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GOVERNMENT OF THE PUNJAB LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT

NOTIFICATION

22 February 2021

No.Legis:13-22/15(P-I): The following Ordinance promulgated by Governor of the Punjab is hereby published for general information:

THE PROVINCIAL EMPLOYEES' SOCIAL SECURITY (AMENDMENT) ORDINANCE 2021

(XI OF 2021)

An
Ordinance

to amend the Provincial Employees' Social Security Ordinance, 1965.

It is necessary to amend the Provincial Employees' Social Security Ordinance, 1965 (X of 1965) for extending the scope of the hospitals of Provincial Employees' Social Security Institution to general public; for making certain modifications for better and smooth implementation of Ordinance X of 1965; and, for the ancillary matters.

Provincial Assembly of the Punjab is not in session and Governor of the Punjab is satisfied that circumstances exist which render it necessary to take immediate action.

In exercise of the powers conferred under clause (1) of Article 128 of Constitution of the Islamic Republic of Pakistan, Governor of the Punjab is pleased to make and promulgate the following Ordinance:

1. Short title and commencement. - (1) This Ordinance may be cited as the Provincial Employees' Social Security (Amendment) Ordinance 2021.

(2) It shall come into force at once.

2. Amendment of Ordinance X of 1965. - In the Provincial Employees' Social Security Ordinance, 1965 (X of 1965), for brevity referred to as the 'Ordinance':

- (a) in the long title, for the words "and for matters ancillary thereto", the expression ", and for providing healthcare to the general public" shall be substituted;
- (b) in the preamble, after the expression "death,", the expression "for providing healthcare to the general public," shall be inserted;
- (c) for the words "secured person" wherever appearing, the words "secured employee" shall be substituted;
- (d) for the words "secured persons" wherever appearing, the words "secured employees" shall be substituted;
- (e) for the expression "self-assessment scheme" wherever appearing, the expression "Self-Assessment Scheme" shall be substituted;
- (f) for the words "secured woman" wherever appearing, the words "female secured employee" shall be substituted;
- (g) in sub-section (1) of section 35, in section 36, in section 39, in sub-section (1) of section 40 and in sub-section (1) of section 41, for the expression "Government by notification, in

consultation with the Institution" the words "Governing Body" shall be substituted; and

- (h) in Chapter V-A, in the heading, for the word "SERVANTS", the word "WORKERS" shall be substituted.

3. Amendment of section 2 of Ordinance X of 1965. - In the Ordinance, in section 2:

- (a) after clause (2), the following clause (2a) shall be inserted:

"(2a) "Chief Minister" means Chief Minister of the Punjab;"

- (b) for clause (7-a), the following shall be substituted:

"(7a) "domestic worker" means a domestic worker as defined in the Punjab Domestic Workers Act 2019 (II of 2019);"

- (c) after clause (12), the following clause (12a) shall be inserted:

"(12a) "general public" means individuals other than the secured employees and their dependents;"

- (d) after clause (16), the following clause (16a) and clause (16b) shall be inserted:

"(16a) "local authority" means a:

- (i) land control authority established by any law for the time being in force to regulate or manage land

use; or

- (ii) a local government; or

- (iii) a company set up by the Government to provide land related services;"

(16b) "local government" means a local government constituted under the Punjab Local Government Act, 2019 (XIII of 2019) or any other law for the time being in force;"

- (e) after clause (24), the following clause (24a) shall be inserted:

"(24a) "Secretary" means Secretary to the Government, Labour and Human Resource Department;"

- (f) in clause (25a), the words "no intervention through" shall be omitted, and after the word "Institution", the expression "subject to sub-section (4) of section 22" shall be inserted;

- (g) in clause (29), for the expression "Industrial Disputes Ordinance, 1959 (LVI of 1959)" the expression "Punjab Industrial Relations Act, 2010 (XIX of 2010)" shall be substituted; and

- (h) in clause (30), for the expression "Minimum Wages Ordinance, 1961 (XXXIX of 1961)" the expression "Punjab

Minimum Wages Act 2019 (XXVIII of 2019)" shall be substituted.

4. Amendment in section 5 of Ordinance X of 1965.— In the Ordinance, in section 5:

- (a) for the word "Labour", the words "Labour and Human Resource"; for the word "Industries", the expression "Industries, Commerce, Investment and Skills Development"; and, for the word "Health", the words "Specialized Healthcare and Medical Education" shall be substituted; and
- (b) in sub-section (2), for the word "Government", the words "the Secretary" shall be substituted.

5. Amendment in section 6 of Ordinance X of 1965.— In the Ordinance, in section 6, in clause (a), the words "for submission to Government" shall be omitted.

6. Amendment in section 9 of Ordinance X of 1965.— In the Ordinance, in section 9, in sub-section (1), for the word "Government" appearing for the first time, the words "Chief Minister" shall be substituted.

7. Amendment of section 12 of Ordinance X of 1965. — In the Ordinance, in section 12, in sub-section (2), for the word "Government", wherever appearing, the words "Chief Minister" shall be substituted.

8. Amendment of section 18 of Ordinance X of 1965. — In the Ordinance, in section 18, in sub-section (1), for the word "Government", the words "Chief Minister" shall be substituted.

9. Amendment of section 20A of Ordinance X of 1965. — In the Ordinance, in section 20A:

- (a) in sub-section (2), after the figure "2001", the words "and afterwards" shall be inserted; and
- (b) sub-section (3) shall be omitted.

10. Amendment in section 22 of Ordinance X of 1965. — In the Ordinance, in section 22:

- (a) in sub-section (3), for the word "persons", the word "employees" shall be substituted;
- (b) in sub-section (4), the words "during the period of two years" shall be omitted; and
- (c) in sub-section (4), after the sub-section, the following Proviso shall be inserted:

"Provided that the Institution shall, through a ballot, in such manner as may be provided by the regulations, select for inspection not more than twenty percent of the establishments annually which opt for Self-Assessment Scheme under section 20A of this Ordinance."

11. Amendment of section 23 of Ordinance X of 1965. – In the Ordinance, in section 23, in sub-section (1), after the second Proviso, the following third Proviso shall be added:

"Provided further that such increase shall not be payable by the employer who pays his unpaid contribution till 30 June 2021."

Explanation: *This amendment shall be effective from the date of its enforcement.*

12. Amendment of section 28 of Ordinance X of 1965. – In the Ordinance, in section 28, for sub-section (2), the following shall be substituted:

"(2) The Institution may accept grants, lands, buildings, donations and gifts from any Government or a local authority or a local government or any other body for all or any of the purposes of this Ordinance."

13. Amendment of section 31 of Ordinance X of 1965. – In the Ordinance, in section 31:

- (a) in sub-section (3), for the word "Government", the words "Governing Body" shall be substituted;
- (b) sub-section (4) shall be omitted;
- (c) in sub-section (5), the Proviso shall be omitted; and
- (d) in sub-section (6), for the expression "Government, who" the expression "Governing Body, which", and for the word "may seem" the words "may be deemed" shall be substituted.

14. Amendment of section 32 of Ordinance X of 1965. – In the Ordinance, in section 32, in sub-section (5), after the word "Government", the expression ", through the Secretary," shall be inserted.

15. Amendment of section 33 of Ordinance X of 1965. – In the Ordinance, in section 33, in sub-section (1), after the word "Government", the expression ", through the Secretary," shall be inserted.

16. Amendment of section 34 of Ordinance X of 1965. – In the Ordinance, in section 34, for the word "Government" the words "Governing Body" shall be substituted.

17. Amendment of section 41 of Ordinance X of 1965.— In the Ordinance, in section 41, in sub-section (2) for the word "person" the word "an employee" shall be substituted.

18. Amendment of section 42 of Ordinance X of 1965. — In the Ordinance, in section 42:

- (a) in sub-section (2) and (2-A), for the words "deceased person", the words "deceased employee" shall be substituted; and
- (b) in sub-section (2-B), for the word "worker" the word "employee" shall be substituted.

19. Amendment of section 46 of Ordinance X of 1965. — In the Ordinance, in section 46, in sub-section (2), for the word "Government", the words "Governing Body" shall be substituted.

20. Amendment of section 51 of Ordinance X of 1965. — In the Ordinance, in section 51:

- (a) in sub-section (1), for the words "any person", the words "any secured employee"; and
- (b) in sub-section (2), for the words "No person" the words "No secured employee" shall be substituted.

21. Substitution of section 55-A of Ordinance X of 1965. — In the Ordinance, for section 55-A, the following shall be substituted:

"55-A. Medical treatment of domestic workers.— Every employer of a domestic worker shall be liable to provide at his own cost to the domestic worker medical care to the extent mentioned in the Punjab Domestic Workers Act 2019 (II of 2019)."

22. Amendment of section 66 of Ordinance X of 1965. — In the Ordinance, in section 66, in sub-section (1), for the words "ten thousand" the words "one hundred thousand", and for the words "two thousand", the words "twenty thousand" shall be substituted.

23. Amendment of section 69 of Ordinance X of 1965. — In the Ordinance, in section 69, after the word "Government", appearing for the third time, the words "or a local government" shall be inserted.

24. Amendment of section 79 of Ordinance X of 1965. — In the Ordinance, in section 79, in sub-section (2):

- (a) in clause (i), for the word "Government", the words "the Secretary" shall be substituted; and

(b) in clause (xi), for the word "Government", the words "Governing Body" shall be substituted.

25. Amendment of section 80 of Ordinance X of 1965. – In the Ordinance, in section 80, in sub-section (2), for clause (xxi), the following shall be substituted:

"(xxi) arrangements under which secured employees, their dependents and general public shall share the costs of certain kinds of medical care (emergency, outdoor, indoor) and the manner in which such costs shall be determined;"

**(MOHAMMAD SARWAR)
GOVERNOR OF THE PUNJAB**

Dated: 21/02/2021

BAHADAR ALI KHAN
Secretary
Government of the Punjab
Law and Parliamentary Affairs Department