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PART II

Statutory Notifications (S. R. O.)

GOVERNMENT OF PAKISTAN

MINISTRY OF PRIVATISATION

Privatisation Commission

NOTIFICATIONS

Islamabad, the 3rd January, 2004.

S.R.O. 200(I)/2004.—In exercise of powers conferred by section 41 of the Privatisation Commission Ordinance, 2000 (LII of 2000), read with sub section (2) of section 38 thereof, the Privatisation Commission hereby makes the following regulations, namely :—

**THE PRIVATISATION COMMISSION (CONFIDENTIALITY AND
SECRECY OF DOCUMENTS) REGULATIONS, 2003**

1. **Short title and commencement.**—(1) These regulations may be called the Privatisation Commission (Confidentiality and Secrecy of Documents) Regulations, 2003.
(2) They shall come into force at once.
2. **Definition.**—(1) In these regulations, unless there is anything repugnant in the subject or contexts,—
 - (a) "confidential documents" means the documents specified in regulation 3;

(b) "documents" means any document, report, paper prepared by or submitted for the benefit of, or maintained in, the Commission; and

(c) "Ordinance" means the Privatisation Commission Ordinance, 2000 (LII of 2000).

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

3. **Maintenance of reports and documents.**—(1) The following documents shall be considered as confidential documents, namely:—

(a) summaries for the Cabinet, Cabinet Committee on Privatisation (CCOP), ECC or other committees of the Cabinet;

(b) summaries for the Board of the Commission;

(c) minutes of the meetings;

(d) noting on files;

(e) intermediary opinions, recommendations and negotiations;

(f) record declared as classified by the Federal Government;

(g) all agreements, deeds executed during the course of a privatisation including sale agreements, sale or conveyance deeds, financial advisory agreements;

(h) documents submitted to the Commission for the purpose of evaluation or review by the Commission in relation to prequalification;

(i) valuation and due diligence reports; and

(j) any other document classified as such with specific approval of the Secretary.

(2) The confidential documents shall be kept secret and no document shall be given to any person, agency or body outside the Commission unless its disclosure is,—

(a) required by law;

(b) required for the purpose of carrying out the purposes for which the confidential documents have been submitted.

- (c) required for the purposes of confirmation or verification; or
- (d) specially authorized in writing by the Secretary.

(3) If the confidential documents are to be so disclosed, complete particulars of the same shall be kept in the Commission.

(4) The documents, other than the confidential documents, shall be publicised and shall remain open for information of the public during business hours and the Secretary may authorize one or more persons from whom such information may be obtained.

[No. F.16(16)P&C/PC/2001]