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PART-IV

PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION.
KARACHI, THE 28TH SEPTEMBER, 2026.

NO.PAS/LEGIS-B-21/2026- The Sindh Public-Private Partnership (Amendment) Bill, 2026 having been passed by the Provincial Assembly of Sindh on 28th August, 2026 and assented to by the Governor of Sindh on 15th September, 2026 is hereby published as an Act of the Legislature of Sindh.

THE SINDH PUBLIC-PRIVATE PARTNERSHIP (AMENDMENT) ACT, 2026.

SINDH ACT NO. XXVII OF 2026.

AN
ACT

to amend the Sindh Public-Private Partnership Act, 2010.

WHEREAS it is expedient to amend the Sindh Public-Private Partnership Act, 2010, in the manner hereinafter appearing;

It is hereby enacted as follows:

1. (1) This Act may be called the Sindh Public-Private Partnership (Amendment) Act, 2026.

Short title,
extent and
commencement.

(2) It shall come into force at once.

2. In the Sindh Public-Private Partnership Act, 2010, hereinafter referred to as the said Act, in section 2 –

Amendment of
section 2 of Sindh
Act No.V of 2010.

- (i) in clause (f), for the word “asset”, the word “property” shall be substituted;
- (ii) in clause (m), for the word “and”, the words “and/or” shall be substituted;
- (iii) in clause (p), for the word “the Sindh Local Government Ordinance, 2001 (XXVII of 2001)”, the words “the Sindh Local Government Act 2013 or in any subsequent law replacing, reenacting, amending, or substituting the same” shall be substituted;
- (iv) in clause (t), for the word “implemented”, the words “conceived, prepared, undertaken or implemented” shall be substituted;
- (v) in clause (u), for the words “for consulting services required for the preparation and execution of Public-Private Partnership Projects”, the words “for the purposes specified under this Act”, shall be substituted;
- (vi) for clause (w), after the words “Public-Private Partnership Agreement”, the words “in relation to a project” shall be inserted.

3. In the said Act, in section 4, in sub-section (2) –

Amendment of
section 4 of Sindh
Act No.V of 2010.

- (a) after clause (ii-b), the following shall be inserted:-
 - (ii-c) Minister or, as the case may be, Member.”;
Advisor or Special Assistant to Chief
Minister for Public-Private
Partnership

(b) clause (xi) shall be omitted;

(c) in clause (xiii), after for the words “controlled by Government”, the words “or a sectoral specialist” shall be inserted.

4. In the said Act, in section 5, in sub-section (1), in clause (VIII), after the word “Facility” appearing at the end, the words “and/or the Viability Gap Fund”, shall be added.

Amendment of
section 5 of Sindh
Act No.V of 2010.

5. In the said Act, in section 6, in sub-section (2) –

Amendment of
section 6 of Sindh
Act No.V of 2010.

- (a) in clause (II), after the word “procedures”, the words “policies, regulations” shall be inserted;

- (b) in clause (III), the words "technical and" shall be omitted;
- (c) for clause (IV), the following shall be substituted:-
" (IV) provide support and assistance to Agencies on the matters requiring expertise in Public-Private Partnership;";
- (d) clauses (VI) and (VII) shall be omitted.

6. In the said Act, in section 7 -

Amendment of
section 7 of Sindh
Act No.V of 2010.

- (i) for sub-section (1), the following shall be substituted:-

"(1) The administrative head of each Agency which seeks to implement a project on a Public-Private Partnership basis, shall form a Public-Private Partnership Node with the approval of concerned Minister consisting of officers from within the Agency and technical, financial and legal experts engaged on contractual basis from private sector. Each Public-Private Partnership Node shall be headed by a Senior Director, who is an officer of the Agency.";

- (ii) in sub-section (2) -

- (a) in clause (IV), for the word "conduct", the words "facilitate, oversee and coordinate" shall be substituted;

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

- "(V) submit the recommendation on contract award to the Board through the Unit;"

- (c) for the word "sign", the words "ensure timely signing of" shall be substituted;

- (d) in clause (VII), after the word and comma "project", the comma and words "and to undertake contract management, coordinate among all the stakeholders and to provide facilitation over the lifecycle of a project for its smooth implementation;" shall be added.

7. In the said Act, in section 9 -

Amendment of
section 9 of Sindh
Act No.V of 2010.

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

"(I) enter into a Public-Private Partnership Agreement with the private party, and any other Agreement in relation to a project, through its Administrative Secretary or officer with equivalent rank and status, or an officer authorized by the Administrative Secretary holding a rank not below the rank of BPS-19;"

- (b) in clause (IV), after the words "Administrative Secretary", the words "or officer specified or authorized under clause (I)," shall be inserted.

8. In the said Act, in section 10 -

Amendment of
section 10 of
Sindh Act No.V
of 2010.

- (i) in sub-section (5), after the word "Facility" appearing at the end, the words "or the Board for financial support" shall be added;
- (ii) in sub-section (6), after the words "approves the project", the words "submitted to it under sub-section (5)" and after the words "Agency shall", the word "thereafter" shall respectively be inserted;
- (iii) in sub-section (7), after the words "support to any project", the words "submitted to it under sub-section (5)" shall be inserted; and for the words "provided that no such project shall be submitted to the Board under this sub-section after December 31, 2021.", the following shall be substituted:-

"Provided that nothing contained in this section or in any other provision of this Act shall restrict or be construed to restrict an Agency from directly approaching the Board to seek financial support from the Viability Gap Fund for the project without first being required to seek support from the Project Support Facility or await a refusal thereof in respect of such project."

9. In the said Act, in section 11 -

Amendment of
section 11 of
Sindh Act No.V
of 2010.

- (i) in sub-section (2), for the "Facility and" the words "Facility and/or" shall be substituted;
- (ii) in sub-section (3), for the words "widely publicize", the words "publicize them on its official website" shall be substituted.

10. In the said Act, section 12 shall be omitted.

Omission of
section 12 of
Sindh Act No.V
of 2010.

11. In the said Act, after section 14, the following new section shall be inserted:-

Insertion of
section 2 of Sindh
Act No.V of 2010.

"14-A. Approval of government support.- (1) Requests for government support shall be an integral part of the project proposals submitted by the Agencies.

(2) The Unit shall review and analyze all requests for government support with budgetary implications and shall evaluate the justification and eligibility for such support and the fiscal impact of the related direct and contingent liabilities.

(3) Based on this review and analysis, the Unit shall make a recommendation to the Board for approval, rejection or reconsideration of the requested support.

(4) After approval of the Board, the Unit shall, in coordination with relevant Agencies, make necessary arrangements for including such support in the budget of the Province.”.

12. In the said Act, in section 15, in clause (III), for the words “for the projects, which have not been approved by the Project Support Facility”, the words “or Project Support Facility for the projects” shall be substituted; and the words “provided that no support from Viability Gap Fund shall be provided to any new project after December 31, 2021” shall be omitted.

Amendment of section 15 of Sindh Act No.V of 2010.

13. In the said Act, in section 16, in sub-section (3), after clause (XXIII), the following new clause shall be inserted:-

Amendment of section 16 of Sindh Act No.V of 2010.

“(XXIV) Appointment, roles and responsibilities to be assigned to independent technical and financial experts.”.

14. In the said Act, in section 17-

Amendment of section 17 of Sindh Act No.V of 2010.

- (i) in sub-section (2), after the word “Agency”, the words “or an independent technical expert appointed for the project,” shall be inserted;

- (ii) after sub-section (4), the following new sub-section shall be inserted:-

“(4A) The Agency may, at its discretion, considering the long-term nature of such projects, require under Public-Private Partnership Agreement, such operational performance bond or bank guarantee to be furnished either as a lump-sum amount covering the entire operation period, or on an annual or such other period deemed appropriate by the Agency, corresponding to the private party’s operational obligations for the relevant period.”.

15. In the said Act, in section 19-A -

Amendment of section 19-A of Sindh Act No.V of 2010.

- (i) in sub-section (1), after the word “Pakistan”, the words “for the purposes of undertaking a project on a government-to-government basis” shall be inserted; and in the proviso thereunder, after the words “Provided that”, the words “subject to the procedures and guidelines if approved by the Board and notified by the Unit under Section 19B,” shall be inserted;

- (ii) after the proviso to sub-section (1) as amended above, the following new proviso shall be added:-

“Provided further that the notified procedures and guidelines shall apply prospectively and shall not apply to government-to-government projects that are under consideration before notification of such procedures and guidelines.”.

16. In the said Act, after section 19-A, the following new section shall be inserted:-
- Insertion of section 19-B of Sindh Act No.V of 2010.
- "19-B. Power to devise, approve, amend or revise procedure and guidelines in relation to a project. The Board may devise, approve, amend, or revise procedures and guidelines in relation to projects undertaken on a government-to-government basis under section 19A for the purpose of providing clarity, guidance, and an efficient mechanism for determining exemptions under section 19A and such procedures and guidelines, when approved by the Board, shall, as soon as possible, be notified by the Unit and uploaded on its website."**
17. In the said Act, in section 22 -
- Amendment of section 22 of Sindh Act No.V of 2010.
- (i) in sub-section (1), for the provisos thereunder, the following shall be substituted:-
- "Provided that the Viability Gap Fund may also be utilized, with prior approval of the Board, for any other purpose directly related or incidental to the development, financing, implementation, operation, or sustainability of a project, including payment on account of change of scope, price escalation, relief compensation, and utilities relocation.";**
- (ii) sub-section (2), shall be omitted.
18. In the said Act, in section 22-A,
- Amendment of section 22-A of Sindh Act No.V of 2010.
- (i) in sub-section (1), after the word "objects", the words "and as an alternative source of funding" shall be inserted.
- (ii) sub-section (2), shall be omitted.
19. In the said Act, after section 22-A, the following new section shall be inserted:-
- Insertion of section 22-B of Sindh Act No.V of 2010.
- "22-B. Project Development Facility. Subject to the approval of the Board, the Project Development Facility may be used to pay for consulting services required for the preparation and execution of Public-Private Partnership Projects, training and capacity-building of the staff of the Unit or Departmental Public-Private Partnership Nodes; procurement of technical, financial or legal advisory services, including reviews, verifications, third-party validations and recommendations at any stage of a project; and the conduct of project impact assessments."**
20. In the said Act, in section 27, in sub-section (1), the full-stop at the end shall be replaced by a colon and thereafter the following proviso shall be added:-
- Amendment of section 27 of Sindh Act No.V of 2010.

"Provided that the failure to conclude mediation, including due to non-appointment of a mediator within the time stipulated or agreed under the Public-Private Partnership Agreement, shall not prevent, delay, or otherwise prejudice the right of any party to refer the dispute to arbitration in accordance with the Public-Private Partnership Agreement."

21. In the said Act, in section 28 –

Amendment of
section 28 of
Sindh Act No.V
of 2010.

- (a) for the words "The Public-Private Partnership Agreement may be terminated", the words "In addition to the termination cases stipulated under the Public-Private Partnership Agreement, the Public-Private Partnership Agreement may be terminated" shall be substituted;
- (b) in clause (I), after the words "determined by the Government" the words "and stipulated under the Public-Private Partnership Agreement" shall be inserted;
- (c) in clause (II), after the words "on such investments" appearing at the end, the words "as stipulated under the Public-Private Partnership Agreement" shall be added;
- (d) in clause (IV), after the words "incurred by the Government" appearing at the end, the words "in each case, under the terms of the Public-Private Partnership Agreement" shall be added.

22. In the said Act, after section 28, the following new section shall be inserted:-

Insertion of
section 28-A of
Sindh Act No.V
of 2010.

"28-A. Extension of term of the Public-Private Partnership Agreement. (1) Notwithstanding anything contained in this Act or any other law, time being in force, or the rules, regulations, guidelines or policies made thereunder, or any contract, upon request of an Agency, the Board may recommend and the Government may approve extension in the term of a Public-Private Partnership Agreement relating only to health or education sector projects, in whole or in part, for such period or periods from time to time, as the Government may determine:

Provided that the aggregate period of such extension or extensions shall not exceed by fifty percent of the original term:

Provided further that such recommendation and approval shall be granted only where one or more of the following conditions applies to the satisfaction of the Board and the Government :-

(a) The performance of the existing private party has been exceptional, having consistently met or exceeded the prescribed performance standards and delivered quality services to the public, as verified or confirmed by the independent expert appointed for such project and continuation with the same party is critical for service delivery in public interest; or

(b) The extension is otherwise justified on reasonable grounds recorded by the Board and the Government.

(2) The Board or, as the case may be, the Government, while making a recommendation or granting approval under sub-section (1), may also recommend or approve such changes to the existing project scope, performance standards along with corresponding adjustments or revisions in payment structure, or any other contractual provisions as may be necessary to align with the revised scope and performance standards and to ensure the continuity, enhanced service delivery and quality, and sustainability of the service:

Provided that such adjustments shall not materially alter the risk allocation to the detriment of the Government or Agency.”.

BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH

G.M.UMAR FAROOQ
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH