



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 31st JULY, 2019.

PROVINCIAL ASSEMBLY SECRETARIAT
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 31st July, 2019.

No. PA/Khyber Pakhtunkhwa/Bills-40/2019/2334.— The Khyber Pakhtunkhwa Charities Bill, 2019 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 18th July, 2019 and assented to by the Governor of the Khyber Pakhtunkhwa on 30th July, 2019 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA CHARITIES ACT, 2019.
(KHYBER PAKHTUNKHWA ACT NO. XXIX OF 2019)

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa, (Extraordinary), dated the 31st July, 2019).

AN
ACT

*to register and regulate charities and
collection of charitable funds.*

It is necessary to make effective provisions for the registration, administration and regulation of charities, fund-raising appeals and collection of charitable funds for charities and other institutions and for matters incidental thereto;

1. Short title, extent and commencement.—(1) This Act may be called the Khyber Pakhtunkhwa Charities Act, 2019.

- (2) It extends to whole of the Khyber Pakhtunkhwa Province.
- (3) It shall come into force at once.

1. **Definitions.**—In this Act, unless the context otherwise provides,—

- (a) “Assistant Commissioner” means the executive officer in charge of a tehsil;
- (b) “charitable fund” includes the money and goods, collected for a limited period of time, for charitable purpose by a person or organization not registered as a charity;
- (c) “charitable purpose” means the purpose which is for—
 - (i) prevention and relief of poverty;
 - (ii) promotion of education and learning;
 - (iii) provision of health and lifesaving services;
 - (iv) community development;
 - (v) promotion of arts, culture and heritage;
 - (vi) promotion of human rights, conflict resolution and reconciliation activities;
 - (vii) promotion of religious and racial harmony;
 - (viii) promotion of diversity and tolerance;
 - (ix) environmental protection and environmental improvement;
 - (x) relief of those in need of it by reason of youth, age, ill health, or disability; and
 - (xi) such other purposes as the Commission may determine from time to time;
- (d) “charity” means any association of persons, which is established for a charitable purpose and includes the following:
 - (i) an organization registered under the Voluntary Social Welfare Agencies (Registration and Control) Ordinance, 1961 (XLVI of 1961);
 - (ii) an organization registered under the Societies Registration Act, 1860 (XXI of 1860);
 - (iii) an organization registered under the Companies Act, 2017 (XIX of 2017);
 - (iv) a public or private trust.

- (v) an organization registered for charitable purposes under any law for the time being in force; and
- (e) "charity trustee" means the person or persons having the general administration, control and management of a charity;
- (f) "collection" means appealing for, receiving, collecting or attempting to collect any donations whether in money or in kind;
- (g) "collector" means a person actually engaged in collecting donations for a charitable purposes;
- (h) "Commission" means the Commission established under section 3 of this Act;
- (i) "declaration" means a declaration made by the charity or promoter of a charitable fund, stating:
 - (i) the names and addresses of the charity or promoter or promoters of the charitable fund;
 - (ii) the proposed value of the donation;
 - (iii) the names and addresses of the collectors of the charitable fund;
 - (iv) the names and addresses of the recipients of the charitable fund;
 - (v) the objects and purposes for which the charitable fund shall be utilized;
 - (vi) the names of the banks or the persons in whose custody the collection shall be kept; and
 - (vii) any other prescribed information;
- (j) "Deputy Commissioner" means the Deputy Commissioner of the district concerned, appointed under the Land Revenue Act, 1967 (Act No. XVII of 1967);
- (k) "Government" means Government of the Khyber Pakhtunkhwa;
- (l) "prescribed" means prescribed by the rules or regulations;

