

Islamabad, the 20th November, 2007

S. R. O. 1193(I) 2007.—In exercise of the powers conferred by section 56 of the Competition Ordinance, 2007 (the Ordinance) read with sub-section (3) of section 20 thereof, the Competition Commission of Pakistan (the Commission), is pleased to make the following regulations, namely:—

**Competition Commission (Expenditure and Investment)
Regulations, 2007**

1. Short title and commencement:

(1) These regulations may be called the Competition Commission (Expenditure and Investment) Regulations, 2007.

(2) They shall come into force at once.

2. Definitions:

(1) In these regulations, unless there is anything repugnant in the subject or context,—

(a) “Commission” means the Competition Commission of Pakistan established under the Competition Ordinance, 2007.

(b) “CCP Fund” means the fund established under regulation 3 of these regulations.

(c) “Ordinance” means the Competition Ordinance, 2007.

(d) “Section” means the section of the Ordinance.

(2) All other terms and expressions used, but not defined in these regulations, shall have the same meanings as assigned to them in the Ordinance.

3. CCP Fund:

(1) There shall be constituted a fund to be called the “CCP Fund” and there shall be credited thereto—

(a) allocations by the Government;

(b) charges, fees and penalties levied by the Commission;

(c) contributions from local and foreign donors or agencies with the approval of the Federal Government;

- (d) returns on investments and income from assets of the Commission;
 - (e) all other sums which may in any manner become payable to or vested in the Commission; and
 - (f) a percentage of the fees and charges levied by the other regulatory agencies in Pakistan as prescribed by the Federal Government in consultation with the Commission and the percentage so prescribed shall not be varied to the disadvantage of the Commission.
- (2) Subject to section 20, the Fund shall be expended and applied for the purpose of—
- (a) paying any expenditure lawfully incurred by the Commission, including the remuneration of Members and employees appointed and employed by the Commission, including any contributions, superannuating allowances or gratuities and legal fees and costs and other fees and costs;
 - (b) paying any other expenses, costs or expenditure properly incurred or accepted by the Commission in the performance of its functions or the exercise of its powers under the Ordinance;
 - (c) purchasing or hiring equipment, machinery and any other materials, acquiring land and erecting buildings, and carrying out any other work and undertakings in the performance of its functions or the exercise of its powers under the Ordinance;
 - (d) repaying any financial accommodation received or moneys borrowed under the Ordinance and the profit, return, mark-up or interest due thereon (howsoever called);
 - (e) generally, paying any expenses for carrying into effect the provisions of the Ordinance;
 - (f) for making investments in such manner as the Commission thinks fit.
- (3) The CCP Fund shall be administered by a committee of such Members of the Commission as may be determined by the Chairman from time to time.

4. **Financial year:**

The financial year of the Commission shall begin on 1st July of each year and end on 30th June of the succeeding year, except that the first financial year of

the Commission, which shall begin on the appointed day and end on 30th June of the succeeding year.

5. Annual estimates:

(1) The Commission shall, in every financial year, prepare or cause to be prepared and shall adopt annual estimates of income and expenditure of the Commission for the ensuing financial year.

(2) Supplementary estimates may be adopted by the Commission at any of its meetings.

(3) A copy of all annual estimates and supplementary estimates shall, upon their adoption by the Commission, be sent immediately to the Federal Government but not later than 14 days thereafter.

(4) Notwithstanding any provision of this regulation, the Commission may transfer all or any part of moneys assigned to one item of expenditure to any item under the same head of expenditure in any estimates approved by the Commission.

6. Power to borrow:

(1) For the performance of its functions or discharge of its duties under the Ordinance or any other written law, the Commission may, from time to time, raise loans from the Federal Government or, with the approval of the Federal Government, raise loans within or outside Pakistan from such source as the Federal Government may direct by —

- (a) mortgage, overdraft or other means; or
- (b) charge, whether legal or equitable, on any property vested in the Commission or on any other revenue receivable by the Commission under the Ordinance or rules and regulations made thereunder;
- (c) the creation and issue of debentures, bonds or any other instrument as the Federal Government may approve; or
- (d) any other means with or without any security.

(2) For the purposes of this regulation, the power to raise loans shall include the power to make any financial agreement whereby credit facilities are granted to the Commission for the purchase of goods, materials or things.

7. Bank account:

(1) The Commission may open and maintain its accounts in rupees or in any foreign currency with such scheduled banks as it may determine from time to time in accordance with law.

(2) Every such account shall be operated in a manner as may be determined, from time to time by the Commission.

8. Application of moneys:

The committee appointed under sub-regulation (3) of regulation 3 shall spend monies out of the CCP Fund for carrying out the objects mentioned in sub-regulation (2) of that regulation for which the CCP Fund has been constituted.

9. Accounts:

Subject to section 21, the Commission shall keep proper accounts and records of its transactions and affairs and shall do all things necessary to ensure that —

- (a) all payments out of its moneys are correctly made and properly authorized; and
- (b) adequate control is maintained over the assets of, or in the custody of, the Commission and over the expenditure incurred by the Commission.

10. Audit of Accounts:

(1) The accounts of the Commission shall be audited in a manner prescribed under sub-section (2) of section 21.

(2) Subject to section 21, the Commission shall, as soon as practicable after the close of each financial year, prepare and submit the financial statements in respect of that year to the auditors, who shall audit and report on them.

(3) The auditors shall in their report, state —

- (a) whether the financial statements show fairly the financial transactions and the state of affairs of the Commission;
- (b) whether in their opinion, proper accounting and other records have been kept, including records of all assets of the Commission whether purchased, donated or otherwise;

- (c) whether the receipts, expenditure and investment of moneys and the acquisition and disposal of assets by the Commission during the financial year were in accordance with the provisions of the Ordinance, rules and regulations made thereunder; and
- (d) such other matters arising from the audit as they consider necessary.
- (4) The auditors shall, as soon as practicable after the accounts have been submitted for audit, send the audit report to the Commission.
- (5) The auditors shall submit such periodical and special reports to the Federal Government and to the Commission as may appear to them to be necessary or as the Federal Government or the Commission may require.

MOHAMMED HAYAT JASRA,
Secretary.