

[TO BE INTRODUCED IN THE NATIONAL ASSEMBLY]

A

Bill

to amend the Trade Organizations Act, 2013

WHEREAS it is expedient to amend the Trade Organizations Act, 2013 (II of 2013), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.— (1) This Act shall be called the Trade Organizations (Amendment) Act, 2022.

(2) It shall come into force at once, unless specified otherwise.

2. Amendment of section 2, Act II of 2013.—In the Trade Organization Act, 2013 (II of 2013), hereinafter referred to as the said Act, in section 2, for clause (p), the following shall be substituted, namely:-

(p) "Regulator" means the Director General or any other officer appointed by the division concerned to perform functions under this Act¹."

3. Amendment of section 3, Act II of 2013.— In the said Act, in section 3,-

(a) In sub-section (1), for the words "Federal Government", the word "Regulator" shall be substituted;

(b) in sub-section (2), in clause (b), in the proviso, for the words "Federal Government", occurring twice, the words "division to which business of this Act stands allocated" shall be substituted; and

(c) In sub-section (5), for the words "Federal Government", the word "Regulator" shall be substituted.

4. Amendment of section 4, Act II of 2013. — In the said Act, in section 4,-

(a) in sub-section (2), for the words "Federal Government", occurring twice, the word "Regulator" shall be substituted; and

(b) in sub-section (3), for the words "Federal Government", occurring twice, the word "Regulator" shall be substituted.

5. Amendment of section 7, Act II of 2013.— In the said Act, in section 7,-

(a) in sub-section (1), for the words "Federal Government", the word "Regulator" shall be substituted;

(b) in sub-section (2), for the words "Federal Government", the word "Regulator" shall be substituted;

(c) in sub-section (3), for the words "Federal Government", the word "Regulator" shall be substituted; and

(d) in sub-section (4), for the words "Federal Government", the word "Regulator" shall be substituted.

6. Amendment of section 8, Act II of 2013.— In the said Act, in section 8, in sub-section (1),-

(a) in clause (a), for the words "Federal Government", the word "Regulator" shall be substituted;

(b) in clause (b), for the words "Federal Government", the word "Regulator" shall be substituted; and

(c) in clause (c), for the words "Federal Government", the word "Regulator" shall be substituted.

7. Amendment of section 9, Act II of 2013.— In the said Act, in section 9, in sub-section (1), for the words "Federal Government", occurring twice, the word, "Regulator" shall be substituted.

8. Amendment of section 11, Act II of 2013.— In the said Act, in section 11,-

- (a) in sub-section (1), for the words "one year", the words "two years" shall be substituted from the 1st January, 2023;
- (b) in clause (a), the expression "to the 31st day of December" shall be omitted from the 1st January, 2023; and
- (c) in clause (b), the expression "to the 30th day of September" shall be omitted from the 1st January, 2023.

9. Amendment of section 12, Act II of 2013.— In the said Act, in section 12,-

- (a) in sub-section (1), for the words "Federal Government", the words "division to which business of this Act stands allocated" shall be substituted; and
- (b) in sub-section (3), for the words "Federal Government", the words "division to which business of this Act stands allocated" shall be substituted.

10. Amendment of section 13, Act II of 2013.— In the said Act, in section 13,-

- (a) in sub-section (1), for the words "Federal Government", the words "division to which business of this Act stands allocated" shall be substituted; and
- (b) in sub-section (2), for the words "Federal Government", the words "division to which business of this Act stands allocated" shall be substituted.

11. Amendment of section 15, Act II of 2013.— In the said Act, in section 15, in sub-section (3), for the words "Federal Government", the words, "secretary of the division to which business of this Act stands allocated" shall be substituted.

12. Amendment of section 16, Act II of 2013.— In the said Act, in section 8,-

(a) in sub-section (1), for the words "Federal Government", the words "secretary of the division to which business of this Act stands allocated" shall be substituted;

(b) in sub-section (2),

(i) in clause (b), for the words "Federal Government", the words "secretary of the division to which business of this Act stands allocated" shall be substituted; and

(ii) in clause (c), for the words "Federal Government", occurring twice, the words "secretary of the division to which business of this Act stands allocated" shall be substituted.

13. Amendment of section 17, Act II of 2013.—In the said Act, in section 17, in sub-section (3), for the words "Federal Government", the words, "division to which business of this Act stands allocated" shall be substituted.

14. Amendment of section 19, Act II of 2013.—In the said Act, in section 19, in sub-section (1), for the words "Federal Government", the words, "division to which business of this Act stands allocated" shall be substituted.

15. Amendment of section 20, Act II of 2013.—In the said Act, in section 20, in sub-section (1), for the words "Federal Government", the words, "division to which business of this Act stands allocated" shall be substituted.

16. Amendment of section 21, Act II of 2013.— In the said Act, in section 21,-

(a) in sub-section (2), for the words "Federal Government", the words "secretary of the division to which business of this Act stands allocated" shall be substituted;

(b) in sub-section (3), for the words "Federal Government", the words "secretary of the division to which business of this Act stands allocated" shall be substituted; and

(c) in sub-section (4), for the words "Federal Government", the words "secretary of the division to which business of this Act stands allocated" shall be substituted.

17. Amendment of section 22, Act II of 2013.—In the said Act, in section 22, in sub-section (1), for the words "Federal Government", the words, "division to which business of this Act stands allocated" shall be substituted.

18. Amendment of section 23, Act II of 2013.—In the said Act, in section 23, for the words "Federal Government", wherever occurring, the words, "division to which business of this Act stands allocated" shall be substituted.

19. Amendment of section 27, Act II of 2013.—In the said Act, in section 27, in sub-section (3), for the words "Federal Government", the word, "Regulator" and for the word "it", the word "he" shall be substituted.

20. Amendment of section 33, Act II of 2013.—In the said Act, in section 33, for the words "Federal Government", occurring twice, the words, "division to which business of this Act stands allocated" shall be substituted.

21. Amendment of section 34, Act II of 2013.—In the said Act, in section 34, in sub-section (2), for the words "Federal Government", occurring twice, the words, "division to which business of this Act stands allocated" shall be substituted.

STATEMENT OF OBJECTS & REASONS

Trade Organizations (TOs) are regulated under the Trade Organization Act, 2013 (*referred to as TOA, 2013*). The Act and its subsequent rules aim to define the purpose, role, responsibilities and operational frame work including code of corporate governance for TOs and their related matters.

2. The Trade Organizations Act, 2013 has given certain functions and powers to be exercised by the Federal Government. These functions and powers relate to regulation of operational matters of trade organizations and hence, it is appropriate that such functions and powers are given to Commerce Division or the Regulator of Trade Organizations. The amendments propose that the powers of Federal Government relating to operational matters of trade organizations be given to Commerce Division or the Regulator Trade Organizations for smooth functioning of say to day affairs of trade organizations. Moreover, the tenure of office bearers of trade bodies also needs to be increased from existing one (01) year to two (02) years to provide adequate time to the office bearers to implement their agenda.

3. The proposed amendments in the Trade Organizations Act, 2013 will enable the office of the expeditious disposal of operational issues in the regulation of trade organizations by the Directorate General of Trade Organization (DGTO) and Commerce Division. Increasing the tenure of the trade bodies to two years from the existing one year will enable the management of trade bodies to implement their policies and agendas by getting sufficient time.

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