**PROVINCIAL ASSEMBLY OF THE PUNJAB**

**N O T I F I C A T I O N**

**13 June 2017**

**No.PAP/Legis-2(165)/2017/1619.** The following Bill, which was introduced in the Provincial Assembly of the Punjab on Tuesday, June 13, 2017, is hereby published for general information under rule 93(1) of the Rules of Procedure of the Provincial Assembly of the Punjab, 1997:-

**THE PUNJAB EDUCATION STANDARDS DEVELOPMENT AUTHORITY BILL 2017**

**Bill No. 18 of 2017**

A

BILL

*to provide for establishing the Punjab Education Standards Development Authority.*

It is essential to establish an Authority for purposes of instituting, managing and regulating certification, registration and licensing of the teaching, administrative and other staff involved in school education in public as well as private sector in the Province.

Be it enacted by Provincial Assembly of the Punjab as follows:

**1. Short title, extent and commencement**.–(1) This Act may be cited as the Punjab Education Standards Development Authority Act 2017.

(2) It extends to whole of the Punjab.

(3) It shall come into force at once.

**2. Definitions**.– In this Act, unless the context otherwise requires,-

(a) “Act” means the Punjab Education Standards Development Authority Act 2017;

(b) “Authority” means the Punjab Education Standards Development Authority constituted under the Act;

(c) “certification” means the certification as prescribed;

(d) “Chairperson” means the Chairperson of the Authority;

(e) “Chief Executive Officer” means the Chief Executive Officer of the Authority;

(f) “education administrator” means an administrator responsible for managing the provision of education in a public sector school;

(g) “education administrator’s license” means a professional license awarded to an education administrator on the basis of his performance and qualifications;

(h) “Government” means Government of the Punjab;

(i) “licence” means a licence granted to a person to perform functions as a teacher, teacher-trainer or, as the case may be, education administrator;

(j) “licensed teacher” means a teacher having a valid teaching licence for imparting education at a school;

(k) “licensed teacher trainer” means a teacher trainer having a valid teacher trainer’s licence for purposes of the training of teachers;

(l) “member” means a member of the Authority and, where the context so requires, includes the Chairperson and the Vice Chairperson;

(m) “prescribed” means prescribed by the rules or regulations framed under the Act;

(n) “professional development” means ongoing interactive trainings and exercises to enhance knowledge, understanding and teaching skills of the in-service teachers and to inculcate in them a constructive approach and apprise them of modern techniques of, and developments in, pedagogy;

(o) “regulations” mean the regulations framed under the Act;

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

(q) “school” means a public or private school imparting education at elementary, primary or secondary levels;

(r) “staff” means teachers, teacher trainers and education administrators and includes any other staff involved in school education at a school;

(s) “teacher education development” includes any programme for training of teachers, curriculum development, development of professional standards, and equipping teachers with essential professional skills;

(t) “teaching licence” means a professional license granted to a teacher on the basis of performance and qualifications; and

(u) “teacher training licence” means a professional license granted to a teacher trainer on the basis of performance and qualifications.

**3. The Authority**.– (1) The Government may, by notification in the official Gazette, establish the Punjab Education Standards Development Authority.

(2) The Authority shall be a body corporate, having perpetual succession and a common seal, with powers to enter into contracts, acquire or subject to subsection (3), dispose of both movable and immovable property, and may, by the said name, sue or be sued.

(3) The Authority shall not dispose of any immovable property without prior approval of the Government.

(4) The headquarter of the Authority shall be at Lahore but the Authority may, with the approval of the Government, establish its offices at such other place or places in the Punjab as may be deemed necessary to accomplish the purposes of the Act.

(5) The Authority shall consist of the Chairperson who shall be the Chief Minister or his nominee, the Vice-Chairperson and the following members:

(a) Minister for School Education, Punjab;

(b) Chief Secretary of the Government;

(c) Secretary to the Government, School Education Department or his nominee not below the rank of an Additional Secretary;

(d) Secretary to the Government, Finance Department or his nominee not below the rank of an Additional Secretary;

(e) three experts in the field of education and research from the private sector; and

(f) Chief Executive Officer (Member/Secretary).

(6) The Chief Minister shall appoint the Vice Chairperson and the members, other than the *ex-officio* members, for a term of three years but any of them may be reappointed for another term of three years but no person shall be so appointed for more than two consecutive terms.

(7) No act or proceedings of the Authority shall be invalid merely by reason of any vacancy or defect in the constitution of the Authority.

(8) Five members, including the person presiding the meeting, shall constitute the quorum for a meeting of the Authority.

(9) All decisions of the Authority shall be taken in terms of the majority of the members present and voting.

(10) The Authority shall meet at least once in three months.

(11) A meeting of the Authority shall be held on such date and time as the Chairperson may determine.

(12) The Chairperson shall approve the agenda of a meeting of the Authority.

(13) The Chairperson and, in his absence, the Vice Chairperson shall preside over a meeting of the Authority; and, in the absence of both, the meeting shall be presided over by the member nominated for the purpose by the Chairperson and if, no such nomination is made, by the member elected to preside over that meeting by the members present.

(14) The Chief Executive Officer shall maintain or cause to be maintained, in the prescribed manner, the record and minutes of each meeting of the Authority.

**4.** **Functions of the Authority**.– (1) Subject to provisions of this Act, the Authority may exercise such powers and perform such functions as may be necessary for carrying out the purposes of the Act.

(2) Without prejudice to the generality of the functions under sub-section (1), the Authority shall:

(a) formulate and implement policies for the state of the art training, preparation and mentoring of the staff;

(b) arrange pre-service and in-service training of the staff;

(c) ensure merit-based appointments of the staff in public sector schools;

(d) monitor the compliance of the standards prescribed by the Authority;

(e) equip the staff with modern techniques and methodology of pedagogy;

(f) firm up and implement policies for purposes of the personality development of the staff and improving its efficiency and conduct;

(g) make appropriate arrangements and prescribe procedures for licensing, mandatory certification and accreditation of staff;

(h) monitor, evaluate and warrant quality assurance of the staff and the educational system in the Province;

(i) initiate programmes for provision of trained and qualified leadership in public sector sectors through a staff college or such other institution as the Government may determine;

(j) undertake research-based education planning and policy making, address education related glitches, and issue guidelines for the staff and the schools;

(k) arrange for the staff training programmes, refresher courses, workshops, group discussions debates and such like other activities in education related areas;

(l) make regulations and issue advisory guidelines, including, but not limited to, the following subjects:

1. professional standards for the staff;
2. award of license, professional status and accreditation;
3. rolls of licensed teachers, teacher trainers and education administrators and other staff;
4. development of programmes, courses, syllabi and materials for pre-service and in-service training of the staff;
5. annual report;
6. research based methodology;
7. research pertaining to its functions; and
8. other matters relating to the functions of Authority under the Act;

(m) prescribe mechanism for the award and renewal of a licence, certification or professional status recognition;

(n) prescribe conditions and procedures for the withdrawal of a licence, certification or recognition of the professional status, and to deal with professional misconduct of the staff;

(o) formulate guidelines and criteria in line with modern education practices for reform in the education system and for enhancing the capabilities and professional conduct of the staff and other human resource;

(p) arrange training for principals, head-teachers, teachers and individuals aspiring to lead and take responsibility of management at senior positions; and, such other trainings as may, directly or indirectly, be beneficial for the professional development of the staff;

(q) enter into mutual partnerships with national and international organizations dealing with teacher licensing for the development of a benchmark comparable to the global standards and for exchange of ideas, techniques and methodologies for professional development;

(r) issue general or special instructions and guidelines to the schools for effective management of the staff and the schools; and

(s) perform such other functions relating to educational system as the Government may assign or as are incidental to the functions of the Authority.

**5. Chief Executive**.– (1)Subject to the general supervision and control of the Authority, the administration and management of the affairs of the Authority shall vest in the Chief Executive Officer.

(2) The Government shall appoint the Chief Executive Officer.

(3) The Chief Executive Officer shall exercise such powers and perform such functions as may be prescribed or as the Authority may delegate.

(4) The Chief Executive Officer shall have such qualifications, experience, age and other requirements, shall receive such salary and allowances and be subject to such conditions of service as may be prescribed by rules, and until so prescribed, as the Government may, in consultation with the Authority, determine.

**6. Employees**.– (1) The Authority may, on such terms and conditions as may be prescribed, appoint advisors, consultants, experts or other administrative and technical staff for the due discharge of its functions under the Act.

(2) The Government may, with the concurrence of the Authority, transfer the services of any of its employees to the Authority.

(3) The Authority may, with the concurrence of a Government employee and the Government, absorb the employee in the service of the Authority on such terms and conditions as are acceptable to the employee and approved by the Government but such terms and conditions shall not be less favourable than those admissible to him in the parent department.

**7. Committees.-** The Authority may constitute such standing or special committees consisting of its members and other persons and assign specific functions to each Committee.

**8. Delegation**.-The Authority may delegate any of its functions to the Chairperson, Vice-Chairperson, member, Chief Executive Officer, Committee or employees of the Authority, except the following functions:

(a) adaptation, amendment or repeal of regulations;

(b) approval of annual budget of the Authority;

(c) consideration and decision on the audit reports;

(d) approval of policies and standards and procedures for the discharge of functions by the Authority;

(e) approval of the annual reports; and

(f) constitution of Committees and filling a vacancy in a committee.

9. Information to the Authority.– A school shall provide such information and data to the Authority and within such time as may be prescribed or as the Authority may determine.

**10. Authority Fund**.–(1) There shall be established a Fund to be known as the Punjab Education Standards Development Authority Fund to be administered and controlled by the Authority.

(2) The Fund shall consist of:

(a) funds and grants provided by the Federal Government, the Government or any other Provincial Government;

(b) loans provided by the Government;

(c) loans from an international organization subject to the prior approval of the Federal Government and the Government;

(d) fee, charges, rentals, fines and other moneys received by the Authority;

(e) income from the lease or sale of the property; and

(f) all other sums received by the Authority.

(3) The Authority shall economically frugally meet all its expenses from the Fund.

**11.** **Budget.-** The Chief Executive Officer shall prepare the budget of the Authority for each financial year commencing on first day of July of an year and ending on thirtieth day of June of the succeeding year, and shall submit the proposed budget for approval of the Authority at least forty five days prior to the commencement of a financial year.

**12. Accounts**.–The Authority shall maintain proper accounts and other relevant records and prepare annual statement of accounts in such form and manner as may be prescribed.

**13.** **Bank accounts**.– The Authority may open and maintain its accounts at such a scheduled bank or banks as may be prescribed, and until so prescribed, as the Authority may determine.

**14.** **Audit**.– (1) The Auditor General of Pakistan shall conduct the audit of the accounts of the Authority.

(2) In addition to the audit under subsection (1), the Authority may appoint a firm of chartered accountants, placed in category ‘A’ by State Bank of Pakistan, for the annual audit of the accounts of the Authority.

(3) The auditors appointed under subsection (2) shall submit the report to the Authority and the Government and the Authority shall take such action and make such decisions as may be necessary in the light of the audit report or as directed by the Government.

**15.**  **Annual performance report**.– (1) The Authority shall prepare and forward to the Government by 30 September each year, the annual performance report relating to the performance of its functions during the preceding financial year and its plans for the following year.

(2) The Government shall, as soon as possible, lay the report in Provincial Assembly of the Punjab.

**16. Monitoring and evaluation.–** (1) The Government may, at least once in a year, conduct or cause to be conducted, the performance audit of the Authority to assess and evaluate the performance of the Authority under the Act.

(2) The Government shall evaluate the report of the performance audit and shall issue such directions to the Authority as may be necessary for accomplishing the objectives of the Act and the Authority shall implement the directions.

**17. Public servants**.– All persons acting or purporting to act in pursuance of any provision of this Act shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code, 1860 *(XLV of 1860).*

18. Immunity.– No suit or other legal proceedings shall be instituted against the members, employees of the Authority and other person performing functions under the Act for any action taken in good faith under the Act.

**19. Rules**.– The Government may, by notification, make rules for carrying out the purposes of the Act.

**20. Regulations**.– Subject to the Act and the rules, the Authority may, by notification, frame regulations to give effect to the provisions of the Act.

**STATEMENT OF OBJECTS AND REASONS**

At present, there exists no institution or authority or any legislation for regulating certification, registration and licensing of the teaching, administrative and other staff relating to the school education, in public as well as private sector. The Government has decided to establish Punjab Education Standards Development Authority *inter alia* for accomplishing the above objectives and the purposes mentioned in the Bill. Hence the Punjab Education Standards Development Authority Bill 2017.

**MINISTER INCHARGE**

**Lahore: RAI MUMTAZ HUSSAIN BABAR**

**13 June 2017 Secretary**