

## NATIONAL FUND FOR CULTURAL HERITAGE ACT 1994 (as amended)

Whereas it is expedient to provide for establishment of the National fund for Cultural Heritage for conservation and preservation of Pakistan's national heritage and its proper maintenance and matters connected therewith or incidental thereto:

It is hereby enacted as follow:-

**1. Short title, extent and commencement -** (1) This Act may be called the National Fund for Cultural Heritage Act, 1994.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

**2. Definitions -** In this Act, unless there is anything repugnant in the subject or context,-

(a) "Board" means the Board of Governors set up under section 6;

(b) "Fund" means the National Fund for Cultural Heritage established under section 3; and

(c) "national heritage" means the archaeological, architectural, historical and cultural heritage.

**3. Establishment of the Fund -** As soon as may be, after the commencement of this Act, the Federal Government shall establish the National Fund for Cultural Heritage to carry out the purposes of this Act.

**4. Purposes and objectives of the Fund -** (1) The primary purpose of the fund is to promote the conservation and preservation of national heritage of Pakistan through various means, including financial and technical assistance, and to create awareness amongst the people for appreciating and preservation of archaeological, architectural, historical and cultural heritage of Pakistan.

(2) In particular and without prejudice to the foregoing purposes, the Fund shall be used to ---

(a) undertake measures for preservation and conservation of cultural heritage having archaeological, historical and architectural value;

(b) acquire or hold in lease any material and cultural property or part thereof;

(c) provide assistance for preservation and maintenance of a historical or archaeological monument or an archaeological site;

- (d) create and strengthen cooperation and coordination between international, national, provincial and regional organizations involved in conservation and preservation of cultural heritage;
- (e) provide financial and technical assistance towards preservation of national heritage, and for furtherance of academic, scientific and intellectual discourses on the subjects relevant thereto;
- (f) undertake promotional activities of enhancement of resources of the fund; and
- (g) undertake and promote research and arrange materials for publication of periodicals, monographs and publicity material, including pamphlets, newspapers and posters in furtherance of the objectives of Act.

**5. Sources of Fund -** (1) The Fund shall be financed from the following sources, namely:-

- (a) Grants from the Federal Government and Provincial Governments;
- (b) aid and assistance from local, national and international agencies;
- (c) contributions from the private organizations and individuals; and
- (d) income and earnings from the movable and immovable properties acquired by, or leased to, the Fund.

(2) The amount credited to the Fund shall not lapse at the end of a financial year and shall be available for utilization at any time.

**6. Board of Governors -** (1) The management, overall control and supervision of the affairs of the Fund shall vest in a Board of Governors consisting of the following members, namely:-

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| (i) Prime Minister   | Patron               |
| (ii) an eminent person in the field of national heritage, to be nominated by the Federal Government from amongst members specified at (vi) below.                            | Chairman             |
| (iii) Federal Minister in charge of Culture Division.  | Co-Chairman          |
| (iv) Federal Minister for Finance.   | Member               |
| (v) Secretary, Culture Division, Government of Pakistan.   | Member               |
| (vi) fifteen eminent persons in the field of National Heritage, including two Senators and four members of the National Assembly, to be nominated by the Federal Government. | Member               |
| (vii) Director General, Department of Archaeology and Museums.   | Member/<br>Secretary |

(1A) The patron may, from amongst the Board, appoint a person as Vice-Chairman of the Board who shall perform the functions of the Chairman in his absence."

(2) The Members of the Board, other than ex-officio members, shall hold office for a term of three years or for such period as may be determined by the Federal Government and shall be eligible for re-appointment.

(3) No act or proceedings of the Board shall be invalid merely on the ground of the existence of a vacancy in, or a defect in the constitution of the Board.

(4) The Secretariat of the Fund shall be at Islamabad and the Board may set up regional offices as, where and when required by it

(5) The Board may appoint an Executive Committee for carrying out its functions as may be assigned to it by the Board.

**7. Exemption from tax** - Notwithstanding anything contained in the Income Tax Ordinance, 1979 (XXXI of 1979), all contributions and donations to the Fund shall be exempt from levy of tax.

**8. Accounts of the Fund, etc.** - (1) The accounts of the Fund shall be audited by the Auditor General of Pakistan.

(2) The Board may from time to time, submit reports to the Federal Government relating to the Fund and its activities.

**9. Rules** - The Board may make rules for carrying out the purposes of this Act.

**10. Repeal of Ordinance V of 1994** - The National Fund for Cultural Heritage Ordinance, 1994 (V of 1994), is hereby repealed.

(Incorporates the amendments of section 6, Act VIII of 1994)