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PART II

Statutory Notifications (S. R. O.)

**GOVERNMENT OF PAKISTAN
MINISTRY OF INFORMATION TECHNOLOGY AND
TELECOMMUNICATION**

NOTIFICATION

Islamabad, the 24th April, 2024

S. R. O. 626(I)/2024.—In exercise of the powers conferred by section 51 read with section 29 of the Prevention of Electronic Crime Act, 2016 (XL of the 2016), the Federal Government is pleased to make the following rules, namely:—

1. **Short title and commencement.**—(1) These rules shall be called the National Cyber Crime Investigation Agency (Establishment, Powers and Functions) Rules, 2024.

(2) These rules shall come into force at once.

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

(a) “Act” means the Prevention of Electronic Crime Act, 2016 (XL of the 2016); and

(1343)

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- (b) "National Cyber Crime Investigation Agency/ or "NCCIA" means an investigation agency established under section 29 of the Act.

3. **Establishment of Investigation Agency.**—(1) There shall hereby stand established the National Cyber Crime Investigation Agency (NCCIA) to exercise jurisdiction under the Act and the Federal Investigation Agency (FIA) shall cease to perform functions as designated investigation agency under the Act.

(2) All personnel, cases, inquiries, investigations, assets, liabilities, rights, obligations, privileges and matters related thereto or connected therewith subsisting immediately before commencement of these rules in respect of the defunct cyber crime wing of the FIA shall stand transferred to the NCCIA.

4. **Structure of the investigation agency.**—(1) The NCCIA shall consist of a Director General, Additional Directors General, Directors, Additional Directors, Deputy Directors, Assistant Directors and such other officers as the Director General may determine.

(2) The appointment and other terms and conditions of service of officers and staff of the NCCIA including appointment on deputation or secondment shall, unless determined otherwise by the Federal Government, be regulated under the Civil Servants Act, 1973 (LXXI of 1973) and rules made thereunder.

(3) The Director General shall be appointed by the Federal Government for a term of two years extendable on performance for a similar term or terms.

(4) No person shall be appointed as Director General unless he—

- (a) is or has been in the service of Pakistan on a post not below basic pay scale 21 or equivalent;
- (b) is not more than sixty-three years of age at the time of appointment;
- (c) is a citizen of Pakistan;
- (d) has by a competent court of law not been convicted for an offence involving moral turpitude; and
- (e) possesses not less than fifteen years of experience in the field of computer science, digital forensics, cyber technology, law, public administration, information technology,

telecommunication or related fields enabling him to deal with offences under the Act.

(5) The Director General shall cease to hold office on attaining the age of sixty-five years or completion of his term, whichever is earlier.

(6) The person on his appointment as Director General shall be entitled to the pay, allowances, perks and privileges—

(a) as are admissible to him if he is a serving civil servant of the Federal Government in addition to the deputation allowance and such other allowances admissible to officers of the NCCIA; or

(b) as were admissible to him immediately before ceasing to be a civil servant in case he is not a civil servant on deputation or secondment to NCCIA.

(7) Till appointment of persons in the service of the NCCIA on regular basis or otherwise, the existing officers and staff members of the defunct cyber crime wing of the FIA performing functions under the Prevention of Electronic Crimes investigation Rules, 2018 or under any other instrument before commencement of these rules shall continue to perform their functions for a period of one year on the terms and conditions of their service applicable to them on commencement of these rules and their service shall be counted as on deputation to the NCCIA.

5. Administration of the NCCIA.—(1) The administration and control of the NCCIA shall vest in the Director General who shall exercise in respect of the NCCIA the powers of an Inspector General of Police under the Police Order, 2002 (Chief Executive's Order No. 22 of 2002).

(2) In particular and without prejudice to the powers of the Director General under sub-rule (1), the business of the Federal Government in respect of affairs of the NCCIA shall stand allocated to the Interior Division.

6. International cooperation.—The NCCIA shall be a designated agency for the purpose of section 42 of the Act in respect of international cooperation.

7. Conduct and Discipline.—Subject to the provisions of sub-rule (2) of rule 4, for the purposes of conduct and discipline of the personnel of NCCIA upto the rank of an inspector, the Police Order, 2002 (Chief Executive's Order 22 of 2022) shall apply *mutatis-matandis*.

8. **Residuary provisions.**—Without prejudice to anything contained in these rules, the rules, orders or such other instruments made and issued under the Act prior to commencement of these rules shall, *mutatis-mutandis*, apply to the NCCIA with necessary modifications.

9. **Removal of difficulty.**—If a difficulty arises in giving effect to any of the provisions of these rules including the modifications required in the rules, orders or such other instruments made and issued under the Act prior to the commencement of these rules, the Federal Government may, by notification in the official Gazettes, make such provisions as may appear to it to be necessary for removing the difficulty.

10. **Repeal.**—The Notification No. S.R.O. (I)/2016, dated the 22nd day of September 2016 is hereby repealed.

[File No. 3-8/2023-Legal.]

IZAZ-UL-HAQ SHAH,
Deputy Secretary.