

REGISTERED No. M - 302
L.-7646

The Gazette  **of Pakistan**

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

ISLAMABAD, SATURDAY, DECEMBER 31, 2016

PART II

Statutory Notifications (S.R.O.)

GOVERNMENT OF PAKISTAN

COMPETITION COMMISSION OF PAKISTAN

NOTIFICATION

Islamabad, the 25th December, 2016

S. R. O. 1201(I)/2016.—In exercise of the powers conferred under section 58 of the Competition Act, 2010 (the Act), read with section 23 thereof, the Competition Commission of Pakistan (the Commission), is pleased to make the following regulations, namely:—

Competition Commission (Duties and Responsibilities of Registrar) Regulations, 2016.

PART-I

PRELIMINARY

1. **Short Title and Commencement.**—These regulations may be called the Competition Commission (Duties and Responsibilities of Registrar) Regulations, 2016.

(3661)

Price : Rs. 5.00

[4399(2016)/Ex. Gaz.]

2. They shall come into force at once.

3. **Definitions.**—

(a) **“Chairperson”** means Chairman of the Commission and includes the Acting Chairman.

(b) **“Commission”** means the Competition Commission of Pakistan established under section 12 of the Act; and for the purposes of these regulations, includes a Bench comprising one or more Members or any officer authorized to hear a case exercising powers of the Commission.

(c) **“Registrar”** means an officer of the Commission appointed as the Registrar of the Commission, performing functions under these regulations.

(d) **“Registry”** means the office of Registrar.

4. **Organizational Setup.**—The Registrar shall discharge his functions under general superintendence of the Chairperson and Commission (where required) and shall perform duties and responsibilities as are assigned to him under these regulations or by a separate order in writing by the Commission. The Registrar shall have the custody of the records of the Registry.

PART-II

DUTIES AND RESPONSIBILITIES

5. **Duties and Responsibilities of Registrar.**—The Registrar shall report directly to Chairperson on all the matters concerning the Registrar's office. Subject to any general or special orders of the Commission, the duties and responsibilities of Registrar are stated below:—

- (a) To receive all applications, complaints, petitions, replies and other documents seeking orders of the Commission;
- (b) to supply copies of documents requested by the parties in writing;
- (c) to allow and arrange inspection of records of the Registry in a particular case;
- (d) to place before the Commission the material, if the undertaking does not respond to the notice issued to it under sub-section (2) of section 30 of the Act and does not avail of the opportunity of being

heard, for deciding the case on merit, on the basis of facts and record;

- (e) to publish the order of the Commission in the official Gazette for information of the public, under sub-section (3) of section 30 of the Act, with the approval of Chairperson and concerned bench;
- (f) to place copies of orders of the Commission on its website;
- (g) to maintain record of the penalties imposed and recoveries made, in the prescribed form;
- (h) to initiate recovery proceedings against undertakings in accordance with the law;
- (i) to keep a record of all orders issued by the Commission;
- (j) to register petitions and all necessary documents as soon as these are filed;
- (k) to keep a list of all cases pending before the Commission and subject to these regulations and any directions given by the Commission, prepare the list of cases ready for hearing and to issue notice to be given thereof as assigned for the hearing of any case or cases in the list;
- (l) to furnish certified copies of the orders, directives or policy decisions to the parties on application made for the purpose;
- (m) to draft and issue show cause notice, with the approval of competent authority;
- (n) to ensure compliance with the orders issued by the Commission and to report compliance;
- (o) to receive notices from the Competition Appellate Tribunal and the Court;
- (p) to process appointment of lawyers after seeking approval of the competent authority;
- (q) to consult the authority making the order, in case a of doubt or difficulty with regard to that order; and
- (r) to undertake any other matter as directed by the Chairperson or Commission (where required).

PART-III

POWERS

6. **Powers of Registrar.**—The Registrar shall have following powers which he may exercise as part of his duties:—

- (1) He may refuse to entertain a petition on the ground that it has not been filed in accordance with the relevant law, rules, regulations, directives or guidelines, after seeking approval of the Chairperson.
- (2) He may requisition records from the custody of any other department of the Commission, required for any case pending with the Commission, for decision.
- (3) He shall check accuracy of the documents filed with him, before they are registered.
- (4) He may dispose of all matters relating to the service of notices.
- (5) He may represent the Commission at the judicial forums, with the approval of Chairperson.
- (6) He may certify the copies of the documents relating to the proceedings before the Commission.
- (7) He may sign and submit pleadings on behalf of the Commission before judicial forums, with the approval of Chairperson.
- (8) He may, subject to the directions of the authority hearing the case; fix the date of hearing or other proceedings.
- (9) He may sign power of attorney with respect to lawyers engaged by the Commission, with the approval of Chairperson.

7. **Liaison with the Legal Department.**—Registrar shall keep a close liaison with the Legal Department for any legal assistance, if necessary.

8. **Maintenance of Records.**—(1) The Registrar shall be responsible to maintain records of the Registry, properly.

(2) The Registrar shall be responsible for keeping the record in a systematic manner.

9. **Official Stamp.**—

(1) The official stamp of the Commission shall be kept in the custody of the Registrar.

(2) Subject to any general or special direction by the Commission, the official stamp shall not be affixed on any order or other process save under the permission in writing from the competent authority.

10. **Confidentiality.**—All the record kept under the custody of Registrar shall be treated confidential and the Registrar shall be responsible to ensure its confidentiality.

[F. No. 11/Sy/ccp/Gaz-Notifi/08.]

NOMAN LAIQ,
Secretary.