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PART II

Statutory Notifications (S. R. O.)

GOVERNMENT OF PAKISTAN
MINISTRY OF PRIVATISATION
(Privatisation Commission)

NOTIFICATION

Islamabad, the 11th January, 2024

S. R. O. 39(I)/2024.—In exercise of powers conferred by section 40 of the Privatisation Commission Ordinance, 2000 (LII of 2000), read with section 25(f) thereof, the Privatisation Commission, with the approval of the Federal Government, hereby makes the following rules, namely:—

1. **Short title and commencement.**— (1) These rules shall be called the Privatisation Commission (Government to Government Agreement Mode-Manner and Procedure) Rules, 2023.

(2) They shall come into force at once.

(77)

Price: Rs. 6.00

[6065(2024)/Ex.Gaz.]

2. **Definition.**—(1) In these rules, unless there is anything repugnant in the subject or context:—

- (a) “Act” means the Inter-Governmental Commercial Transactions Act, 2022 (XXX of 2022);
- (b) “financial adviser” or “FA” means an external adviser hired by the Commission with the approval of the Board to advise on a major privatisation; and
- (c) “Ordinance” means the Privatisation Commission Ordinance, 2000 (LII of 2000).

(2) All other terms and expressions used, but not defined in these rules, shall have the same meanings as assigned thereto in the Ordinance or the Inter-Governmental Commercial Transactions Act, 2022 (XXX of 2022).

3. **Manner and procedure for privatisation under the Government to Government Agreement Mode.**—(1) The manner for carrying out the privatisation programme under section 22 of the Ordinance and the procedure for Government to Government Agreement mode of privatisation in terms of section 25(f) of the Ordinance shall include—

- (a) Hiring of Financial Adviser, in terms of Privatisation Commission (Hiring of Financial Advisers) Regulations, 2018, for legal, technical and financial due diligence of the property being privatised in order to, *inter alia*—
 - (i) identify any obstacles to privatisation and suggest possible ways to remove them;
 - (ii) allow a fair and independent valuation of the property being privatised; and
 - (iii) provide a reference price for the property being privatised based on a price discovery mechanism based on, *inter alia*, the following methodologies which may be used by the Financial Adviser, namely:—
 - (A) Discounted Cash Flow (DCF) and Discounted Dividend Model (for valuation of banks) methodologies and their variants;
 - (B) Balance Sheet Methodologies and their variants;
 - (C) Transaction Multiple Methodologies and their variants;