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PART I

Acts, Ordinances, President's Orders and Regulations

LAW AND PROSECUTION DEPARTMENT
GILGIT-BALTISTAN SECRETARIAT

Gilgit, the 15th August, 2022

The Gilgit-Baltistan Commission on the Status of Women Act, 2022

(ACT NO. III OF GBA 2022)

AN

ACT

To provide for the constitution of the Commission on the Status of Women in Gilgit-Baltistan

No. ALA-1(1)/2022-GBA.—WHEREAS it is expedient to set up the Commission on the Status of Women in Gilgit-Baltistan for the promotion of social, political, economic, and legal rights of women, as provided in the Gilgit-Baltistan Order, 2018, and to give it an autonomous status for effective performance, efficiency, and responsive to provide effective services for promoting women rights and eliminate all forms of discrimination against women for matters connected therewith and ancillary thereto;

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CHAPTER-I

PRELIMINARY

It is hereby enacted as follows:—

1. **Short title, extent and commencement.—** (i) This Act may be called the Gilgit-Baltistan Commission on the Status of Women Act, 2022.

(ii) It shall extend to the whole of Gilgit-Baltistan.

(iii) It shall come into force at once.

2. **Definitions.—**In this Act, unless there is anything repugnant in the subject or context,-

(a) **"Chairperson"** means Chairperson of the Commission as appointed under section 5;

(b) **"Commission"** means the Gilgit-Baltistan Commission on the Status of Women established under section 3;

(c) **"Executive Committee"** means an executive committee shall be established under section 11;

(d) **"Fund"** means the commission fund under section 12;

(e) **"girl"** means a girl who is below eighteen years of age;

(f) **"Government"** means the Government of Gilgit-Baltistan;

(g) "**Member**" means the member of the Commission under section 4;

(h) "**prescribed**" means prescribed by rules and regulations under this Act;

(i) "**regulations**" means regulations made under section 21;

(j) "**rules**" means rules made under this Act under section 20;

(k) "**Secretary**" means Secretary of the Commission as appointed under section 7;

(l) **"Selection Committee"** means a selection Committee established under section 5;

(m) **"Woman"** means a female of eighteen years or above;

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CHAPTER-II

THE COMMISSION

3. **Constitution of the Commission.**—(i) As soon as after the commencement of this Act, Government shall, by notification in the Official Gazette constitute a Commission shall be known as "The Gilgit-Baltistan Commission on the Status of Women".

(ii) The Commission shall have a permanent Secretariat in Gilgit.

(iii) Commission shall exercise the powers conferred upon, and to perform the functions assigned to it, under this Act.

(iv) The Commission shall be a body corporate having perpetual succession and a common seal with powers, among others to acquire, hold and dispose of any property and shall sue and be sued by the said name.

4. **Composition of the Commission.**—The Members of the Commission shall include—

(a) Secretaries to the Government, Social Welfare, Home, Law, Finance Health, Education Planning and Development Department.

(b) The Speaker of the Assembly shall nominate three female members of Gilgit-Baltistan Assembly preferably one from each Division;

(c) Deputy Director/ Director General/ Director, Women Development Department;

(d) a representative from Human Rights Commission of Pakistan;

(e) two representatives from NGO, working on the empowerment and welfare of women; and who shall be appointed by the Government; and

(f) two members with expertise in gender and development, law and social sector and academia from the civil society and at least one shall be female, having experience of more than twelve years in social services, and with at least M.phil degree and who shall be appointed by the government.

(g) Four Members from the civil society shall be appointed by the Government and at least two shall be females;

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(h) One representative from persons with disabilities, working on empowerment and welfare of women; who shall be appointed by the Government.

5. **Appointment of the Chairperson.**—(i) The Government shall appoint the Chairperson who shall be a woman on the recommendation of a Selection Committee headed by the Chief Secretary of the Government and consisting of the following:

(a) two female members of the Gilgit-Baltistan Assembly, each nominated by the Government and the Leader of the Opposition of the Assembly;

(b) Secretaries to the Government; Social Welfare, Home, Law, Finance, Planning and Development Department or their representatives not below the rank of BPS-19.

(ii) The Chairperson shall have a status equal to BPS-20 officer of the Government;

(iii) The Chairperson shall be a full-time officer of the Commission.

(iv) The Chairperson of the Commission shall give policy vision to the Commission for achieving the purposes of the Commission and shall have executive authority over the management of the affairs of the Commission;

(v) The Chairperson shall be the chief executive of the Commission and shall be responsible for the effective conduct of the business and discharge of functions of the Commission.

6. **Terms and conditions as applicable to the Chairperson and members.**—(i) The salary and other allowances payable to and terms and conditions of service of members and Chairperson, shall be such as prescribed by the Government:

(ii) The membership of the Members and the Chairperson in case of the resignation, death, or disqualification or fails to attend three consecutive meetings without sufficient cause or any other reasons shall cease or fall vacant. Any such vacancy shall be filled in within one month and the new member shall hold office for the remainder of the term of his/her predecessor;

(iii) The term of the office of the Members including the Chairperson shall be of three years which may be extended for a further period of three years unless she/ he resigns earlier or based on disqualification under this Act;

(iv) The Chairperson and members of the Commission should know laws especially related to women and capable to apprehend social, economic, and

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legal problems faced by women and may have such other qualifications as Government may be prescribed;

(v) No person shall be appointed or remain as a member of the Commission if she /he;

(a) is of unsound mind;

(b) has applied to be adjudicated as an insolvent and incase her/ his application is pending;

(c) has been convicted by a Court of law for an offense;

(d) has been debarred from holding any office under any provision of law for the time being in force; and

(e) has a conflict of interest with such position:

Provided that no person shall be removed from the office under this clause until he/ she has been given a reasonable opportunity of being heard.

Explanation.— For the purpose of this clause, conflict of interest means the financial benefit or a liability accruing to the public office holder or his family due to his official position.

7. **Secretary of the Commission.—**(i) There shall be a Secretariat of the Commission headed by the Secretary with complement officers and supporting staff as may be prescribed by the government;

(ii) The Secretary of the Commission shall be a government officer of rank BPS- 19 from OMS/DMS/LAS.

(iii) The Secretary on the instructions of the Commission shall prepare a draft three years strategic plan, the Annual Work Plan, and Budget;

(iv) The Secretary shall perform such functions and exercise such powers as may be prescribed by regulation or delegated to him by the Commission and shall;

(a) Act as the Principal Accounting Officer of the Commission;

(b) Delegate all or any of his powers under this Act or rules made thereunder to any officer of the Commission for a specific purpose.

The Secretary while acting with reference to conducting meetings of the Commission shall be responsible for:

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(a) Convening of meetings of the Commission with the approval of the Chairperson;

(b) The preparation of the agenda, working paper, and its distribution among the members of the Commission;

(c) Recording the minutes of each meeting of the Commission and its prompt dispatch to the concerned quarters;

(d) Implement decisions of the Commission; and

(e) Proper follow-up of all matters connected with or arising out of a meeting of the Commission.

(v) Without prejudice to the generality of the foregoing, the Secretary shall function under the supervision and control of the Commission and shall undertake responsibilities and duties as are entrusted to him by the Commission for purposes of this Act.

CHAPTER-III

POWERS AND FUNCTIONS OF THE COMMISSION

8. **Functions of the Commission.—** (i) The Commission shall,-

(a) examine the policy, programs, projects, and other measures taken or to be taken by Government, for gender equality and empowerment to assess implementation and make suitable recommendations to the concerned authorities, where considered necessary for effective impact;

(b) review laws, rules, and regulations affecting the status and rights of women and suggest repeal, amendments, or new legislations essential to eliminate discrimination, safeguard and promote the interests of women and achieve gender equality in accordance with the Government of Gilgit-Baltistan Order, 2018 and obligations under the International covenants and commitments;

(c) monitor the mechanism and institutional procedures for redressal of violation of women's rights, individual grievances, and facilities for social care, and undertake initiative for better management and efficient provision of justice and social services through the concerned forums and authorities;

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(d) examine and review policies and plans of each department to ensure that they address gender concerns adequately;

(e) sponsor, steer, encourage research to generate information, analysis, and studies and maintain a database relating to women and gender issues to provide knowledge and awareness for government policy and strategic action for women empowerment;

(f) develop and maintain interaction and dialogue with non-governmental organizations, experts, and individuals in society and an active association with similar commissions and institutions in other provinces for collaboration and action to achieve gender equality in Gilgit-Baltistan.

(ii) The Commission may;

(a) inspect jail, sub-jail, or other places of custody where women and girls are kept and to make appropriate recommendations to the authorities concerned;

(b) act for advocacy, lobbying, coalition building, networking and as a catalyst for the promotion of the cause of women to facilitate their participation in all spheres of life including legal, social, and political empowerment;

(c) coordinate with the National Commission on the Status of Women and other Provincial Commissions or any other relevant body;

(d) monitor mechanisms and institutional procedure for the redressal of violation of the women's rights;

(e) approve regulations required to be made under this Act;

(f) delegate such of their powers and functions to the officers of the Commission, as it may consider necessary for the efficient implementation of this Act;

(g) constitute sub-committees consisting of such of its members as it may deem fit and may refer to them any matter for consideration and report; and

(h) Perform any other function which may be assigned by the Government.

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9. **Meetings of the Commission.—** (i) Meetings of the Commission shall be regulated in accordance with the procedure as may be prescribed by regulations;

(ii) Meetings of the Commission shall be held in each quarter of the year, at such time and place as the Chairperson may decide. The Chairperson may call additional meetings as and when required;

(iii) All meetings shall be chaired by the Chairperson or in her/his absence the members present shall elect from amongst themselves a member to preside the meeting;

(iv) The quorum for the meeting of the Commission shall not be less than two-third of the total strength of the Commission;

(v) The decision of the Commission shall be taken by the majority of the members present and, in case of a tie, the person presiding over the meeting shall have a casting vote. All orders, determinations and decisions of the Commission shall be reduced to writing together with a record of the discussions held in the meeting;

(vi) The Commission may Co-opt members belonging to the relevant expertise in relation to any matter under consideration of the Commission, who may take part in the discussion, but shall not be entitled to vote for or against the matter under discussion;

(vii) The Commission may invite a representative of any Government department, as it deems necessary to a meeting of the Commission provided that such a participant shall not have any right to vote; and

(viii) No Act or proceedings of the Commission shall be invalid merely by reason of any vacancy in or defect in the constitution of the Commission.

10. **Executive Committee.—**There shall be an executive committee of the Commission consisting of the Chairperson, Secretary and at least three other members at least two shall be female to be elected by the Commission, who shall be responsible for overseeing the implementation of the decisions and recommendations of the Commission.

11. **Appointment of officers and other employees.—**(i) The Commission may, appoint such officers, advisors, experts, consultants and employees, as it considers ecessary for the efficient performance of its functions on such terms and conditions as may be prescribed by regulations;

(ii) The Commission may associate with it, in such a manner, on such terms and such purpose as it may deem fit, any person whose assistance or advice it may require in carrying out its functions under this Act;

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CHAPTER-IV

FINANCIAL PROVISIONS

12. **Fund.**— (i) Government shall establish a Fund known as "Commission Fund", which shall consist of:

(a) grants paid by the Government for running the affairs of the Commission;

(b) All grants, if any, made by the Federal Government, Provincial Governments or local bodies for the Commission; and

(c) donations, if any, made by private individuals, national and international agencies for Commission.

(ii) Subject to the general supervision of the Government, the Commission Fund shall be administered by the Commission, which shall make such allocation for specific activities as it thinks necessary;

(iii) The Commission Fund shall be utilized for—

(a) Performing functions of the Commission;

(b) The establishment charges; and

(c) The welfare and empowerment of women.

13. **Custody and investment of funds.**—The Commission may keep money in any treasury or a bank as per the Government of Gilgit-Baltistan laws/ rules.

14. **Budget and Accounts.**—(i) The Secretary shall, in respect of each fiscal year, submit for approval of the Commission, by such date and in such manner as may be prescribed, a statement showing the estimated receipts, the current and developmental expenditures and the sum required as grant-in-aid from the Federal Government and shall be submitted to Government by prescribed date; Provided that the Government may modify the said estimates to the extent of any Government fund or grant as it may consider necessary;

(ii) Accounts of the receipts and expenditure of the Commission shall be kept in such form as may be prescribed by the Government;

(iii) The Commission shall, on the close of each financial year, place before Government the annual statement of accounts and audited balance sheet, profit, loss account and the auditor's report, for the preceding financial year.

15. **Audit of accounts.**— (i) The accounts of the Commission shall be audited annually by the Auditor General of Gilgit-Baltistan.

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(ii) the Government may prescribe a specific audit on the accounts of the commission.

CHAPTER-V

MISCELLANEOUS

16. **Annual report.**—The Commission shall prepare its Annual Report as may be prescribed by the rules in September, which shall be presented through the Women Development, Social Welfare Department to the Chief Minister. The annual report of the Commission shall include accounts, its performance, and utilization of funds.

17. **Assistance to the Commission.**—All Government executive authorities shall assist the Commission in the performance of its functions.

18. **Removal of difficulties.**—If any difficulty arises in giving effect to any provision of this Act, the Government may issue orders, not inconsistent with the provisions of this Act, or the rules made there under, for the removal of the difficulty.

19. **Indemnity.**—No suit, prosecution or legal proceeding shall lie against the Commission, the Chairperson or any other Member, Officer, Employees, Advisors, or Consultants of the Commission in respect of anything done in good faith or intended to be done under this Act or the Rules made there under or order made, or publication by or the authority of Government, Commission or any report, paper or proceedings.

20. **Power to make Rules.**—Government may by notification in the official Gazette, make rules for carrying out the purposes of this Act.

21 . **Power to make Regulations.**—Government may by notification in the official Gazette, make regulations for carrying out the purposes of this Act.

THE GILGIT-BALTISTAN SENIOR CITIZENS WELFARE ACT, 2022

(ACT NO IV OF GBA 2022)

AN

ACT

To make provisions for the welfare of senior citizens of Gilgit-Baltistan.

NO. ALA-I(1)/2022-GBA.—WHEREAS the Constitution establishes a society based on democratic values, social justice and fundamental rights and seeks to improve the quality of life of all citizens;

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AND WHEREAS the State must create an enabling environment in which the fundamental rights of every citizen must be respected, protected and fulfilled; and the senior citizen must be empowered to continue to live meaningfully and constructively in a society that recognizes them as important sources of knowledge, wisdom and expertise;

AND WHEREAS it is expedient to make provisions for welfare of the senior citizens of Gilgit-Baltistan by providing them support for improvement of their entire well-being, their participation in the society, and to sustain the quality of life and dignity fitting to their respected status in community and to provide for matters ancillary thereto;

CHAPTER-I

PRELIMINARY

It is hereby enacted as follows:-

1. **Short title, extent and commencement.**—(1) This Act may be called the Gilgit-Baltistan Senior Citizens Welfare Act, 2022. It shall extend to the whole of Gilgit-Baltistan.

(2) It shall come into force at once.

2. Definitions.—(1) In this Act, unless there is anything repugnant to the subject or context,-

1. "Abuse" means the physical, mental, or material maltreatment of an elderly person, including but not limited to the deprivation of food or medication, beatings, oral assaults and isolation;

2. "Act" mean the Gilgit-Baltistan Senior Citizens and Welfare Act, 2022;

3. "Children" means the biological children, legal heirs and includes all those who are residing within any premises along-with the old parents and senior citizens;

4. "Council" means the Council established under section 4;

5. "Chairperson" means chairperson of the council;

6. "Caregivers/caretakers" mean institutions and individuals that have been given the authority to provide direct support or services to the elderly, including but not limited to all public or private institutions or individuals with legal authority to exercise control over elderly person;

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7. "Executive Committee" means the Executive Committee of the Board;

8. "Family" means a group of people connected to the elderly person by blood or by law, especially within two or three generations;

9. "Fund" means the Senior Citizens Welfare Fund established under section 15;

10. "Geriatric" means the branch of medical science devoted to the study of the biological and physical changes and the diseases of old age;

11. "Government" means the Government of Gilgit-Baltistan;

12. "Medical and health services" means a hospital services, professional services of physicians and other health care, professionals and diagnostics and laboratory tests necessary for diagnosis or treatment of an illness or injury provided in Government hospitals, clinics, dispensaries and health care centers; and referred medical institutions outside Gilgit-Baltistan within country by Government Hospital;

13. "Neglect" means the omission of proper attention, supervision, or provision of necessities to an elderly person, to such an extent that harm results or is likely to result;

14. "Prescribed" means prescribed by rules made under this Act;

15. "Relative" means any legal heir of the childless senior citizen who is not a minor and is in possession of or would inherit his property after his death;

16. "Respite care" means providing relief and support to the primary caregivers of a frail or disabled adult and providing a break for the caregiver from the continuous responsibilities of caregiving;

17. "Rehabilitation" means a process by which an older person is enabled to reach and maintain his optimal physical, sensory, intellectual, psychiatric or social functional level, and includes measures to restore functions;

18. "Senior citizen" means a senior citizen permanently resident of Gilgit Baltistan who is the age of sixty years or above;

19. "Senior citizen card" means the identification card issued by the Council to avail benefits and privileges as provided under this Act;

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20. "Shelter" means any building or premises maintained or used for the reception, protection and temporary care of any senior citizen in need of care and protection;

21. "Welfare" includes all such services relating to social, economic, lodging and legal protection of senior citizens; and

22. "Welfare packages or grants" mean welfare and social security packages or grants announced for welfare of the senior citizens by the Government.

(2) The expressions, not defined in sub-section (1), shall have the same meaning as defined in any other relevant law or generally used.

CHAPTER-II

RIGHTS OF SENIOR CITIZENS

3. (a) **Right to Dignity:**

The elderly have the inherent right to life, dignity, and the integrity of their persons, which shall be protected by law;

(b) **Right to Freedom from Abuse, Neglect, and Exploitation:**

The elderly have the right to be free from abuse, neglect, and exploitation;

(c) **Right to Adequate Healthcare:**

The elderly have the right to a standard of living adequate for the health and well-being of themselves, including access to affordable health care. Adequate and affordable healthcare includes medication, immunization and medical care such as physical therapy, surgery, nursing, check-ups, in the event of sickness. disability, widowhood, old age or other lack of livelihood in circumstances beyond their control;

(d) **Right to Maintenance:**

i. The elderly have the right to access basic necessities, including but not limited to, adequate nutrition and clean water necessary for their health and well-being;

ii. The elderly have the right to access basic amenities of life, including but not limited to, appropriate shelter, clothing, and sanitation as per prevailing societal standards;

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(e) **Right to Material Assistance:**

The elderly have the right to obtain material assistance from the State. Material assistance shall be provided in the form of tangible support necessary for the maintenance of the elderly at times when an elderly person cannot support himself or herself or rely on support from their family, and where the family doesn't hold substantial means to support the elderly, including funds to support the maintenance and an elderly person, nutritional food, clothing, shelter, and medicine.

(f) **Right to Property:**

The elderly have the right to maintain control over, to continue making decisions about, and dispose of property, financial affairs, and personal effects in accordance to law;-

(g) **Right to Participation in Society:**

i. The elderly have the right to participate in education and training programs as well as social, economic, cultural, and political life.

ii. The elderly have the right to preferential access to care in health and transportation;

(h) **Right to Work:**

i. The elderly have the right to work based on their abilities.

ii. The elderly have the right to just compensation and employment conditions suitable to their needs.

CHAPTER-III

SENIOR CITIZENS COUNCIL

4. **Establishment of Council.** —(1) Within six months of the commencement of this Act, the Government shall, by notification in the official Gazette, establish a Council for the welfare of the senior citizens which shall consist of:-

(i)	Minister for Social Welfare, Gilgit-Baltistan	***Chairperson***
(ii)	Secretary, Social Welfare Department	***Vice-Chairperson***
(iii)	Secretary Home Department Gilgit-Baltistan	***Member***
(iv)	Secretary, Finance Department Gilgit-Baltistan	***Member***

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(v)	Secretary, Health Department Gilgit-Baltistan	***Member***
(vi)	Secretary, Food and Agriculture Department	***Member***
(vii)	Two Members (one from treasury bench and one from opposition) of Gilgit-Baltistan Legislative Assembly to be nominated by Honourable Speaker of Gilgit-Baltistan Assembly	***Members***
(viii)	Managing Director, Northern Areas Transport Corporation (NATCO),	***Member***
(ix)	Director Pakistan Bait-ul-Mal Gilgit-Baltistan	***Member***
(x)	Director, Benazir Income Support Program Gilgit-Baltistan	***Member***
(xi)	One representative from Law department.	***Member***
(xii)	One representative from police department.	***Member***
(xiii)	One Retired Sessions Judge or Additional Sessions Judge	***Member***
(xiv)	Two female senior citizen, either a retired Government officer, a retired teacher/professor, or a retired NGO employee	***Members***
(xv)	Two senior citizens from civil society/NGO's employee	***Members***
(xvi)	Director Social Welfare Gilgit-Baltistan	***Member/Secretary***

(2) The Council shall be a body corporate, having perpetual succession and a common seal with the power to acquire, hold and dispose of property both movable and immovable, and shall by the said name sue and be sued;

(3) The Council shall be an autonomous body under the administrative control of the Government;

(4) The common seal of the Council shall be kept in the custody of the Chairperson or such other person as may be prescribed by regulations and documents required or permitted under the common seal shall be specified and authenticated in such manner as may be prescribed by regulations.

(5) The headquarters of the Council shall be at Gilgit and it shall establish its offices at district level in Gilgit-Baltistan. Senior Citizen Welfare committees will be established in each district for District level implementation of the provisions of this Act which will include:

District level administration committee

1	District Commissioner	***Chairperson***
2	Social Welfare Officer	***Secretary***
3	One representative from Police Department.	***Member***

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4	One representative from Law Department	***Member***
5	One representative from Health Department	***Member***
6	Representation from Finance Department	***Member***
7	Three Representatives of community leaders/religious leaders	***Members***
8	Two representatives of senior teachers (one male and one female member)	***Members***

Representatives from Police, Law, Health and Finance Department shall be the senior most officers of the respective departments posted in the district.

(6) A workflow system will be established including a web portal, helpline and email service:—

a. A District Social Welfare Officer BS-17 shall be given the task of Senior Citizen Welfare Officer who will serve as a secretary in district level administration committee;

b. He shall analyze the complaints of abused or neglected senior citizens and shall undertake and complete assignments as determined by the direct report to authority and ensure that the complaint handling is in accordance to the existing regulations and guidelines;

c. District Social Welfare Officer shall maintain receipt and record of all complaints and enquiries in the Workflow System;

d. District Social Welfare Officer shall collect data about senior citizens at Union Council level and maintain a record of physically and mentally disabled senior citizens in each district;

e. District Social Welfare Officer shall gather information and develop a detailed report on the implementation of the provisions of this Act in the concerned district and submit it for the Council to review and evaluation;

f. The district level committee shall support the development of effective rapid response system for district level emergencies such as natural disasters by developing and conducting training modules through Social Welfare Department.

(7) Senior Citizen Welfare Council may co-opt any person as a member for any particular purpose, but such person shall not have right of vote;

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(8) An official member appointed by virtue of his office shall cease to be the member on vacating such office;

(9) A non-official member shall hold office for a period of three years from the date of his appointment, and shall be eligible for re-appointment for such duration as the Government may determine;

(10) A non-official member may at any time, before the expiry of his term, resign from his office, or be removed from office by the Government without assigning any reason;

(11) Any person appointed on a casual vacancy in the office of non-official member shall hold office for the un-expired portion of the term of such vacancy.—

5. **Disqualification of member.—**No person shall be or shall continue to be a member who—

(a) is not a citizen of Pakistan;

(b) is found a lunatic or becomes of un-sound mind;

(c) is or at any time has been convicted of an offence involving moral turpitude;

(d) is or has at any time been adjudicated insolvent;

(e) is or has at any time been disqualified for employment in or dismissed from Government service;

(f) is acting in contravention of the provisions of this Act;

(g) has financial interest in any aspect of the Authority, or has a conflict of interest, directly or indirectly, with the Authority;

6. **Functions of the Council.—** (1) Subject to other provisions of this Act, the Council shall take such measures and perform such functions as may be necessary for welfare of the senior citizens and improving their well-being and participation in the society;

(2) Without prejudice to the generality of the foregoing functions, the Council shall –

(a) formulate policies for welfare and improvement of the well-being of senior citizens;

(b) establish senior citizens lodging establishment, to promote the

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physical, mental, emotional. social, and economic well-being of senior citizens;

(c) promote participation of senior citizens in the national life and use their knowledge, skills and experience in various fields of life;

(d) liaise with National and International Agencies and Non-Governmental Organization to provide financial assistance to improve the well-being of senior citizens;

(e) make provisions of Benevolent Funds for special needs of Senior citizens;

(f) observe International Senior Citizens Days;

(g) provide opportunity to the senior citizens in sharing their expertise in delivering lectures, writing books and nominating for award of prize, medal, shield and certificate in recognition of their services;

(h) collect data of senior citizens at Union Council level;

(i) support the Non-governmental Organizations working for the welfare of senior citizens;

(j) formulate proposals to accommodate the requirements of senior citizens and parents in urban and rural planning and development;

(k) promote participation of senior citizens in decision-making processes at all levels;

(1) make provisions for wide publicity through public media including the television, radio and print at regular intervals regarding facilities provided to senior citizens under this Act;

(m) make provision of Zakat funds and Bait-ul-Maal for maintenance, medical and other financial problems of senior citizens;

(n) impart training to the officers of Government, including police officers and members of the judicial service, sensitization and awareness on the issues relating to this Act;

(o) provide effective coordination between the services provided by the concerned ministries or departments dealing with law,

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home affairs, health and welfare, to address the issues relating to the welfare of the senior citizens and periodical review of the same;

(p) Authority shall establish social and recreational facilities for senior citizens one at each district in collaboration with Sports & Culture Department. It shall take measures to carry out cultural, sports and recreational activities that are suited to the elderly as to enrich their cultural life;

(q) Facilitate the development and implementation of Protection of the Elderly Program to conduct research on issues related to elderly, including, but not limited to, abuse, neglect, exploitation, discrimination, ailments, adequate healthcare and medicine. The council may establish or designate a person or body to have responsibility for elder abuse prevention, detection, treatment, intervention, and response;

(r) Provide exemption to the senior citizens from training fees for socio-economic programmes;

(s) Promote community education regarding the problems and vulnerability of the elderly, and educating elderly on their rights, responsibilities, and protection guaranteed under this Act;

(t) The council shall provide necessary assistance, in accordance with their circumstances, to promote measures and setup organizations necessary to secure employment opportunities for older persons in accordance with their desires and ability, for example vocational trainings etc;

(u) The council shall be responsible to monitor the activities of the private and community based organizations working for the welfare of senior citizens to ensure that required standard of services are maintained. The council shall monitor that the funds generated by them in the name of the welfare of senior citizens are appropriately used. The council may enforce an institutional mechanism for effective, efficacious and transparent functions of such organizations and may impose restrictions on organizations not meeting the objective criteria laid down by it;

(v) To appoint Sub-Committee as and when it thinks fit and their terms of reference;

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(w) Perform such other functions and exercise such other powers for achieving the objectives of this Act.

7. **Meetings of the Council.**—(1) The meetings of the Council shall be held at such times and at such places as the Chairperson may from time to time appoint so, however there shall be at least one meeting in each financial year;

(2) To constitute a quorum at a meeting of the Council not less than one third of the total number of members shall be present;

(3) The meeting shall be presided over by the Chairperson or, in his/her absence, by the Vice-Chairperson or a member nominated by the Chairperson for the purpose;

(4) The members shall have reasonable notice of the time and place of the meeting and matters on which a decision by the Council shall be taken in such meeting;

(5) The decision of the Council shall be taken by the majority of its members present and, in case of a tie, the member presiding a meeting shall have a casting vote;

(6) All orders, determination and decision of the Council shall be recorded by the Secretary of the Council, who shall circulate such decisions for confirmation to Chairperson and the members within fifteen days of each meeting.

8. **Appointment of an Executive Committee.**—(1)There shall be an Executive Committee of the Council consisting of the Chairperson and three other members from amongst the Council to be elected by the Council which shall be responsible to oversee the implementation of the decisions and recommendations of the Council.

(2) The Executive Committee shall be competent to deal with any matter within the competence of the Council;

(3) A member of the Executive Committee shall hold office for so long as he/she is a member of the Council;

(4) There shall be at least three meetings of the Executive Committee in a calendar year and at least ten days' notice shall be given for convening a meeting;

(5) For a meeting of the Executive Committee, not less than three members of the Committee shall constitute the quorum.

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9. **Delegation of Powers by Government.—** Government of Gilgit-Baltistan may assign any other function to the Council or for carrying out any activity being essential and beneficial for development and improvement of well-being of senior citizens.

10. **Functions of Social Welfare Department.—**For the implementation of the provisions of this Act Department of Social Welfare shall be responsible to perform following functions:-

(a) To coordinate with all government departments and members of the Senior Citizens Welfare Council for the implementation of this Act;

(b) Serve as the lead agency in coordinating elder abuse case management and referral services;

(c) Establish an old age home to accommodate homeless, deserted and indigent senior citizens in each district and appoint appropriate staff to run all the district old age homes;

(d) Establish a senior citizen welfare committee in each district;

(e) Monitor the performance of all the District Senior Citizen Welfare Committees and old age homes;

(f) Develop and notify the Minimum Care Standards;

(g) Serve as a secretariat for Senior Citizen Welfare Council by facilitating meetings and maintaining records of all the meetings;

(h) Establish and maintain a helpline to receive direct complaints and queries regarding the welfare of senior citizens;

(i) Facilitation to hold meetings of any committees approved or established by the Council;

(j) Provided that the functions mentioned in this section shall be under the jurisdiction of the Secretary Social Welfare. Secretary may delegate the jurisdictions to any other officer not below the rank of Deputy Secretary Social Welfare Department.

CHAPTER-IV

PRIVILEGES TO SENIOR CITIZENS

11. **Privileges to Senior Citizens.—**(1) A senior citizen may, on completion of his/her 60 years of age, apply for the Senior Citizen Card;

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(2) The procedure and criteria for obtaining the senior citizen card shall be such, as may be prescribed by rules.

(3) The senior citizens shall be allowed the following privileges on the basis senior citizen card:-

A. Medical services

i. Government hospitals or hospitals funded fully or partially by the Government shall provide beds for all senior citizens as far as possible;

ii. Separate queues be arranged for senior citizens in medical centers;

iii. Free health services and medicines from public dispensaries, hospitals, and medical centers as prescribed by the respective Medical Officers shall be provided to the senior citizens. The authority shall tap private health facilities to provide 30% concessions to senior citizens on medical treatment and medicines. These private health facilities shall be given incentives and rewards to encourage them to facilitate senior citizens. Persons having insurance policy will not be eligible to avail this benefit, unless the limit of policy is expired;

iv. Research activities for chronic elderly diseases and facility for treatment of chronic, terminal, geriatric and degenerative diseases shall be provided;

v. Earmark facility for geriatric patients in every district Government hospital duly headed by a medical officer with experience in geriatric care;

vi. Establishment of senior citizens day care centers to promote their physicals, mental and recreational needs separately for males and females;

vii. The indigent families, who are not having sufficient means of income as may be determined by the Council, shall be provided financial support to maintain the wellbeing of senior citizens;

viii. Provide facilities to the senior citizens in prison. This shall include conducting regular physical examinations of senior citizens, providing free medication and other commodities essential for their physical and mental wellbeing for example, drugs, and supplements, and conducting psychological support programmes for their mental wellbeing.

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B. Facilities for mentally and physically disabled senior citizens

i. Provide required facilities to the families of mentally and physically disabled senior citizens *e.g.* wheelchairs, medical facilities, financial support, and transportation facilities to take disabled senior citizens for physical examinations. Efforts will be made to provide respite care for the relief and support of the primary caregivers of frail or disabled senior citizens and provide a break for the caregiver from the continuous responsibilities of caregiving;

ii. Provide information, special trainings and long-term support to the caregivers of mentally disabled senior citizens to enable them to maintain the wellbeing of the concerned senior citizens and their caregivers and families;

iii. Residences of physically and mentally disabled senior citizens will be regularly monitored to ensure that elderly are served in accordance with their legal rights and appropriately sanction those caregivers who do not adhere to this;

iv. Arrange psycho-socio support programmes under the supervision of psychological experts for mental wellbeing of senior citizens;

v. Considering the immense number of depression and dementia cases among senior citizens, trainings and programmes will be arranged for health professionals in each district to provide care for elder people with these metal and neurological disorders.

C. Transportation facilities

Provide separate seats and 50 percent concession for senior citizens in within and inter-city public transport. A dialogue shall be started with private transport and travel agencies for special seats and concessions for senior citizens and recommendation of concession in fair/ticket of airlines on prescribed forms of said organizations;—

D. Discount on goods and services

Provide discounts to senior citizens at government utility stores on goods and essential commodities for their personal use. A comprehensive list of the goods and the quantity of each good/commodity which can be availed by a senior citizen each month on discount shall be developed by the Council.—

E. Recreational facilities

Provide twenty five percent discounts at public recreation centers,

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cinemas, theaters, and visiting places including hotels, motels, resorts, restaurants, food points and lodging establishments.

F. Employment opportunities

Based on the willingness and desire of the senior citizens, professional trainings will be conducted for them *e.g.* vocational trainings, to enable them to secure employment opportunities.

G. Availability of special facilities in banks and saving centers and special facilities in ticket counters;

H. Senior citizen will be exempted from payment of any tax by any department, bank or institution on their incomes and profits earned by the Senior Citizens;

Explanation.— *Whenever there is a mention of concession or discount in this Act it is subject to the financial condition of the concerned senior citizen. While collecting data .for the issuance of Senior Citizen Cards, senior citizens will be categorized into several financial categories and hence the concision and discount will be subject to their financial categorization.*

CHAPTER-V

ESTABLISHMENT OF OLDAGE HOMES FOR ABANDONED SENIOR CITIZENS

12. **Establishment of old age homes.**— (1) Old age homes will be established at accessible places, as it may deem necessary, in a phased manner, beginning with at least one in each district to accommodate indigent senior citizens in such homes;

(2) Government shall prescribe scheme for the development and management of old age homes including the standards and various types of services to be provided by them which are necessary for medical care and means of entertainment to inhabitants of such homes;

(3) These old age homes will be fully equipped to accommodate mentally and physically disabled senior citizens and efforts will be made to ensure the ease of access and mobility of senior citizens within these old age homes;

(4) Social Welfare Department shall be the in-charge of the old age homes for financial matters. A trained Health/ Geriatric Care/ Psychology professional shall serve as the care taker and a management team including a security guard, cook and a manager will work on day to day administrative affairs.

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Explanation.— For the purpose of this section, "indigent" means any senior citi who has not having sufficient means of income as may be determined by the Council, from time to time.

13. **Implementation of the provisions of this Act.—**(1) Government may confer such powers and impose such duties on a Deputy Commissioner as may be necessary, to ensure that the provisions of this Act are properly carried out and the Deputy Commissioner may specify the officer sub-ordinate to him who shall exercise all or any of the powers, and perform all or any of the duties so conferred or imposed and the local limits within which such powers and duties shall be carried out by the officers as may be prescribed.

(2) Government shall prescribe comprehensive action plan for providing protection of life and property of senior citizens.

14. **Transfer of property to be void in certain circumstances.—** Where any senior citizen who, after the commencement of this Act, has transferred by way of gift or otherwise, his property, subject to the condition that the transferee shall provide the basic amenities and basic physical needs to the transferor and such transferee refuses or fails to provide such amenities and physical needs, the said transfer of property shall be deemed to have been made by fraud or coercion or under undue influence and shall at the option of the transferor be declared void by Government Revenue Department.

A Notification shall restrict all Registrar Offices to make sure that an additional clause be inserting to this effect in all future transfer agreements.

15. **Senior Citizens Welfare Fund.—** (1) There shall be established a Fund to be known as the Senior Citizens Welfare Fund. It shall be dual signatory administered by the Department of Social Welfare, Chairperson of the Executive Committee and internal audit will be conducted by Finance Department.

(2) The Fund shall be utilized for all activities relating to welfare of senior citizens and improving their well-being in the society;

(3) The sources of the Fund shall include;

(a) All grants, allocations made by the Government of Gilgit-Baltistan;

(b) Contributions made by the private individual organizations within country and abroad, grants-in-aid from multi-lateral and bilateral donors, national or international organizations, local councils, civil society or from any other source;

(c) All sums received by the Executive Committee from any other

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source cluding Pakistan Bait-ul-Mal, funds generated by different motivated campaigns a received from any lawful sources.

(4) The Executive Committee shall, with the approval of Government; invest the Fund in any scheme including Government securities for raising funds;

(5) The Fund shall be managed and operated in the manner as may be prescribed.

16. **Audit and accounts.**—(1) The Fund shall be audited annually by a chartered accountant within the meaning of the Chartered Accountant Ordinance, 1961 (X of 1961) to be appointed by the Executive Committee;

(2) The Government of Gilgit-Baltistan may issue directions to the Auditor General of Pakistan to inspect the accounts of the Council and report thereon as and when the Government of Gilgit-Baltistan considers necessary;

(3) The audited statement of the Fund and balance sheet together with the annual report of the Council for the proceeding year shall be submitted to the Government of Gilgit-Baltistan.

CHAPTER- VI

OFFENCE AND PROCEDURE FOR TRIAL

17. (1) **Contravention.—** Any person, who refuses to honor the Senior Citizen Card issued by the Council shall be punished with rigorous imprisonment not less than six months or fine which may extend to one lac or with both.

Any person, who violates any provision of this Act, shall be punished with rigorous imprisonment not less than six months but not more than three years or fine which may extend to one lac or with both.

(2) **Abandonment of senior citizen.**—Whoever, having the care and protection of senior citizen including family member and spouse, leaves such senior citizen in any place with the intention of wholly abandoning such senior citizen shall be punishable with imprisonment of either description for three months or fine.

(3) **Elder Abuse.**—Whoever indulges in elder abuse shall be punishable with imprisonment of either description for six months to three years or fine which may extend to one lac or with both.

18. **Cognizance of offences.—** (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, every offence under this Act shall be cognizable and bail-able.

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(2) An offence under this Act shall be tried summarily by a Judicia Magistrate of First Class.

CHAPTER-VII

MISCELLANEOUS

19. **Protection of action taken in good faith.**—No suit, prosecution or other legal proceedings shall lie against the Government, council or any local authority in respect of anything which is done in good faith or intended to be done in pursuance of this act any rule.

20. **Power to make rules.**—The government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

21. **Removal of difficulty to make rules.**— If any difficulty arises in giving effect to any of the provisions of this Act, Government may make such order not inconsistent with the provisions of this Act for removing the difficulty.

22. **Officers, employees, etc.**— To carry out the purposes of this Act, the Board may, with the approval of Government, appoint advisors, consultants and experts, having specialization and expertise in the related field and other officers and employees on such terms and conditions as may be prescribed.

NAZIR AHMED,
Deputy Speaker/ Presiding Officer.
Gilgit-Baltistan Assembly.

SYED AMJAD ZAIDI,
Governor.
Gilgit-Baltistan.

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