

GOVERNMENT OF PAKISTAN
Securities and Exchange Commission of Pakistan

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Islamabad, the 23rd August, 2021.

NOTIFICATION

S.R.O. 1069 (I)/2021.- In exercise of the powers conferred by sub-section (1) of section 282B of the Companies Ordinance, 1984 (XLVII of 1984), read with clause (b) of section 43 of the Securities and Exchange Commission of Pakistan Act, 1997 (XLII of 1997), the Securities and Exchange Commission of Pakistan, with the approval of the Federal Government, is pleased to direct that the following amendments shall be made in the Voluntary Pension System Rules, 2005, the same having been previously published vide Notification S.R.O. 583(I)/2020, dated the 29th June , namely:-

In the aforesaid Rules,-

- (1) in rule 2,-
 - (a) in sub-rule (1), clauses (c), (h), (i), (ja), (jb), (m), (ma), (r), (s), (t) and (x) shall be omitted; and
 - (b) in sub-rule (2), -
 - (i) the words “and the” shall be omitted; and
 - (ii) after the expression “Non-Banking Finance Companies (Establishment and Regulation) Rules 2003”, the expression “and the Non-Banking Finance Companies and Notified Entities Regulations, 2008” shall be inserted;
- (2) for rule 7, the following shall be substituted, namely: -

“7. Obligations as Pension Fund Manager. - A Pension Fund Manager shall ensure compliance with the obligations as specified in the regulations and constitutive documents of the pension fund.”;
- (3) rule 8 shall be omitted;
- (4) in rule 9, -
 - (a) in sub-rule (3), -
 - (i) in clause (a), for the expression “set out in Schedule II”, the words “specified in the regulations” shall be substituted; and
 - (ii) in clause (c), for the expression “non-refundable fee of one

hundred thousand Rupees”, the expression “such non-refundable fee as specified in the regulations” shall be substituted; and

- (b) in sub-rule (5), for the expression “Schedule III”, the words “the regulations” shall be substituted;
- (5) rule 11 shall be omitted;
- (6) in rule 14, -
 - (a) sub-rules (2), (3), (4) and (5) shall be omitted; and
 - (b) in sub-rule (6), for the full stop at the end, a colon shall be substituted and thereafter the following proviso shall be added, namely: -

“Provided that the individual pension account may be subject to be pledged, lien or encumbrance against the loan or advance given by the employer to the employee.”;
- (7) in rule 15, in sub-rule (4), for the words “once in a financial year”, the words “as per the discretion of the participant” shall be substituted;
- (8) in rule 17,
 - (a) in sub-rule (1), for the full stop at the end, a colon shall be substituted and thereafter the following proviso shall be added, namely: -

“Provided that the participant may change his retirement age between sixty and seventy years by giving notice in writing to the Pension Fund Manager.”; and
 - (b) for sub-rule (3), the following shall be substituted, namely: -

“(3) A doctor’s assessment certificate confirming the said disability shall be required for sub-rule (2).”;
- (9) in rule 20, in sub-rule (2), for the words “percentages specified in the nomination deed”, the words “succession certificate issued in accordance with law for the time being in force” shall be substituted;
- (10) rules 22 and 23 shall be omitted;
- (11) in rule 27, -
 - (a) for sub-rule (1), the following shall be substituted, namely: -

“(1) No Pension Fund Manager on behalf of the pension fund shall purchase from or sell any security to any connected person or employee of the Pension Fund Manager except with the approval of its

Board of Directors in writing and consent of trustee”; and

(b) sub-rule (2) shall be omitted;

(12) for rule 31, the following shall be substituted, namely: -

“31. Obligations of trustee. - A trustee shall ensure compliance with the obligations as specified in the regulations and constitutive documents.”;

(13) in rule 33, in sub-rule (1),-

(a) for the words “not in any way be related to the Pension Fund Manager or its directors or investment advisor”, the words “be independent of Pension Fund Manager” shall be substituted; and

(b) after sub-rule (1), amended as aforesaid, the following explanation shall be added, namely: -

“Explanation.- For the purposes of this rule, the expression “independent” means that there shall be no cross-shareholding nor common directorship between the Pension Fund Manager and trustee.”;

(14) in rule 36, for the words “one thirtieth”, the words “one twenty-fifth” shall be substituted;

(15) rules 40 and 41 shall be omitted; and

(16) Schedules I, II and III shall be omitted.

[File No. SCD/AMCW/VPS/2021-]


(Bilal Rasul)
Secretary to the Commission