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THE NATIONAL ASSEMBLY (FINANCE COMMITTEE) RULES, 1973

NATIONAL ASSEMBLY SECRETARIAT

PREFACE

The Constitution of Pakistan envisages distribution of power among the three separate organs viz : the Legislature, the Executive and the Judiciary in harmony with their respective functions. Each organ is independent in its sphere of functions but the sovereignty of the Parliament has been ensured by giving financial autonomy to the Houses of Parliament.

2. Article 88 of the Constitution provides that the expenditure of the National Assembly and the Senate, within authorised appropriations, shall be controlled by the National Assembly or, as the case may be, the Senate on the advice of its Finance Committee. It further provides that the Finance Committee may make rules for regulating its procedure.

3. These rules were accordingly framed in 1973 and have been up-dated with necessary amendments made from time to time. The rules have provided an effective mechanism for control of budget of the Assembly.

KARAMAT HUSSAIN NIAZI
Secretary.

ISLAMABAD,
the 8th February, 2011.

ARTICLE 88 OF THE CONSTITUTION

88. (1) The expenditure of the National Assembly and the Senate within authorised appropriations shall be controlled by the National Assembly or, as the case may be, the Senate acting on the advice of its Finance Committee.

(2) The Finance Committee shall consist of the Speaker or as the case may be, the Chairman, the Minister of Finance and such other members as may be elected thereto by the National Assembly or, as the case may be, the Senate.

(3) The Finance Committee may make rules for regulating its procedure.

NATIONAL ASSEMBLY SECRETARIAT

NOTIFICATION

Islamabad, the 8th December, 1973

S.R.O. 1714(I)/73. —In exercise of the powers conferred by clause (3) of Article 88 of the Constitution of the Islamic Republic of Pakistan, the Finance Committee of the National Assembly has made the following *rules for regulating its procedure, namely :—

PART I. — PRELIMINARY

1. Short title and commencement.—(1) These Rules may be called the National Assembly (Finance Committee) Rules, 1973.

(2) They shall come into force at once.

2. Definitions.—(1) In these rules, unless the context other-wise requires,—

- (i) “budget” means a statement of the estimated receipts and expenditure of the National Assembly in a financial year and includes a statement of supplementary grants for the National Assembly in respect of a financial year;
- (ii) “Committee” means the Finance Committee of the National Assembly constituted under clause (2) of Article 88 of the Constitution;
- (iii) “Government” means the Federal Government;
- (iv) “meeting” means a meeting of the Committee;

* As approved by the Finance Committee at its meeting held on the 26th November, 1973.

- (v) "member" means a member of the Committee;
- (vi) "officer" means an officer of the Secretariat;
- (vii) "Secretariat" means the Secretariat of the National Assembly; and
- (viii) "Secretary" means the Secretary of the National Assembly and includes any person for the time being performing the duties of the Secretary.

PART II.— THE COMMITTEE

3. **Composition.**—(1) The Committee shall consist of—

- (a) The Speaker of the National Assembly;
- (b) The Minister of Finance of the Government;
- (c) such other members of the National Assembly as may be elected by the Assembly.

(2) The Speaker of the National Assembly shall be the Chairman of the Committee.

(3) In the absence of the Speaker, the Minister of Finance shall preside at a meeting.

(4) The Secretary shall be *ex-officio* Secretary to the Committee.

4. **Functions.**—The Committee shall—

- (a) approve the Budget for the National Assembly for inclusion in the budget of the Government; and

- (b) advise the National Assembly in regard to control over expenditure to be incurred within the authorised appropriations.

5. Meetings.—(1) The Committee shall sit on such days as the Secretary may, with the approval of the Speaker, fix.

(2) Subject to sub-rule (1), on a requisition made by not less than three members, the Speaker shall call a meeting of the Committee within seven days from the date of receipt of the requisition.

6. Agenda, notice and record of the proceedings of meetings.—(1) The agenda for a meeting shall be determined by the Secretary with the approval of the Speaker and intimated to the members before the meeting.

(2) Notices of all meetings shall be sent by the Secretary to all members.

(3) Minutes of the proceedings of each meeting and its decision shall be maintained by the Secretary.

7. Quorum.—Three members, one of them being the Speaker or the Minister of Finance, shall constitute the quorum for a meeting.

8. Resignation of members.— A member, other than the Speaker and the Minister of Finance, may resign his membership by writing under his hand addressed to the Speaker.

9. Filling of casual vacancies.—(1) A casual vacancy in the Committee shall be filled, as soon as possible after the vacancy occurs by election of another member of the National Assembly.

(2) Subject to the requirement of quorum, the Committee shall have power to act notwithstanding any vacancy in its membership.

10. Discharge of members.— If a member is absent from three or more consecutive meetings without the permission of the Speaker, a motion may be moved by any member in the National Assembly for the discharge of such member from the Committee.

11. Decision.— All decisions at a meeting shall be taken by the votes of the majority of the members present and voting.

12. Casting Vote of Speaker.— In addition to his vote as a member, the Speaker or the person presiding in his absence shall, in the event of an equality of votes, have a casting vote.

PART III.—CONTROL OF EXPENDITURE

13. Control of expenditure.— Control over expenditure of the Secretariat within the authorised appropriations shall be exercised by the Secretary in accordance with the general or special directions of the Committee.

14. Principal Accounting Officer.—(1)The Secretary shall be the Principal Accounting Officer of the Secretariat in respect of all expenditure of the Secretariat.

(2) The duties and responsibilities of the Principal Accounting Officer shall be such as may, from time to time, be determined by Government for the Principal Accounting Officers in the Ministries or Divisions of the Government.

(3) The Secretary may appoint an officer, not below the rank of an Assistant Secretary, as Finance and Accounts Officer to assist him in financial and accounting matters.

15. Financial powers of the Secretary.—The financial powers delegated to the Ministries or Divisions of the government shall be exercised by the Secretary.

***15A. Drawal of advance by the Secretary.**—The Secretary may sanction drawal, in advance, of any amount of expenditure sanctioned by him, the Speaker or the Finance Committee.

16. Reference to Ministry of Finance.—For the proper discharge of their duties by the Secretary or the Committee under these rules, the Secretary may refer any case to the Ministry of Finance for advice.

17. Expenditure beyond financial powers of the Secretary.—No expenditure beyond the financial powers of the Secretary shall be incurred without the prior approval of the Finance Committee and where such approval has been obtained, the expenditure shall be deemed to be a legitimate charge on the funds of the Secretariat.

******Provided that the Speaker may allow expenditure beyond the financial powers of the Secretary in anticipation of the approval of the Finance Committee.

*******Provided further that no such approval of the Finance Committee shall be required where the amount involved does not exceed †Rs. 100,000 each case.

18. Expenditure beyond authorised appropriations.—All cases of expenditure not within the authorised appropriations shall be decided by the Committee.

* Inserted *vide* Notification No. S.R.O. 823(I)/75, dated 23rd July, 1975.

** Added *Vide* Notification No. S.R.O. 823 (I)/75, dated 23rd July, 1975.

*** Added *vide* Notification No. S.R.O. 367(I)/90, dated 18th April, 1990.

† Added *vide* Notification No. S.R.O. 602(I)/95, dated 3rd July, 1995.

19. Delegation of powers by the Secretary.—The Secretary may delegate any of his powers under rule 15 to any officer of the Secretariat.

20. Financial sanctions to be in the name of the President.—All financial sanctions shall be expressed in the name of the President.

21. Budget.—(1) The Secretary shall cause the budget to be prepared and laid before the Committee for approval.

(2) The budget, as approved by the Committee, shall be transmitted to the Ministry of Finance in such manner and form as may, from time to time, be prescribed by the government.

21A. Matters not specifically provided for.—All matters, not specifically provided for in these rules, shall be regulated in accordance with the provisions for the time being in force and applicable to the Federal Secretariat subject to such modifications, variations or exceptions, if any, as the Speaker may, from time to time, by order, specify:

Provided that where under the aforesaid provisions, administrative approval or concurrence of any Ministry, Division or other authority outside the Secretariat is required, such approval or, as the case may be, concurrence shall be accorded by the Speaker.

PART IV.—MISCELLANEOUS

22. Advice on other matters referred to the Committee.—The Speaker may refer any other matter not specified in these rules to the Committee whose advice shall be binding.

23. Removal of doubt and interpretation of rules.—If any doubt arises on any point of procedure or interpretation of these rules, the decision of the Speaker thereon shall be final.

24. Residuary powers.—All matters for which no provision or not sufficient provision has been made in these rules, shall be regulated in accordance with the general or special directions of the Committee.

[No F. 20(1)/73-C&A.]
