AN
ACT

further to amend the Khyber Pakhtunkhwa
Local Government Act, 2013.

WHEREAS it is expedient further to amend the Khyber Pakhtunkhwa Local Government Act, 2013 (Khyber Pakhtunkhwa Act No. XXVIII of 2013) for the purpose hereinafter appearing;

It is hereby enacted as follows:-

1.   <u>Short title and commencement</u>.---(1) This Act may be called the Khyber Pakhtunkhwa Local Government (Second Amendment) Act, 2015.

(2)   It shall come into force at once.

2.   **Amendment of section 2 of the Khyber Pakhtunkhwa Act No. XXVIII of 2013.---** In the Khyber Pakhtunkhwa Local Government Act, 2013 (Khyber Pakhtunkhwa Act No. XXVIII of 2013), hereinafter referred to as the said Act, in section 2, the existing clause (a), shall be re-numbered as clause (aa) of section 2 and before clause (aa), as so re-numbered, the following new clause shall be inserted, namely:

"(a)   "biometric" means the measurement and analysis of unique physical characteristics such as fingerprints for verifying and authenticating the personal identity of a voter;".

3.   **Amendment of section 6 of the Khyber Pakhtunkhwa Act No. XXVIII of 2013.---**In the said Act, in section 6, in sub-section (2), in clause (e) of the first proviso, the colon appearing at the end shall be replaced by a full stop and thereafter the second proviso shall be deleted.

4.   **Deletion of section 10 of the Khyber Pakhtunkhwa Act No. XXVIII of 2013.---**In the said Act, section 10 shall be deleted.

5.   **Substitution of section 26 of the Khyber Pakhtunkhwa Act No. XXVIII of 2013.---** In the said Act, for section 26, the following shall be substituted, namely:

"**26.   Establishment of Village Council and Neighbourhood Council.---**After delimitation of Village Council and Neighbourhood Council by Election Commission of Pakistan, Government shall by notification in the official Gazette, notify Village Council and Neighbourhood Council in all districts.".

6.   **Amendment of section 27 of the Khyber Pakhtunkhwa Act No. XXVIII of 2013.---** In the said Act, in section 27, in sub-section (3), the full stop appearing at the end shall be replaced by a colon and thereafter, the following proviso shall be added, namely:

"Provided that if the required number of general members of Village Council or Neighborhood Council have been elected unopposed, the election of Nazim and Naib Nazim of Village Council or Neighborhood Council, as the case may be, shall be conducted in the manner as provided in section 79."

7.   **Insertion of new section 77A to the Khyber Pakhtunkhwa Act No. XXVIII of 2013.---**In the said Act, after section 77, the following new section shall be inserted, namely:

"**77A.   Identification of voter.---**The identity of a voter at a polling station shall be confirmed and satisfied by the concerned authorities by using biometrics machine specified and provided by the Election Commission:

Provided that where no biometric machine is provided by the Election Commission, the identity of a voter shall be confirmed and satisfied by the concerned authority by using normal procedure of identification."

8. Amendment of the SECOND SCHEDULE to the Khyber Pakhtunkhwa Act No. XXVIII of 2013.---In the said Act, in SECOND SCHEDULE,-

(a) in Part-A,-

(i) in the columns against District **"Kohistan",** for the existing entries, the following shall be substituted, in respective columns, namely:

"Kohistan	16	6	1	1	1	25"; and

(ii) after the existing entries occurring against District **"Kohistan"**, as so amended, the following new entries shall be inserted, in respective columns, namely:

"Kohistan (Lower)	23	8	2	2	2	37";

(b) in Part-B,-

(i) in the columns against the Tehsil **"Abbottabad",** for the existing entries, the following shall be substituted, in respective columns, namely:

"Abbottabad	38	13	2	2	2	57"; and

(ii) in the columns against the Tehsil **"Havellian",** for the existing entries, the following shall be substituted, in respective columns, namely:

"Havellian	13	5	1	1	1	21";