissolution of the Alternative Energy Development Board, it is expedient further to transfer all its resources, grants, rights, powers, funds, liabilities, etc. to the Private Power and Infrastructure Board and to repeal the Alternative Energy Development Board Act, 2010 (XIV of 2010);

AND WHEREAS in the interest of certainty and consistency in the smooth functioning of the power sector, it is expedient further to amend the Private Power and Infrastructure Board Act, 2012 (VI of 2012), for the aforesaid purposes in the manner hereinafter appearing;

It is hereby enacted as follows: -

**1. Short title and commencement.**— (1) This Act shall be called the Private Power and Infrastructure Board (Amendment) Act, 2022.

(2) It shall come into force at once.

**2. Amendment of preamble, Act VI of 2012.**— In the Private Power Infrastructure Board Act, 2012 (VI of 2012), hereinafter called as the said Act, in the preamble, in the second paragraph after the word "investors", the expression "and to assist and facilitate development of transmission, distribution and generation of conventional and alternative or renewable energy and related infrastructure in order to achieve sustainable economic growth with transfer of technology for development of an indigenous technological base through a diversified energy generation" shall be inserted.

**3. Amendments of section 2, Act VI of 2012.**— In the said Act, in section 2, -

(i) the existing clause (a) shall be renumbered as (aa);

(ii) before clause (aa), renumbered as aforesaid, the following new clause shall be inserted, namely: -

"(a) "Alternative or renewable energy" means energy that is produced by alternative or renewable resources as compared to the conventional or that are replenished naturally which do not deplete when consumed and are non-polluting and environment-friendly;"

(iii) in clause (b), after the word "Board", the expression "appointed under this Act" shall be inserted;

(iv) after clause (c), the following new clause (ca) shall be inserted, namely: -

"(ca) "institute" means institute of alternative and renewable energy technologies established under this Act;"

(v) after clause (e), the following new clause (ea) shall be inserted, namely: -

“(ea) “organization” means an organization of the alternative and renewable energy established under this Act;”;

(vi) in clause (g), after the word "regulations," the words, "made under this Act" shall be inserted; and

(vii) after clause (g), amended as aforesaid, the following new clause (ga) shall be inserted, namely: -

“(ga) “Prime Minister” means the Prime Minister of the Islamic Republic of Pakistan;”.

**4. Amendment of section 5, Act VI of 2012.**—In the said Act, in section 5, in sub-section (2),-

(i) in clause (a), after the word "policies", the expression ", including for the utilization of alternative or renewable energy resources" shall be inserted; and

(ii) after clause (b), the following new clauses shall be inserted, namely: -

"(ba) develop national strategy, policies and plans for utilization of alternative and renewable energy resources to achieve the targets approved by the Federal Government in consultation with the Board;

(bb) act as a forum for evaluating proposals, monitoring of the projects and alternative and renewable energy products and to certify their vendors, installers and service providers;

(bc) create awareness and motivation of the need to set up alternative and renewable energy projects for benefit of general public as well as evaluating concepts and technologies from technical and financial perspective;

(bd) conduct feasibility studies and surveys to identify opportunities for power generation and other applications through conventional and alternative and renewable energy resources;

(be) make legislative proposals to enforce use and installation of equipment utilizing alternative and renewable energy;

(bf) setup alternative or renewable energy projects on its own or through joint venture or partnership with public or private entities in order to create awareness and motivation of the need to take such initiatives for the benefit of general public as well as by evaluating concepts and technologies from technical and financial perspectives;

(bg) interact and co-ordinate with international and national agencies for promotion and development of alternative or renewable energy;

(bh) assist in development and implementation of plans with concerned authorities and provincial governments and special areas for off-grid electrification;

(bi) to develop or cause to be developed electric power installations and infrastructure in accordance with the power policies and act as an independent auction administrator and perform other functions in the electric power market;

(bj) to act as a coordinating agency for commercial application of alternative or renewable technology;”.

**5. Insertion of sections 5A and 5B, Act VI of 2012.**—In the said Act, after section 5, amended as aforesaid, the following new sections 5A and 5B shall be inserted, namely: -

**“5A. Organization of the Board.**— (1) The Board may, for carrying out its functions for promotion and development of transmission, distribution and generation of conventional

and alternative and renewable energy and related infrastructure, monitoring of alternative and renewable energy products and projects, project management and certification of vendors, installers and service providers, establish one or more organizations as it may consider necessary.

(2) An organization established under sub-section (1) shall be subject to control and supervision of the Board and shall function within the framework of this Act, and perform such functions as may be prescribed by regulations.

**5B. Institute of energy technologies.**— (1) The Board may, for carrying out its functions of commercial application of alternative or renewable energy and development and promotion of generation, transmission and distribution and related infrastructure, establish an institute for the development of corresponding human resource. The institute shall also provide economic and policy counseling and conduct alternative or renewable economic research.

(2) The institute established under sub-section (1) shall conduct its business in such manner as may be prescribed by regulations.

(3) The institute may be funded subject to the public finance management Act, 2019, by such fees and charges as may be prescribed by rules."

**6. Amendment of section 6, Act VI of 2012.**— (1) In the said Act, in section 6, in sub-section (1), -

(i) in clause (a), for the expression "Minister for Water and Power" the expression "Secretary of the administrative Division" shall be substituted";

(ii) clause (b), shall be omitted.

(iii) after clause (c), the following new clause (ca) shall be inserted, namely: -

(ca) Secretary of the Division to which business of climate change stands allocated or his nominee not below the rank of Additional Secretary or equivalent – *Member*;

(iv) in clause (d), for the expression ";Ministry of Petroleum and Natural Resources", the expression "of the Division to which business of Petroleum stands allocated" shall be substituted; and

(v) in clause (j), the expressions "each", "and FATA" and "and Governor Khyber Pakhtunkhawa respectively" shall be omitted.

**7. Amendment of section 7, Act VI of 2012.**— In the said Act, in section 7, in sub-section (7), in clause (c), for the words "Federal Government", the word "Board" shall be substituted.

**8. Amendment of section 14, Act VI of 2012.**— In the said Act, in section 14, in sub section (1), in clause (e), the word "and" at the end shall be omitted and in clause (f), for the full stop, a semi colon shall be substituted and thereafter the following new clauses shall be inserted, namely: -

"(g) funds provided by the Federal Government for meeting the objectives of this Act including for payment of salaries, establishing infrastructure and running day to day business of the Board;

(h) foreign aid, grants, loans negotiated or raised or otherwise obtained by the Board, directly or through the Division to which business of economic affairs stands allocated;

(i) income from sale of movable or immovable property; and

(j) funds from floating bonds, shares, debentures, commercial papers or other securities issued by the Board or through any other means."