



## THE NATIONAL TRAINING ORDINANCE, 1980



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# THE NATIONAL TRAINING ORDINANCE, 1980

## ORDINANCE No. IX of 1980

[20th March, 1980]

### **An Ordinance to constitute Training Boards to regulate and promote vocational training facilities in various fields.**

WHEREAS it is expedient to constitute Training Boards to regulate and promote vocational training facilities in various fields and to provide for the financing of training programmes and for matters ancillary or incidental thereto ;

*AND WHEREAS* the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, *THEREFORE*, in pursuance of the Proclamation of the fifth day of July, 1977, read with the Laws (Continuance in Force) Order, 1977 (C.M.L.A. Order No; I of 1977), and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance :—

**1. Short title, extent, commencement and application.**—(1) This Ordinance may be called the National Training Ordinance, 1980.

(2) It extends to the whole of Pakistan ;

(3) It shall come into force at once.

(4) It applies to all establishments and institutions engaged in imparting vocational training.

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

- (a) “establishment” means any office, firm, industrial unit, undertaking, shop or premises in which workmen are employed for the purpose of carrying on any industry ;
- (b) “industry” means any business, trade, manufacture, calling, service, employment or occupation ;
- (c) “institution” means a school, college or institute, by whatever name called, imparting vocational training ;
- (d) “National Board” means the National Training Board constituted under section 3 ;
- <sup>1</sup>[(da) “National Trade Testing Board” means National Trade Testing Board constituted by the National Training Board under sub-section (2) of section 4;]
- (e) “Prescribed” means prescribed by regulations made under this Ordinance ;
- (f) “Provincial Board” means a Provincial Training Board constituted under sub-section (2) of section 5 ; \*<sup>2</sup>
- <sup>2</sup>[(fa) “Provincial Trade Testing Board” means Provincial Trade Testing Board constituted by the Provincial Training Board;
- (fb) “Skill Development Council” means the Skill Development Council, constituted by the National Training Board under sub-section (2) of section 4;
- (fc) “Technical Education and Vocational Training Authority” means the Technical Education and Vocational Training Authority constituted by the Provincial Government ; and]
- (g) “Vocational Training” means training in any physical <sup>2</sup>[and professional] skill, trade, calling, or occupation.

**3. Constitution of the National Training Board.**—(1) As soon as may be after the commencement of this Ordinance, the Federal Government shall constitute a National Board to be called the National Training Board.

(2) The National Board shall be a body corporate by the name of the National Training Board, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable or immovable, and shall by the said name sue and be sued.

<sup>2</sup>[(3) The National Board shall consist of the following members, namely :—

- (a) the Minister for Labour, and Manpower and Overseas Pakistanis who shall be Chairman of the National Board ;
- (b) the Secretary to the Government of Pakistan in the Ministry of Labour, Manpower and Overseas Pakistanis, who shall be Vice Chairman of the National Board;

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<sup>1</sup>Ins. by the ord. 2 of 2002, s.2.

<sup>2</sup>Omitted, ins and Subs. by Ord. 2 of 2002, ss. 2-3.

- (c) a representative of the Planning Commission ;
  - (d) a representative of the Ministry of Education ;
  - (e) a representative of the Ministry of Finance ;
  - (f) a representative of the Ministry of Science and Technology ;
  - (g) four representatives form employers of Chairman Skill Development Council, each province having one representative, to be appointed by the Chairman National Board on the recommendation of Employers' Federation of Pakistan;
  - (h) One women representative of employers to be appointed by the Chairman National Board, on the recommendation of Employers Federation of Pakistan;
  - (i) four representatives form workers, each province having one representative, to be appointed by the Chairman, National Board on the recommendation of National Workers' Organizations;
  - (j) one women representative of workers, to be appointed by the Chairman on the recommendation of the National Workers Organization;
  - (k) Chairman of the Provincial Training Board from each province; and
  - (l) Director of the Office of the National Board who shall also be the Secretary of the Board.]
- (4) Members of the National Board shall hold office for such term as may be prescribed.

**4. Functions of the National Board.**—(1) The National Board shall —

- (i) collaborate with the sources of labour market information as determined from a survey of establishments with a view to assessing on a continuing basis existing and future training needs, both local and foreign ;
- (ii) Systematically study existing training programmes with respect to their relevance, duration and size and recommend such measures to be taken as seem desirable <sup>1</sup>[to improve the quality of training].
- (iii) establish criteria for evaluating and determining training programmes and facilities ;
- [(iv) develop training syllabi and establish and specify national training standard and trade testing rules to ensure horizontal and vertical mobility;]
- (v) supervise such training programmes as are funded from the Federal budget;
- <sup>1</sup>[(vi) prepare national training plans, programmes and projects in view of local as well as foreign requirements and monitor their implementation;]
- (vii) recommend to the Federal Government means for financing training programmes ;

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<sup>1</sup>Subs. by Ord. 2 of 2002, ss. 4-6.

- (viii) promote and finance training of establishment-based or institution-based training officials and instructors ;
- (ix) organise and conduct seminars and workshops for various types of personnel associated with training activities ;
- (x) collect and compile statistics related to training ;
- (xi) coordinate the working of Provincial Boards ;
- (xii) review existing and proposed legislation on vocational training and recommend necessary legislative provisions with the concurrence of the Provincial Boards, [and Technical Education and Vocational Training Authority].
- (xiii) issue to establishment [Provincial Boards, Technical Education and Vocational Training Authority ] or institutions for compliance directives with in the framework of the approved plans and projects ; and
- <sup>1</sup>[(xiiia) assist and establish institutions in collaboration with proivate sector to promote technical, vocational and in-plant training and skill development;
- (xiiib) undertake registration and licensing of all establishment organizations or institutions which are offering or providing vocational training;
- (xiiic) develop system and conduct trade testing and certification of skilled workers who have received vocational training through any source or acquired skills through experience or informal system;]
- (xiv) do all other acts necessary for carrying out the purposes of this Ordinance.

(2) The National Board may set up such administrative and technical committees <sup>1</sup>[skill development councils, authorities, trade testing boards or other such bodies] for the efficient performance of its functions, and entrust to such committees <sup>1</sup>[skill development councils, authorities, trade testing boards to other such bodies] such functions as it may consider necessary.

**5. Functions of the Provincial <sup>1</sup>[Board] etc.—**(1) Each Provincial <sup>1</sup>[Board] shall —

- (i) Publish an annual forecast of provincial skilled manpower requirements ;
- (ii) identify and inspect vocational training schemes ;
- (iii) maintain a register of approved training schemes ;
- (iv) ensure uniformity of training standards ;
- (v) approve training schemes and recommend them to the National Board for funding ;

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<sup>1</sup>Amended by Ord. 2 of 2002, ss.4-5.

- (vi) supplement or provide advisory services to establishments and schemes offering vocational training; [\*]<sup>1</sup>
- (vii) prepare an annual provincial training plan for meeting skilled manpower requirements [;]<sup>1</sup>
- <sup>1</sup>[(viii) register and license all establishments, organizations or institutions which are offering vocational training; and
- (ix) conduct trade tests and certify the skilled persons and trainers who may have received vocational training through any source or acquired the skill through experience or informal system.]

(2) Each Provincial Government may establish a Provincial Training Board consisting of such number of members, including its Chairman as the Provincial Government may appoint.

<sup>1</sup>[(3) \* \* \* \* \*]

**6. Meetings and procedure.**— <sup>1</sup>[(1) The meetings of the National Board and a Provincial Board shall be held, as and when required but at least once in six months, at such time and place as Chairman of the respective Board may determine;

(2) Meetings of the National Board and the Provincial Boards shall be conducted in accordance with such procedure as may be prescribed.

<sup>1</sup>[(3) The powers and functions of the Chairman of the National Board shall, during the absence of the Chairman, be performed by the Vice-Chairman of the National Board and during the absence of both the Chairman and the Vice Chairman, by such member of the National Training Board as the Chairman may, by order in writing direct .

<sup>1</sup>[(4) In case of a Provincial Board, the powers and functions of the Chairman shall, during the absence of the Chairman, be performed by such member of the Provincial Board as its Chairman may, by order in writing direct.]

**7. Officers and servants of the Boards.**— (1) The National Board and a Provincial Board may appoint such officers and servants including advisors as it may consider necessary for the efficient performance of its functions.

(2) The terms and conditions of the officers and servants of each Board shall be such as may be prescribed.

**8. Funds.**— (1) All receipts of the National Board from any source whatsoever shall be credited to a Fund to be called the National Training Board Fund which shall vest in the National Board and from which allocations shall be made to Provincial Boards [or any other organization or institution working under the board].

(2) All receipts of the Provincial Board from the National Board or any source whatsoever shall be credited to a Fund to be called the Provincial Training Board Fund of the Province concerned.

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<sup>1</sup>Amended by Ord. 2 of 2002, ss. 5-7.

(3) A Fund under sub-section (1) or sub-section (2) shall be administered in such manner as may be prescribed and, until such manner is prescribed, by the Chairman of the National Board or the Provincial Board, as the case may be, and shall be applied to meet all expenditure connected with the execution of the schemes and measures for which the Board concerned is responsible and all charges necessary for the discharge of the functions of such Board under this Ordinance.

**9. Audit and account.**—(1) The National Board and the Provincial Boards shall maintain their accounts of receipts and expenditure in such manner as may be prescribed by the Auditor-General.

(2) The accounts of the National Board and the Provincial Boards shall be audited by the Auditor-General or any officer authorised by him in such manner as the Auditor-General may think fit.

(3) The Auditor-General shall, as soon as possible after completion of the audit, send to the National Board or the Provincial Board a report on the said accounts and the Board shall, with its comments thereon, forward it to the Federal Government or the Provincial Government, as the case may be.

**10. Servants of the Boards, etc., to be public servants.** Every servant of the National Board and the Provincial Boards and every person acting or purporting to act under this Ordinance shall be deemed to be a public servant within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860).

**11. Indemnity.** No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done under this Ordinance.

**12. Delegation of Powers.** The National Board, with the approval of the Federal Government, and a Provincial Board, with the approval of the Provincial Government concerned, may delegate all or any of its powers to its Chairman, any of its committees or any officer of the Federal Government or a Provincial Government, as the case may be.

**13. Penalty for non-compliance with directives.** If an establishment or institution does not comply with any directive given by the National Board or a Provincial Board which is in accordance with its functions set out under this Ordinance, the head of the establishment or the institution, as the case may be shall be punishable with fine which may extend to ten thousand rupees and, in the case of a continuing non-compliance with the directive, with an additional fine which may extend to two hundred rupees for every day during which the non-compliance continues after conviction for the first such non-compliance.

**14. Cognizance of offences.**—(1) No court shall take cognizance of any offence punishable under this Ordinance save on a complaint made by the National Board or a Provincial Board or an officer authorised on behalf of either of the Boards.

(2) No court inferior to that of a Magistrate of the first class shall try any offence punishable under this Ordinance.

**15. Power to exempt.** The Federal Government or a Provincial Government may, by Notification in the official Gazette, exempt either conditionally or unconditionally any establishment or class of establishments or any institution imparting vocational training from all or any of the provisions of this Ordinance.

**16. Power to make regulations.** The National Board, in consultation with the Federal Government, and each Provincial Government, may make regulations for carrying out the purposes of this Ordinance.

