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**GOVERNMENT OF PAKISTAN
MINISTRY OF COMMERCE**

Islamabad, the 07th June, 2007

NOTIFICATION

S.R.O..... (I)/2007 – In exercise of the powers conferred by section 31 of the Trade Organisations Ordinance, 2007 (XXXI of 2007), and in supersession of the Trade Organisations Rules, 2007, notified vide Notification No. S.R.O. 260(I)/2007, dated the 15th March, 2007, the Federal Government is pleased to make the following rules, namely:-

THE TRADE ORGANISATIONS RULES, 2007

1. Short title and commencement. – (1) These rules may be called the Trade Organisations Rules, 2007.

(2) They shall come into force at once.

2. Definitions. – (1) In these rules, unless there is anything repugnant in the subject or context,-

- (a) “associate member” means a member of a trade organisation which is not a body corporate or a multinational or a sales tax registered manufacturing concern or a sales-tax-registered business concern having annual turn-over of Rs. 50 million or above;
- (b) “Association” means an association with membership on all-Pakistan basis organized to represent a specific trade, industry or service or any combination thereof as provided in clause (d) of sub-section (2) of Section 3 of the Ordinance;
- (c) “Chamber” means a Chamber of Commerce and Industry organised to represent trade, industry and services in a specific area as provided in clause (b) of sub-section (2) of Section 3 of the Ordinance;
- (d) “corporate member” means a member of a trade organisation which is either a body corporate or a multinational corporation with its head office or branch office in Pakistan or a sales-tax-registered manufacturing concern or a sales-tax-registered business concern having annual turn-over of Rs. 50 million or above;
- (e) “Council” means the Trade Organisations Advisory Council as provided under rules 13;
- (f) “Federation” means a Federation of Pakistan Chambers of Commerce and Industry organised on all-Pakistan basis to represent Chambers, Associations, Women’s Chambers and Chambers of Small Traders;

- (g) “general body” means all members of a trade organisation;
- (h) “Ordinance” means the Trade Organisations Ordinance, 2007 (XXXI of 2007);
- (i) “Northern Zone” means the province of Punjab, North West Frontier Province and Islamabad Capital Territory;
- (j) “plan of activities” means a list of proposed activities, expected financial expenditures and outcome and intended goals for the trade organisation as provided in rule 25;
- (k) “Schedule” means schedule to these rules;
- (l) “Secretary General” means an individual professional full-time employee of the trade organisation who shall be in charge of the secretariat of the trade organisation and responsible for day to day operations of the trade organisation and in his capacity as such shall be the custodian of all record pertaining to the trade organisation.
- (m) “Southern Zone” means the province of Sindh and Baluchistan;
- (n) “Town Association” means a Town Association, organized to represent trade, industry or service in a town, tehsil, taluka or a district where there is no chamber and such Town Association shall be affiliated with the Chamber of the concerned district;
- (o) “Women’s Chamber” means a Chamber of Commerce and Industry organised to represent Women Entrepreneurs;
- (p) “woman entrepreneur” means
 - (i) a sole proprietorship where the proprietor is a female; or
 - (ii) a partnership, where the majority partners are female(s); or
 - (iii) an association of any kind where the majority of persons forming the association are female; or
 - (iv) a company where the majority shares are held by female.

(2) The words and expressions used and not defined herein shall have the same meaning as is assigned to them in the Ordinance.

3. Eligibility for licence. – (1) an application for grant of licence to the Federal Government under section 3 of the Ordinance shall be entertained only if the applicant is a trade organisation and intended to be formed as any of the given types of trade organisations in sub-section (2) of section 3 of the Ordinance.

(2) Subject to the provisions of the section 3 of the Ordinance, an applicant trade organisation, save as to the Federation, shall only be allowed to be established if such trade organisation meets the following minimum requirements, namely:-

- (a) it represents a specific area or trade or industry or service or any combination thereof;

- (b) in case of a chamber it has a minimum of one hundred and fifty members who are either permanently domiciled in the relevant district or have a substantial business interest such as an industrial concern, a corporate business entity or are being assessed for the purposes of income tax and sales tax in the territorial jurisdiction of the proposed chamber;
- (c) in case of an association -
 - (i) it has one hundred members; or
 - (ii) where due to the size and nature of trade, industry or service, there are less than one hundred members but the combined revenue of the sector is significant and the proposal is supported by at least half of the total number of concerns in the respective trade, industry or service, the Federal Government may relax the minimum threshold of membership provided in (i) above;
 - (iii) its members are stakeholders in the relevant trade or industry or service; and
 - (iv) its membership is on all-Pakistan basis unless it has been established to the satisfaction of the Federal Government that the nature of the trade, industry, service or any combination thereof renders it impractical or impossible to have membership on all-Pakistan basis;
- (d) in case of a Women's Chamber, it has a minimum of one hundred members;
- (e) in case of a Town Association it has a minimum of one hundred members;

Explanation: the word "members" in this sub-rule in relation to existing trade organisations means existing members and in relation to new trade organisations means prospective members.

(3) Not more than one trade organisation shall be licensed to represent a specific trade, industry or area.

(4) No trade organisation shall be licensed unless it is self-sustained and financially feasible i.e. where the expected expenses do not exceed the proposed revenues.

4. Application for grant of licence. – (1) The application for grant of license shall be made on the prescribed application form provided in Schedule A to these rules and shall be accompanied by the following documents and information, namely:-

- (i) a list of prospective members along with –
 - (a) details of prospective members' business character, National Tax Number and Sales Tax Registration, if applicable, in the name of the business concern; and
 - (b) a copy of the national identity card of the authorised representative of the member;

- (ii) names and profiles of sponsors of trade organisations;
- (iii) justification for establishment of the proposed trade organisation which may include:-
 - (a) in case of a Chamber, the economic profile of the district indicating the number and nature of industrial concerns, the average revenue receipts during the last three years, profile of traditional products if any; or
 - (b) in case of an Association, the sectoral brief containing size and nature of trade, industry or service, the number of trading and industrial concerns, its contribution to gross domestic products, the estimated volume of imports and exports, the revenue collection in the sector; or
 - (c) in case of a Town Association, the economic profile of the concerned town, tehsil, taluka or district indicating the number and nature of industrial concerns, the average revenue receipts during the last three years and profile of traditional products, if any; and
- (iv) a hard and a soft copy of draft memorandum and articles of association of trade organisation in accordance with these rules, the Ordinance, the Companies Ordinance, 1984 (XLVII of 1984), and the Ministry of Commerce's Public Notices as issued from time to time;
- (v) copies of bye-laws of trade organisation if any;
- (vi) National Tax Number for the applicant trade organisation;
- (vii) copies of national press notices as provided under rule 9;
- (viii) receipt of payment of fees as prescribed in Schedule F;
- (ix) plan of activities for the trade organisation as audited by a firm of chartered accountants;
- (x) financial feasibility statement certified by a chartered accountant.

(2) The application for grant of licence to an existing trade organisation shall be made on the prescribed application form provided in Schedule B and shall be accompanied by following additional information and documents, namely:-

- (i) a hard and soft copy of Memorandum and Articles of Association of the existing trade organisation duly approved and certified by the Ministry of Commerce and Securities and Exchange Commission of Pakistan;
- (ii) a list of existing members indicating their national identity card number, national tax number, business address, phone number, fax number and email address alongwith the original membership register of the existing trade organisation;

- (iii) joint undertaking from the sponsors that no legal proceedings or litigation related to the affairs of the existing trade organisation is pending in any court of law;
- (iv) certified copies of utility bills of the existing trade organisation for the last one year;
- (v) certified copy of lease agreement of the office premises of the existing trade organisation for last three years;
- (vi) certificate from the Securities and Exchange Commission of Pakistan to the effect that the existing trade organisation has been reporting corporate compliance to the Commission;
- (vii) original licence granted to the existing trade organisation under the repealed Ordinance;
- (viii) copy of election results for the last three years;
- (ix) voters' list of the existing trade organisation as on the 31st December, 2006;
- (x) audited accounts of the existing trade organisation for the last three years.

5. Grant of Licence *de novo*. – An application for a *de novo* licence, following a licence of a trade organisation having been cancelled under section 7 of the Ordinance, shall be made to the Federal Government on the prescribed application form as given in Schedule D of the rules and shall include the following information, namely:-

- (a) details of new sponsors of the trade organisation whose licence was cancelled;
- (b) receipt of payment of fees as prescribed in Schedule F; and
- (c) grounds for grant of *de novo* licence in view of the circumstances under which the licence was cancelled.

6. Terms and conditions of licence. – (1) A licence granted to any trade organisation under rule 3 shall be subject to the following terms and conditions and any other as may be notified by the Federal Government from time to time –

- (i) that the trade organisation maintains a membership register and allows for public access to such register;
- (ii) that the trade organisation keeps accurate paper record of all matters pertaining to the operations and management of the trade organisation;
- (iii) that for the first three years of grant of licence, the trade organisation maintains the minimum membership threshold provided in clauses (b), (c), (d) and (e) of sub-rule (2) of rule 3;
- (iv) that within three years of grant of licence, the trade organisation shall raise and subsequently maintain, for all times, the minimum membership threshold provided in clause (i) of sub-rule (2) of rule 10;
- (v) that the trade organisation applies for incorporation as a company under the Companies Ordinance, 1984 (XLVII of 1984) within thirty

days of the date of the licence and shall secure incorporation within ninety days of the date of licence;

- (vi) that the trade organisation submits application form for membership of the Federation within one month along with the payment of stipulated subscription and maintains its membership with the Federation;

Provided that on submission of application form and deposit of fee by the licensed trade organisation, the Federation shall grant membership within one month;

- (vii) that all information and data provided by the applicant trade organisation to the Federal Government is accurate and reliable;
- (viii) that the trade organisation complies with the provisions of the Ordinance, Companies Ordinance, 1984 (XLVII of 1984), these rules and any other rules and regulations, if applicable;
- (ix) that within one month of the grant of licence, the trade organisation shall establish its independent office which shall:
 - (a) be housed in a premises, not being used as residence or office of any of its members;
 - (b) have telephone, fax and internet connection, etc., in the name of trade organisation;
 - (c) be located at a prominent and easily accessible place;
 - (d) in case of a Chamber, be located within the municipal limits of the headquarter of the concerned district;
 - (e) in case of a Town Association, be located within the municipal limits of the concerned town, tehsil, taluka or district; and
 - (f) in case of a Women's Chamber, be located at the place mentioned in the Memorandum and Articles of Association of the Women's Chamber; and
- (x) that within one month of the grant of licence, the trade organisation shall appoint a full-time Secretary General, having appropriate qualifications;
- (xi) that within ninety days of grant of licence, the trade organisation shall submit a compliance report to the Director-General about the completion of requirements of sub-rules (v), (vi), (ix) and (x);
- (xii) that the bank accounts of the trade organisation shall be opened in a scheduled bank in the exact registered name of the trade organisation;
- (xiii) that the trade organisation shall make a declaration to the auditors of all accounts including those opened separately for projects such as local and foreign exhibitions, delegations, etc., and shall not maintain any account which is not subject to audit; and
- (xiv) that an Association shall maintain a minimum of two regional offices, each covering a principal city in Northern and Southern Zones which may be based upon the distribution of its members across the country and which accordingly provides adequate service to its members.

(2) Without prejudice to the provisions of Section 7 of the Ordinance, the violation of any of the terms and conditions of the licence shall make the licence liable to cancellation by the Federal Government.

(3) Secretary General shall communicate with necessary documents all changes made in any material information already submitted to the Director-General or Federal Government within thirty days.

7. Jurisdiction of licence. – (1) The Federation shall be allowed to be established to represent Chambers, Associations, Women's Chambers and Chambers of Small Traders, on all-Pakistan basis.

(2) A Chamber shall be allowed to be established to represent trade, industry and services in an area not less than a revenue district.

(3) An Association shall be allowed to be established to represent a particular trade or industry or service or any combination thereof.

(4) A Women's Chamber shall be allowed to be established to represent Women Entrepreneurs in any trade or industry or service or any combination thereof for an area provided in Rule 12

(5) A Town Association shall be allowed to be established to represent the trade, industry and services in a town, tehsil, taluka or district where there is no Chamber.

8. Merger. – (1) The Federal Government reserves the right to direct any number of trade organisations to merge if each trade organisation is involved in the same or significantly similar trade, industry or service or any combination thereof.

(2) Any process of merger of trade organisations shall comply with the provisions of the Companies Ordinance, 1984 (XLVII of 1984), in this regard.

9. Notification in the press. – All proposals to form a trade organisation shall be duly notified by the sponsors of the proposals in the combined editions of at least two leading national English and Urdu daily newspapers. The minimum size of advertisement shall be 4 x 4 inch. Copies of the published notices shall be attached with the application for grant of licence.

10. Validity and renewal of license. – (1) A trade organisation shall be licensed for a period of three years.

(2) The licence shall be renewable for further three years subject to fulfilment of following conditions, namely:-

- (i) the trade organisation attains and subsequently maintains, for all times, the following minimum membership threshold:
 - (a) Chamber – three hundred
 - (b) Association – one hundred and fifty
 - (c) Women's Chamber – two hundred
 - (d) Town Association – one hundred; and
- (ii) the trade organisation has been.-

- (a) satisfactorily performing in accordance with performance review;
- (b) satisfactorily performing in accordance with its memorandum and articles of association;
- (c) reporting corporate compliance to the Securities and Exchange Commission of Pakistan and the Director-General; and
- (d) complying with any law, rules and regulations.

(3) Subject to the provisions of section 6 of the Ordinance, an application for renewal of licence shall be made to the Director-General on the prescribed application form provided in Schedule C to these rules and shall include the following information, namely:-

- (a) original licence expiring;
- (b) copy of financial statements for the trade organisation up to the end of the immediately preceding financial year together with auditors' reports;
- (c) receipt of payment of fees as prescribed in Schedule F;
- (d) copy of performance review report;
- (e) updated list of members;
- (f) copy of the lease agreement for the office premises of the trade organisation; and
- (g) copies of utility bills of the trade organisation for the preceding years; and
- (h) proof of filing income tax return on behalf of the trade organisation.

11. Membership of trade organisations. – (1) Any business concern shall be eligible for grant or renewal of membership of any trade organisation if such business concern meets the following conditions, namely:-

- (a) the prospective member is a sole proprietorship or a partnership firm or an association of persons or a company holding national tax number and sales tax registration, if applicable, in the name of the business concern;
- (b) the prospective member's business fits within the defined business scope or area of jurisdiction of the trade organisation as provided in the said trade organisation's approved memorandum and articles of association and under the licence granted by the Federal Government;
- (c) the application for grant of membership has been proposed and seconded by existing members of the said trade organisation;
- (d) the prospective member has no criminal conviction; and
- (e) the prospective member has a valid national tax number and sales tax registration, if applicable.

(2) The Director-General, if satisfied that a prospective member meets the eligibility criteria in sub-rule (1) above, may direct any trade organisation for the purposes of enrolling any such person as member upon the application of such prospective member having filed a complaint with the Director-General on the grounds of delay or refusal in obtaining membership in the said trade organisation.

(3) Membership may be cancelled or such membership be disqualified, in addition to the grounds provided under the trade organisation's memorandum and articles of association, if the member breaches any provision of these rules or the Ordinance.

(4) The membership of a trade organisation shall be granted for a period of one year and shall expire on the 31st day of March every year irrespective of the date of grant of membership.

(5) The membership shall be renewable on annual basis subject to fulfilment of following conditions, namely:-

- (a) payment of prescribed subscription within the time stipulated in the memorandum, which shall not be later than 31st of March; and
- (b) proof of filing return of income tax and sales tax, if applicable, for the preceding year.

(6) The Director-General, if satisfied that the renewal of membership of an eligible member has been delayed or refused, upon a complaint filed by the aggrieved member, may direct the trade organisation to renew the membership of the applicant.

(7) There shall be two classes of memberships in a trade organisation –

- (a) a member of a trade organisation which is either a body corporate or a multinational corporation with its head office or branch office in Pakistan or a sales-tax-registered manufacturing concern or a sales-tax-registered business concern having annual turn-over of Rs. 50 million or above shall be called “Corporate Member”; and
- (b) a member of a trade organisation which is not a body corporate or a multinational or a sales-tax-registered manufacturing concern or a sales-tax-registered business concern having annual turn-over of Rs. 50 million or above shall be called “Associate Member”

12. Women's Chambers. (1) A Women's Chamber shall represent women entrepreneurs in any trade or industry or service or any combination thereof.

(2) A Women's Chamber shall ensure that its basic purpose is to represent the best interests of women entrepreneurs in all manners possible including but not limited to the strategic development of women entrepreneurs and their business concerns and training of women entrepreneurs keeping in view all such circumstances as faced by women entrepreneurs in the conduct of their business concern.

(3) The territorial jurisdiction of a Women's Chamber shall be a province provided that the Federal Government may grant licence to more than one Women's Chambers in a province if the proposal for such a Women's Chamber meets the membership threshold as defined in rule 3 along with other conditions prescribed for a Women's Chamber.

(4) Notwithstanding sub-rule (3) the Federal Government may grant licence to a Women's Chamber in the Islamabad Capital Territory if such proposal is supported by a minimum of one hundred women entrepreneurs in the respective area.

(5) Where the number of prospective members desiring to form a Women's Chamber in a province is less than one hundred, they may join an adjoining licensed Women's Chamber:

Provided that when the membership of a Women's Chamber in a province becomes one hundred, such women entrepreneurs may apply for grant of licence as a provincial Women's Chamber.

(6) On grant of a licence to a Women's Chamber, the women entrepreneurs who had obtained membership in the adjoining Women's Chamber shall be deemed to have been de-registered from membership register of the adjoining Women's Chamber.

13. Trade Organisations Advisory Council. – (1) The Federal Government shall appoint a Trade Organisations Advisory Council hereinafter referred to as Council for the purposes of overseeing policy and public interest in respect of any matters falling under the Ordinance or rules made thereunder.

(2) The Council shall consist of the following:

- | | | |
|-------|--|------------------|
| (i) | Secretary, Ministry of Commerce | Chairman |
| (ii) | Secretary Ministry of Industries | Member |
| (iii) | Secretary Law, Justice and Human Rights Division | Member |
| (iv) | Secretary Textile Division | Member |
| (v) | Two office bearers of trade organisations | Members |
| (vi) | Three prominent businessmen | Members |
| (vii) | Director-General | Member/Secretary |

(3) The non-official members shall be notified by the Federal Government from time to time.

(4) A non-official nominated member shall hold office for a term of two years, at the pleasure of the Federal Government.

(5) An *ex officio* member shall hold office as member till such time he holds the office by virtue of which he is a member and upon his transfer, retirement, resignation or removal from office, the person appointed or elected in such person's place shall be the member.

14. Procedure of the Council. – (1) The Council shall meet as often as may be necessary for the performance of its functions but not less than twice in a calendar year.

(2) The quorum for a meeting of the Council shall be four members, out of which at least one shall be a non-official member.

(3) Subject to the provisions of the Ordinance, the procedure and conduct of business of the Council shall be regulated by the regulations made by the Federal Government.

(4) The Council may invite any person to attend any of its meetings or deliberations, including any of its committees, for the purpose of advising it on any matter under discussion but any person so attending shall have no right to participate in any decision or vote at the said meeting or deliberation.

(5) The Council may constitute such number of its committees as it considers necessary or expedient to assist it in the performance of its functions.

(6) A committee constituted under this rule shall act in accordance with the terms of reference made by the Council.

(7) The advice of the Council, or any committee thereof, shall not be binding on the Federal Government or the Director-General.

15. Elections within trade organisations. – Subject to the provisions of section 11 of the Ordinance, the elections of trade organisations shall be held on annual basis as per following timeframe:

- (a) in case of the Federation, between 1st of October to 31st of December of the year; and
- (b) in case of all other trade organisations, between 1st of July to 30th of September of the year.

16. Announcement of elections schedule. – (1) the election schedule of the trade organisation shall be approved by the Executive Committee of the trade organisation and issued by the Secretary General:

- (a) in case of the Federation, in the first half of October; and
- (b) in case of all other trade organisations, in the first half of July.

(2) Within two days of its approval by the Executive Committee, the election schedule shall be:

- (a) displayed at the notice board of the head office and regional offices of the trade organisation;
- (b) displayed at the website of the trade organisation; and
- (c) submitted to the Director-General.

17. Eligibility to vote. – (1) Subject to provisions of section 10 of the Ordinance, the eligibility of a member of trade organisation to vote at the elections of the trade organisation shall be subject to following conditions:

- (a) the member has completed two years of valid membership of the trade organisation as on the date of announcement of election schedule by the Executive Committee of the trade organisation; and
- (b) the member has fulfilled the conditions of membership and renewal thereof of the respective trade organisation under rule 11

(2) Every member eligible to vote shall deposit with the Secretary General, the specimen signature card along with photograph indicating the status in the firm, company or concern. The right to vote shall be allowed only to the proprietor, partner or the director of the member firm or company, or a person not below the rank of General Manager authorized by the Board of Directors of a public limited company or, as the case may be, a multi-national corporation.

(3) The proprietor, partner or director of the member firm or company, concern or a person not below the rank of General Manager authorized by the Board of Directors of public limited company or a multinational company shall be entitled to cast vote at the time of election only if name of such person has already been registered with the Secretary General and his name appears on the list of voters.

18. Appointment of election commission. – Simultaneously with the approval of the election schedule as provided in rule 16, the Executive Committee of the trade organisation shall appoint an election commission subject to the following conditions, namely:-

- (a) the commission comprises three members;
- (b) the members so appointed have submitted their consent in writing to their appointment as such;
- (c) the members of the commission, so appointed, have not held any office of the respective trade organisation for the preceding two years;
- (d) the member of the commission shall not be entitled to become a candidate in the election, he is conducting;
- (e) the members of the commission shall be independent, impartial and non-partisan; and
- (f) the members of commission shall not canvass for any of the candidates or panels contesting the elections, they are conducting.

19. Functions of election commission. – The election commission shall be in-charge of all arrangements connected with the conduct of elections including but not limited to:

- (a) appointment of polling staff;
- (b) ensuring display of the tentative voters' list by the Secretary General for the purpose of inviting objection as provided in sub-rule (3) of rule 20;
- (c) examination of and decision on the objections received on the voters' list as provided in sub-rule (6) of Rule 20; and
- (d) supervision of polling process and ensuring that the polling has been conducted in an orderly, peaceful, transparent and fair manner in accordance with the provisions of the memorandum and articles of association and instructions of the Federal Government or the Director-General in this regard; and
- (e) counting of votes and announcement of results.

20. Election procedure. – (1) The election of the trade organisation shall be conducted according to the procedure laid down in the respective articles of association subject to the following:-

- (a) The election of the members of Executive Committee and office bearers shall be held by secret ballot,
- (b) neither postal ballot nor proxy shall be allowed; and

- (c) the polling shall be held simultaneously at the head office, regional offices or where the number of voters exceeds fifty at the branch offices of the trade organisation:

Provided that where for want of space in the office premises it is not possible to establish the polling booths, the polling shall be held in a public place such as a community hall or hotel.

(2) Within three days of the announcement of the election schedule member firms desiring to change their representative shall intimate changes regarding name of representative to the Secretary General along with necessary proof of eligibility.

(3) The Secretary General of trade organisation shall display within seven days of the announcement of election schedule the provisional list of all members eligible to vote along with their national tax number, sales tax registration number, if applicable, the name and national identity card number of their representative. The list shall be displayed at:

- (a) the notice board of the head office and regional offices of the trade organisation; and
- (b) the website of the trade organisation.

(4) The members who have any objection to the entries in the list of voters shall send their objections in writing to the Secretary General within seven days of the issuance of the voters' list.

(5) The Secretary General will intimate action on the objections or changes sent by members within five days from the last day under preceding clause.

(6) Any person aggrieved by the decision of the Secretary General may make a representation, within three days to the election commission which shall decide the case within three days.

(7) Within three days of decision by the commission or in case the Commission fails to decide within the stipulated time provided in sub-rule (6), any person aggrieved by the decision of the commission may appeal to the Director-General who shall decide the case within 10 days and his decision in this regard shall be final.

(8) Within two days of the decision of the Director-General the final voters' list shall be:

- (a) displayed at the notice board of the head office and regional offices of the trade organisation;
- (b) displayed at the website of the trade organisation; and
- (c) submitted to the Director-General:

Provided that if no appeal has been filed to the Director-General, the final list of voters shall be displayed within fifteen days of the decision of the election commission under sub-rule (6).

(9) Within four days of the display of the final list of voters, any person who is eligible to contest the election for the vacant post, shall send his nomination duly proposed and seconded by a duly registered voter and signed by the candidate to the Secretary General.

(10) Within twenty-four hours of receipt of nomination papers, a copy of the final list of voters shall be provided to each contesting candidate.

(11) The nomination papers shall be scrutinized by the commission and list of candidates shall be displayed within twenty-four hours of the last date of receipt of nomination papers.

(12) The objections, if any, to the nomination of the candidates can be filed to the election commission within twenty-four hours of issuance of the list of candidates, which shall be decided by the election commission within two days.

(13) Within two days of decision of the commission or in case the commission fails to decide within the stipulated time provided in sub-rule (12), any candidate aggrieved by the decision of the commission may file an appeal to the Director-General, who shall decide within 7 days and his decision in this regard shall be final.

(14) Within two days of the decision of the Director-General the commission shall issue the final list of candidates:

Provided that if no appeal has been filed to the Director-General, the final list of candidates shall be issued within eleven days of the decision of the election commission under sub-rule (12).

(15) Within five days of display of final list of candidates, the polling for election of members of Executive Committee shall be held.

(16) Within 2 days of the polling as provided in sub-rule (15), any person elected as member of Executive Committee, shall send his nomination for election as an office bearer duly proposed and seconded by an elected Executive Committee member and signed by the candidate to the election commission.

(17) The nomination papers shall be scrutinized by the commission and list of candidates shall be displayed within 24 hours of the last date of receipt of nomination papers.

(18) Within 2 days of display of final list of candidates, the polling for election of office bearers shall be held.

(19) The final result of the election of members of Executive Committee and office bearers shall be officially announced at the annual general meeting of the trade organisation called for this purpose within fifteen days of the date of polling under the preceding clause but not later than:

- (a) in case of the Federation, the 31st of December of the year; and
- (b) in case of all other trade organisations, the 30th of September of the year;

(20) The announcement of election results in the annual general meeting in pursuance of the preceding sub-rule shall be the material date for the purposes of paragraph (iii) of clause (f) of sub-section (2) of section 14 of the Ordinance.

(21) The final election results announced in the annual general meeting shall be:

- (a) displayed at the notice board of the head office and regional offices of the trade organisation within two days;

- (b) displayed at the website of the trade organisation within two days; and
- (c) submitted to the Director-General within 7 days.

21. Conduct of Elections. – (1) The ballot papers shall have duly numbered counterfoils and the voter shall sign or affix thumb impression thereon in the presence of polling agents of the candidates and the polling officer before the issuance of ballot papers to the voter.

(2) It shall be the duty of the polling officer to verify the identity of the voter. The only acceptable forms of identification shall be the computerised national identity card, the original identity card issued by the trade organisation, the passport and the driving licence. The polling officer shall enter the number of identification document on the counterfoil.

(3) After comparing the signatures and photograph with the specimen signature card the polling officer shall hand over the ballot paper to the voter.

(4) The ballot paper shall be signed by the Secretary General or an officer of the trade organisation duly authorized by the commission in this behalf and shall also be signed by the polling officer at the time when it is issued.

(5) Once the ballot paper has been issued to a voter, he shall not be allowed to leave the polling booth, without casting in the ballot box.

(6) Adequate arrangements shall be made to maintain the secrecy of the polls.

(7) Proper account shall be maintained by an officer designated by the commission in respect of ballot papers including used, unused, tendered, challenged or spoiled ballot papers.

(8) The challenged votes shall be kept in a separate sealed envelope duly signed and sealed by the polling officer.

(9) The commission or an officer designated by the commission shall decide about the challenged votes after verification of necessary information before the official announcement of the results.

(10) No ballot paper shall be invalid for failure to have cast all votes on all seats contested for in the said election.

(11) Counting of votes shall take place immediately after the polling hours under the supervision of polling officer in the presence of candidates or their polling agents, if any, at the designated sites.

(12) Provisional results may be declared by the commission immediately after the counting of votes is completed.

(13) In the event of equality of votes between two or more candidates the result shall be decided on the basis of a draw conducted by the polling officer in the presence of candidates or their polling agents and a record of the result thereof shall be made.

(14) Having completed the counting and compilation of results, the record pertaining to the elections shall be sealed and signed by the commission or any officer designated by the commission and the Secretary General and shall be handed over to the Secretary General for safe custody.

(15) The record of elections shall be opened for inspection upon an application made in this behalf by the candidates within seven days of the date of polling and with the approval of the Director-General.

22. Organisational Structure of the Federation. – (1) The Federation shall comprise a President, nine Vice-Presidents, an Executive Committee and a General Body.

(2) The General Body of the Federation shall comprise the representatives, nominated by each licensed Chamber, Association, Women’s Chamber and Chamber of Small Traders subject to the following:

- (a) two representatives shall be nominated from each licensed Chamber, Association, Women’s Chamber and Chamber of Small Traders;
- (b) the representatives shall be members of the nominating trade organisation;
- (c) in case of a Chamber or Women’s Chamber, one representative shall be nominated from each class of members provided in sub-rule (7) of Rule 11; and
- (d) in case of an Association, at least one representative shall be nominated from the corporate class.

(3) The General Body constituted under sub-rule (2), in addition to the functions and responsibilities assigned to it in the memorandum and articles of association of the Federation shall, subject to the provisions of sub-rule (4), serve as the electoral college for election of the office bearers of the Federation.

(4) The Executive Committee of the Federation shall comprise one out of the two representatives nominated on the General Body by each trade organisation as provided in sub-rule (2). While making nomination under sub-rule (2) each trade organisation shall indicate as to which of the two nominees shall represent it on the Executive Committee of the Federation.

(5) The immediate past president of the Federation shall be an ex-officio member of the Executive Committee without voting right.

(6) There shall be nine seats of *Vice-President* in the Federation, subject to the following:

- (a) there shall be four seats of *Vice-President* allocated to the associations for which the electoral college shall be the members of General Body representing the Associations;
- (b) in addition to the seats provided for in clause (a), there shall be following four seats of *Vice-Presidents* allocated to the Chambers and Women’s Chambers as under:
 - (i) Punjab including the Islamabad Capital Territory....one
 - (ii) Sindh.....one
 - (iii) North West Frontier Province..... one
 - (iv) Baluchistan.....one; and

Explanation:- Electoral college for the four seats of *Vice-President* provided for in clause (b) shall be the members of the General Body representing the Chambers and Women's Chambers from the respective province.

(c) in addition to the seats provided for in clause (a) and (b), there shall be one seat of *Vice-President* allocated to the Chambers of Small Traders for which the electoral college shall be the members of General Body representing the Chambers of Small Traders.

(7) The rotation cycle of the office of President of the Federation shall be as provided in Schedule E to these rules.

(8) The President and *Vice-Presidents* of the Federation shall be elected from amongst the members of the Executive Committee.

(9) The tenure of all office bearers and members of Executive Committee of the Federation shall be one year:

Provided that the tenure of the office bearers and Executive Committee of the Federation shall remain two years till 31st December, 2010.

(10) Any office bearer or member of the Executive Committee of the Federation, on completion of the term or early retirement for any reason, shall not be eligible to contest election or cooption in any representative capacity for the next one year; and

23. Organisational Structure of Chambers, Associations, Women's Chambers and Town Associations. – (1) A Chamber or Women's Chamber or Town Association shall comprise a President, *Vice-President*, an Executive Committee and a General Body.

(2) An Association shall comprise a Chairman, *Vice-Chairman*, an Executive Committee and a General Body:

Provided that an association may have more than one *Vice-Chairman*, as provided in its memorandum and articles of association.

(3) Members of a trade organisation shall constitute its General Body.

(4) The General Body constituted under sub-rule (3), in addition to the functions and responsibilities assigned to it in the memorandum and articles of association of the trade organisation shall, subject to the provisions of clause (c) of sub-rule (5) and sub-section (7) of section 10 of the Ordinance, serve as the electoral college for election of members of Executive Committee, except for the seats reserved for women for which the electoral college shall be the Executive Committee.

(5) The Executive Committee of all trade organisations, except Federation, shall comprise persons elected by the General Body from amongst its members, subject to the following, namely:-

(a) There shall be a minimum of ten and maximum of thirty seats of Executive Committee.

(b) At least fifty per cent of the members of Executive Committee shall be from the corporate class.

(c) The electoral college for each class of members of Executive Committee shall be the members of General Body from the respective class.

(d) In addition to the seats provided in clause (a), the immediate past President or, as the case may be, the Chairman of a trade organisation shall be an ex-officio member of the Executive Committee without voting right.

(6) In case of a Chamber, Association and Town Association in addition to the number of seats in sub-rule (5), there shall be two seats of Executive Committee reserved for women entrepreneurs for which the electoral college shall be the Executive Committee.

(7) In case of a Chamber, in addition to the seats in sub-rule (5) and (6) there shall be one seat reserved for nominee of each Town Association affiliated with the Chamber.

(8) If any seat reserved for any of the stipulated categories remains vacant, it shall not be filled with members from other category:

Provided that any seats remaining vacant in any category shall not be counted towards determination of quorum.

(9) In any trade organisation where the General Body comprises at least fifty per cent members from Associate Class, there shall be rotation of office of President and, as the case may be, the Chairman between the Associate and Corporate Members.

(10) Where there is rotation of office of President under sub-rule (9), the President and *Vice-President* or Chairman and, as the case may be, the *Vice-Chairman* shall not be from the same class of members provided in sub-rule (7) of rule 11:

Provided that where there are more than one *Vice-Presidents* or, as the case may be, the *Vice-Chairmen* at least one shall be from the class of members other than that of the President or Chairman.

(11) The office bearers of a trade organisation shall be elected by the Executive Committee from amongst its members.

(12) The tenure of all elected office bearers shall be one year.

(13) The tenure of members of Executive Committee provided in sub-rule (5) and (6) shall be two years subject to the following:

(a) fifty per cent members of the Executive Committee shall retire every year;

(b) after the first election of the Executive Committee under the Ordinance a draw shall be made to determine the fifty per cent members who shall retire after expiry of first year.

(14) The tenure of office bearers of Executive Committee provided in sub-rule (7) shall be one year.

(15) On completion of the term the office bearers and members of Executive Committee shall not be eligible to contest election or co-option in any representative capacity in the trade organisation for the next one year.

Provided that this sub-rule (15), shall not apply to the office bearers and members of the Executive Committee elected under the repealed Ordinance.

24. Reporting Requirements. – Notwithstanding the requirements under the Companies Ordinance, 1984 (XLVII of 1984), the trade organisation shall annually submit by 31st December, to the Director-General:

- (a) annual financial statements as approved by the Executive Committee and prepared by auditors;
- (b) plan of activities for the next year as provided in rule 25; and
- (c) a soft and hard copy of list of members as on November 30, in the format at Annex-I of Schedule B

25. Plan of activities and performance review. – (1) Every trade organisation shall prepare a three year plan of activities which shall be approved by the Executive Committee following distribution amongst its members and cover among other matters the proposed future activities, finances and outcome of such activities intended by the trade organisation during the said three year period.

(2) Each trade organisation shall internally conduct an annual performance review and have such performance review audited by external auditors based upon an inspection of all records of the trade organisation to include but not be limited to minutes of meetings and the trade organisation's plan of activities.

26. Management. – (1) A trade organisation shall appoint a Secretary General through a Human Resources Committee formed under and consisting of three members of the Executive Committee.

(2) The Secretary General shall be in charge of the secretariat of the trade organisation. The trade organisation shall frame the rules and regulations for hiring and service rules for Secretary General and other staff.

(3) The signatures of the Secretary General shall be mandatory for operation of all the single or jointly operated bank accounts of the trade organisation.

(4) The termination of services of the Secretary General shall be through a resolution of the Executive Committee.

(5) Any management employees who shall report directly to the Secretary General alone shall be appointed jointly by the Secretary General and the Human Resources Committee.

(6) Any other staff or professional management shall be appointed through a process to be defined in the trade organisation's human resource policy.

27. Website. – Every trade organisation shall within one year from the date of grant of licence create and maintain a website at all times which shall include all relevant information such as:

- (a) Up-to-date list of office bearers with contact details, Executive Committee members, management and members of the General Body;
- (b) memorandum and articles of association as well as bye-laws, if any;
- (c) plan of activities and statement of vision;
- (d) schedule of Executive Committee meetings and minutes of such meetings; and

- (e) schedule of elections, voters' list and election results during the election period as provided in clause (c) of sub-rule (2) of rule 16 and clause (b) of sub-rule (3), clause (b) of sub-rule (8) and clause (b) of sub-rule (18) of rule 20.

28. Memorandum, articles of association and bye-laws. – Memorandum and articles of association, including but not limited to the organisational structure, and any bye-laws of a trade organisation shall be within the provisions of these rules, the Trade Organisations Ordinance, 2007, Companies Ordinance, 1984 (XLVII of 1984) and the public notices issued by the Ministry of Commerce from time to time. Any other matter pertaining to the organisational structure or operations of a trade organisation, not specifically provided in these Rules, shall be provided for in the memorandum and articles of association of the respective trade organisation.

29. Professional development. – The office bearers of a trade organisation shall always follow best practices including undertaking continuing professional development in order to meet the requirements of their respective office and in view of the provisions of these rules, the Ordinance and as reflected under the memorandum and articles of association of such trade organisation or as notified by the Ministry of Commerce from time to time.

Schedule A

[See rule 4]

Application for grant of licence to trade organisation

(Please type or print only)

NOTE: Please fill out the entire application below. If the space provided is insufficient please use additional sheet and attach with application form as annexure.

1. Fee payment details:

(Fee is to be paid through a demand draft drawn in favour of Director General Trade Organisations)

| Amount paid | Bank Draft/ Voucher/Challan No. | Date | Bank |
|-------------|------------------------------------|------|------|
| | | | |

2. Type of trade organisation for which licence is being applied (please tick one):

Chamber

Association

Women's Chamber

Town Association

3. Proposed name of the trade organisation:

4. Area or sector of industry, services or trade to be represented:

5. Have you applied for grand of licence before: Yes No

If yes, when: _____ (dd/mm/yyyy)

6. National Tax Number of the applicant trade organisation: _____

7. Total No. of prospective members on the date of filing the application: _____

(Please attach a complete list of prospective members on the format given in Annex-I)

Please ensure that it meets the minimum threshold which is

- | | | |
|-----|-------------------------------|-----|
| (a) | in case of a chamber | 300 |
| (b) | in case of a Women's Chamber | 200 |
| (c) | in case of an Associations | 150 |
| (d) | in case of a Town Association | 100 |

In case of an association, please give the regional breakdown of the enrolled membership:

Punjab _____ Sindh _____ NWFP _____ Baluchistan _____

ICT _____

8. Names of newspapers in which the proposal for grant of licence has been notified as required under rule 9:

(a) Name of Newspaper: _____ Date: _____

(b) Name of Newspaper: _____ Date: _____

9. Proposed registered office of the trade organisation: _____

(City/Province/Region)

Checklist

Have the following information and documents been provided or attached with the application form

| | Yes | No |
|--|--------------------------|--------------------------|
| (a) Receipt of payment of fees as prescribed in schedule F | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Justification for establishment of the proposed trade organisation | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) The proposed plan of activities (indicating both long and short term targets) | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) A hard copy of the draft memorandum and articles of association | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) A soft copy of the draft memorandum and articles of association | <input type="checkbox"/> | <input type="checkbox"/> |
| (f) Copies of the press notices | <input type="checkbox"/> | <input type="checkbox"/> |
| (g) List of the proposed office bearers of trade organisation till first elections are held on the format prescribed in Annex-II | <input type="checkbox"/> | <input type="checkbox"/> |
| (h) List of the prospective members of the existing trade organisation on the format prescribed in Annex-I | <input type="checkbox"/> | <input type="checkbox"/> |
| (i) Copies of bye-laws of trade organisation, if any | <input type="checkbox"/> | <input type="checkbox"/> |
| (j) Financial feasibility statement certified by a chartered accountant required under rule 4(1)(x) | <input type="checkbox"/> | <input type="checkbox"/> |

DECLARATION

I, on behalf of the sponsors of the proposed trade organisation to be licensed *vide* this application, hereby declare and undertake that all information stated in this application and in the attachment hereto or otherwise provided to the Government of Pakistan by me is true, correct and accurate in all respects. I confirm that my signature, personal information or any of the information provided herein or in support is accurate with reference to any applicable authenticated documentation. I also confirm having read and understood the Trade Organisations Ordinance, 2007, and the rules made thereunder and declare being bound by and subject to the same in respect of this proposed trade organisation.

Date: _____ Signature: _____
Name and stamp

NIC No. _____

Schedule B

[See rule 4]

Application for grant of licence to existing trade organisation

(Please type or print only)

NOTE: Please fill out the entire application below. If the space provided is insufficient please use additional sheet and attach with application form as annexure.

1. Fee payment details:

(Fee is to be paid through a demand draft drawn in favour of Director General Trade Organisations)

| Amount paid | Bank Draft/ Voucher/Challan No. | Date | Bank |
|-------------|------------------------------------|------|------|
| | | | |

2. Type of trade organisation for which licence is being applied (please tick one):

Chamber

Association

Town Association

3. No. of the revoked licence: _____ Date of Issue: _____ (dd-mm-yyyy)

4. Registered name of the existing trade organisation as per incorporation certificate:

5. Is there any change desired in the existing name of the trade organisation?

yes

No

If yes, the proposed name of the trade organisation:

Please provide justification for change of name on a separate sheet of paper

6. Area or sector of industry, services or trade to be represented:

7. National Tax Number of the applicant trade organisation: _____

8. No. of the incorporation certificate: _____ Date: _____

Issuing Authority: _____

9. Total No. of members on the date of filing the application: _____

(Please attach a complete list of enrolled members on the format given in Annex-I)

Please ensure that it meets the minimum threshold which is

- | | |
|-----------------------------------|-----|
| (a) in case of a chamber | 300 |
| (b) in case of an Associations | 150 |
| (c) in case of a Town Association | 100 |

In case of an association, please give the regional breakdown of the enrolled membership:

Punjab _____ Sindh _____ NWFP _____ Baluchistan _____

ICT _____

10. Name of the secretary of the existing trade organisation: _____
 Date of appointment: _____ Qualification: _____
11. Names of newspapers in which the proposal for grant of licence has been notified as required under rule 9:
 (a) Name of Newspaper: _____ Date: _____
 (b) Name of Newspaper: _____ Date: _____
12. Registered Office(s) of the existing trade organisation:
 Head Office
 Address: _____
 _____ City: _____
 Tel: _____ Fax: _____
 Email: _____ Website: _____
 Regional Office I, if any: _____
(in case of associations only)
 Address: _____
 _____ City: _____
 Tel: _____ Fax: _____ Email: _____
 Regional Office II, if any: _____
(in case of associations only)
 Address: _____
 _____ City: _____
 Tel: _____ Fax: _____ Email: _____

DECLARATION

I, on behalf of the executive committee of the existing trade organisation to be licensed *vide* this application, shereby declare and undertake that all information stated in this application and in the attachment hereto or otherwise provided to the Government of Pakistan by me is true, correct and accurate in all respects. I confirm that my signature, personal information or any of the information provided herein or in support is accurate with reference to any applicable authenticated documentation. I also confirm having read and understood the Trade Organisations Ordinance, 2007 and rules made thereunder and declare being bound by the and subject to the same in respect of this proposed trade organisation.

Date: _____ Signature: _____
 Name and Designation: _____
 NIC No. _____

(Official Seal)

Checklist

Have the following information/documents been provided / attached with the application form

| | Yes | No |
|---|--------------------------|--------------------------|
| (a) Receipt of payment of fees as prescribed in schedule F | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Original license granted to the existing trade organisation under the repealed Ordinance | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Copy of the incorporation certificate | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) Corporate compliance certificate from SECP | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) Justification for establishment of the proposed trade organisation | <input type="checkbox"/> | <input type="checkbox"/> |
| (f) The proposed plan of activities (indicating both long and short term targets) | <input type="checkbox"/> | <input type="checkbox"/> |
| (g) An updated hard copy of the memorandum and articles of association of the existing trade organisation as approved by Ministry of Commerce and SECP | <input type="checkbox"/> | <input type="checkbox"/> |
| (h) An updated soft copy of the memorandum and articles of association of the existing trade organisation as approved by Ministry of Commerce and SECP | <input type="checkbox"/> | <input type="checkbox"/> |
| (i) A hard copy of the draft memorandum and articles of association | <input type="checkbox"/> | <input type="checkbox"/> |
| (j) A soft copy of the draft memorandum and articles of association | <input type="checkbox"/> | <input type="checkbox"/> |
| (k) Copies of the press notices as prescribed in Rule 9 | <input type="checkbox"/> | <input type="checkbox"/> |
| (l) List of the office bearers of existing trade organisation on the format prescribed in Annex-II | <input type="checkbox"/> | <input type="checkbox"/> |
| (m) List of the enrolled members of the existing trade organisation on the format prescribed in Annex-I | <input type="checkbox"/> | <input type="checkbox"/> |
| (n) Original membership register | <input type="checkbox"/> | <input type="checkbox"/> |
| (o) Voters list of the existing trade organisation as on December 31 st 2006 | <input type="checkbox"/> | <input type="checkbox"/> |
| (p) Copies of bye-laws of trade organisation, if any | <input type="checkbox"/> | <input type="checkbox"/> |
| (q) Financial feasibility statement certified by a chartered accountant | <input type="checkbox"/> | <input type="checkbox"/> |
| (r) Joint undertaking from the sponsors that no legal proceeding or litigation related to the affairs of the existing trade organisation is pending in any court of law | <input type="checkbox"/> | <input type="checkbox"/> |
| (s) Certified copies of utility bills of the existing trade organisation for the last one year | <input type="checkbox"/> | <input type="checkbox"/> |
| (t) Certified copy of lease agreement of the office premises including regional offices (if applicable) of the existing trade organisation for last 3 years | <input type="checkbox"/> | <input type="checkbox"/> |
| (u) Copy of election results for the last 3 years | <input type="checkbox"/> | <input type="checkbox"/> |
| (v) Audited accounts of the existing trade organisation for the last 3 years | <input type="checkbox"/> | <input type="checkbox"/> |

Schedule C

[See rule 4]

Application for renewal of licence

(Please type or print only)

NOTE: Please fill out the entire application below. If the space provided is insufficient please use additional sheet and attach with application form as annexure.

1. Fee payment details:

| Amount paid | Bank Draft/ Voucher/Challan No. | Date | Bank |
|-------------|------------------------------------|------|------|
| | | | |

2. Type of trade organisation for which licence is being applied (please tick one):

Chamber

Association

Women's Chamber

Town Association

3. No. of the expiring licence: _____

Date of Issue: _____ (dd-mm-yyyy) Date of Expiry: _____ (dd-mm-yyyy)

4. Registered name of the existing trade organisation:

5. Area or sector of industry, services or trade represented:

6. National Tax Number of the applicant trade organisation: _____

7. No. of the incorporation certificate: _____ Date: _____

Issuing Authority: _____

8. Total No. of members on the date of filing the application: _____

(Please attach a complete list of enrolled members on the format given in Annex-I)

In case of an association, please give the regional breakdown of the enrolled membership:

Punjab _____ Sindh _____ NWFP _____ Baluchistan _____

ICT _____

9. Name of the secretary of the trade organisation: _____

Date of appointment: _____ Qualification: _____

10. Registered Office(s) of the existing trade organisation:

Head Office

Address: _____

_____ City: _____

Tel: _____ Fax: _____

Email: _____ Website: _____

Regional Office I, if any: _____
(in case of associations only)

Address: _____

_____ City: _____

Tel: _____ Fax: _____ Email: _____

Regional Office II, if any: _____
(in case of associations only)

Address: _____

_____ City: _____

Tel: _____ Fax: _____ Email: _____

DECLARATION

I, on behalf of the executive committee members of the trade organisation to be licensed *vide* this application hereby declare and undertake that all information stated in this application and in the attachment hereto or otherwise provided to the Government of Pakistan by me is true, correct and accurate in all respects. I confirm that my signature, personal information or any of the information provided herein or in support are accurate with reference to any applicable authenticated documentation. I also confirm having read and understood the Trade Organisations Ordinance, 2007 and rules made thereunder and declare being bound by the and subject to the same in respect of this trade organisation.

Date: _____

Signature: _____

Name and Designation: _____

NIC No. _____

(Official Seal)

Checklist

Have the following information/documents been provided / attached with the application form

| | Yes | No |
|---|--------------------------|--------------------------|
| (a) Receipt of payment of fees as prescribed in schedule F | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Original license granted to the trade organisation | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Copy of the incorporation certificate | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) Corporate compliance certificate from SECP | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) Performance review report as required under rule 10(3)(iv) | <input type="checkbox"/> | <input type="checkbox"/> |
| (f) The proposed plan of activities (indicating both long and short term targets) for next 3 years | <input type="checkbox"/> | <input type="checkbox"/> |
| (g) An updated hard copy of the memorandum and articles of association of the trade organisation as approved by Ministry of Commerce and SECP | <input type="checkbox"/> | <input type="checkbox"/> |
| (h) An updated soft copy of the memorandum and articles of association of the existing trade organisation as approved by Ministry of Commerce and SECP | <input type="checkbox"/> | <input type="checkbox"/> |
| (i) List of the office bearers of trade organisation on the format prescribed in Annex-II | <input type="checkbox"/> | <input type="checkbox"/> |
| (j) List of the enrolled members of the trade organisation on the format prescribed in Annex-I | <input type="checkbox"/> | <input type="checkbox"/> |
| (k) Copies of bye-laws of trade organisation, if any | <input type="checkbox"/> | <input type="checkbox"/> |
| (l) Copy of financial statements for the trade organisation up to the end of the most recent financial year together with auditors' reports | <input type="checkbox"/> | <input type="checkbox"/> |
| (m) Certified copies of utility bills of the existing trade organisation for the last one year | <input type="checkbox"/> | <input type="checkbox"/> |
| (n) Certified copy of lease agreement of the office premises including regional offices (if applicable) of the existing trade organisation for last 3 years | <input type="checkbox"/> | <input type="checkbox"/> |
| (o) Proof of filing income tax return on behalf of trade organisation | <input type="checkbox"/> | <input type="checkbox"/> |

Schedule D

[See rule 5]

Application for grant of licence *de novo*

(Please type or print only)

NOTE: Please fill out the entire application below. If the space provided is insufficient please use additional sheet and attach with application form as annexure.

1. Fee payment details:

| Amount paid | Bank Draft/ Voucher/Challan No. | Date | Bank |
|-------------|------------------------------------|------|------|
| | | | |

2. Type of trade organisation for which licence is being applied (please tick one):

Chamber Association
 Women's Chamber Town Association

3. No. of the cancelled licence: _____

Date of Issue: _____ Date of cancellation: _____
(dd-mm-yyyy) (dd-mm-yyyy)

4. Registered name of the trade organisation before cancellation of licence:

5. Is there any change desired in the old name of the trade organisation?

yes No

If yes, the proposed name of the trade organisation:

Please provide justification for change of name on a separate sheet of paper

6. Area or sector of industry, services or trade to be represented:

7. Reasons for cancellation of licence: _____
(Please provide details on a separate sheet of paper)

8. Justification for grant of de novo licence: _____
(Please provide details on a separate sheet of paper)

9. National Tax Number of the applicant trade organisation: _____

10. No. of the incorporation certificate of the old trade organisation: _____

Date: _____ Issuing Authority: _____

11. Total No. of members of the old trade organisation: _____

12. Total No. of members on the date of filing the application: _____
(Please attach a complete list of enrolled members on the format given in Annex-I)

Please ensure that it meets the minimum threshold which is

- | | | |
|-----|-------------------------------|-----|
| (a) | in case of a chamber | 300 |
| (b) | in case of an Associations | 150 |
| (c) | in case of a Town Association | 100 |

In case of an association, please give the regional breakdown of the enrolled membership:

Punjab _____ Sindh _____ NWFP _____ Baluchistan _____
ICT _____

13. Name of the secretary of the old trade organisation: _____

Date of appointment: _____ Qualification: _____

14. Names of newspapers in which the proposal for grant of licence has been notified as required under rule 9:

(a) Name of Newspaper: _____ Date: _____

(b) Name of Newspaper: _____ Date: _____

15. Registered Office(s) of the old trade organisation:

Head Office

Address: _____

_____ City: _____

Tel: _____ Fax: _____

Email: _____ Website: _____

Regional Office I, if any: _____
(in case of associations only)

Address: _____

_____ City: _____

Tel: _____ Fax: _____ Email: _____

Regional Office II, if any: _____
(in case of associations only)

Address: _____

_____ City: _____

Tel: _____ Fax: _____ Email: _____

16. Proposed registered office of the trade organisation: _____
(City/Province/Region)

DECLARATION

I, on behalf of the sponsors of the proposed trade organisation to be licensed *vide* this application, hereby declare and undertake that all information stated in this application and in the attachment hereto or otherwise provided to the Government of Pakistan by me is true, correct and accurate in all respects. I confirm that my signature, personal information or any of the information provided herein or in support are accurate with reference to any applicable authenticated documentation. I also confirm having read and understood the Trade Organisations Ordinance, 2007 and rules made thereunder and declare being bound by the and subject to the same in respect of this proposed trade organisation.

Date: _____ Signature: _____
Name and stamp

NIC No. _____

Checklist

Have the following information/documents been provided / attached with the application form

| | Yes | No |
|--|--------------------------|--------------------------|
| (a) Receipt of payment of fee as prescribed in Schedule F | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Justification for establishment of the proposed trade organisation | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) The proposed plan of activities (indicating both long and short term targets) | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) A hard copy of the draft memorandum and articles of association | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) A soft copy of the draft memorandum and articles of association | <input type="checkbox"/> | <input type="checkbox"/> |
| (f) Copies of the press notices as prescribed in rule 9 | <input type="checkbox"/> | <input type="checkbox"/> |
| (g) List of sponsors of applicant trade organisation on the format prescribed in Annex-II | <input type="checkbox"/> | <input type="checkbox"/> |
| (h) List of the prospective members of the applicant trade organisation on the format prescribed in Annex-I | <input type="checkbox"/> | <input type="checkbox"/> |
| (i) Copies of bye-laws of trade organisation, if any | <input type="checkbox"/> | <input type="checkbox"/> |
| (j) Financial feasibility statement certified by a chartered accountant | <input type="checkbox"/> | <input type="checkbox"/> |
| (k) Joint undertaking from the sponsors that no legal proceeding or litigation related to the affairs of the applicant trade organisation is pending in any court of law | <input type="checkbox"/> | <input type="checkbox"/> |
| (l) Copy of order under which licence was cancelled | <input type="checkbox"/> | <input type="checkbox"/> |
| (m) Justification for grant of licence de novo | <input type="checkbox"/> | <input type="checkbox"/> |

SCHEDULE E

[See rule 22]

Schedule for Rotation of Office of President of the Federation of Pakistan Chambers of Commerce and Industry amongst Geographical Territories

- (a) Sindh
- (b) North-West Frontier Province
- (c) Baluchistan
- (d) Punjab including Islamabad Capital Territory
- (e) Sindh
- (f) Punjab including Islamabad Capital Territory

SCHEDULE F

[See applicable rules]

| Sr. No. | Head of Fee | Type of Trade Organisation | Amount of fee (non-refundable) in Pak Rupees |
|---------|---|------------------------------|--|
| 1. | Grant of Licence (New trade organisation, Existing Trade Organisation, De Novo) | Chamber | 30,000 |
| | | Association | 30,000 |
| | | Women's Chamber | 20,000 |
| | | Town Association | 15,000 |
| | | Chamber of Small Traders | 30,000 |
| 2. | Renewal of Licence | Chamber | 30,000 |
| | | Association | 30,000 |
| | | Women's Chamber | 20,000 |
| | | Town Association | 15,000 |
| | | Chamber of Small Traders | 30,000 |
| 3. | Amendment in Memorandum & Articles of Association | All trade bodies | 50,000 |
| 4. | Complaint to Director-General under Section 14(2)(f)(iii) of the Ordinance | All persons and trade bodies | 50,000 |
| 5. | Any other complaint made to the Director General | All persons and trade bodies | 500 |
| 6. | Appeal to the Federal Government against DG's orders | All persons and trade bodies | 50,000 |
| 7. | Issuance of Duplicate Licence | All trade bodies | 5,000 |
| 8. | Copies of any document (per page) | All persons and trade bodies | 100 |

F.No. 12(1)/2007-TO

(Muhammad Ashraf)
Director Trade Organisations