



## THE AGA KHAN UNIVERSITY EXAMINATION BOARD ORDINANCE, 2002



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# THE AGHA KHAN UNIVERSITY EXAMINATION BOARD ORDINANCE, 2002

## ORDINANCE No.CXIV OF 2002

[8th November, 2002]

### *An Ordinance to establish the Agha Khan University Examination Board*

WHEREAS it is desirable and expedient in the national interest to aspire to standards of excellence in the field of education and in pursuance of such objective to draw upon all available resources;

AND WHEREAS the Government of Pakistan considers it important to offer the people of Pakistan more educational options and to improve the school examination system;

AND WHEREAS the Agha Khan University is committed to the improvement of education in Pakistan and abroad and in pursuance thereof has established a Medical College, School of Nursing and an institute for Educational Development in Pakistan, an institute for the study of Muslim civilizations in the UK, and is in the process of establishing a Faculty of Arts and Sciences in Karachi as well as medical, nursing and education programmes in East Africa, Afghanistan, Syria and Central Asia and thus possesses the requisite insight, expertise and experience in the provision of education including all administrative matters connected therewith;

AND WHEREAS the Agha Khan University has agreed to assist the Government in this endeavour in the greater national interest and in furtherance of the public-private partnership;

AND WHEREAS pursuant to the Agha Khan University Order, 1983 (President's Order No. 3 of 1983), the Agha Khan University is authorised to establish an examination board;

AND WHEREAS the President of Pakistan is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the proclamation of Emergency of the fourteenth day of October, 1999, and Provisional Constitution Order No. 1 of 1999, read with the Provisional Constitution (Amendment) Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance:-

**1. Short title, extent and commencement.** (1) This Ordinance may be called the Agha Khan University Examination Board Ordinance, 2002.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

**2. Definitions.**—(1) If there is anything repugnant in the subject or context,—

- (a) "Board of Trustees" means the Board of Trustees of the University;
- (b) "certificate" means certificate or diploma or other appropriate credential awarded to candidates who are successful in the examinations;
- (c) "certification" means the awarding of certificates or diplomas or other appropriate credentials to candidates who are successful in the examinations;
- (d) "examinations" means the examinations, tests and related means of assessment of educational achievements developed and administered by the Examination Board;
- (e) "Examination Board" means the Agha Khan University Examination Board;
- (f) "prescribed" means prescribed by the Rules and Regulations under section 10; and
- (g) "University" means the Agha Khan University established under the Agha Khan University Order, 1983 (President's Order No. 3 of 1983).

(2) The expressions used but not defined in this Ordinance shall have the same meaning as assigned to them under the Agha Khan University Order, 1983 (President's Order No. 3 of 1983).

**3. Establishment of the Examination board.**—(1) The Agha Khan University Examination Board shall be established by the University from such date and in such manner, as the University shall, in its sole discretion, prescribe.

(2) The Examination Board shall be fully autonomous and self regulatory with the freedom to achieve the objectives for which it is established.

(3) The University may, at its sole discretion, direct the Examination Board to offer the examinations to all private candidates non government schools and their students throughout Pakistan and abroad, in such manner, by such times and on such terms and conditions as shall be prescribed.

(4) Government schools and their students which are under the control of the Federal Government including Islamabad Capital Territory, Federally Administered Tribal Areas (FATA), Federally Administered Northern Areas (FANA) and Cantonments Areas can opt for examinations offered by the Examination Board, in such manner, by such times and on such terms and conditions as shall be prescribed.

(5) The Examination Board is authorised to administer examinations at all academic levels of education upto higher secondary level or its equivalent.

(6) The Examination Board shall follow the national curriculum and syllabi.

(7) The University may, in connection with the provisions of the Examination Board collaborate with Inter-Board Committee of Chairmen (IBCC) or its equivalent.

(8) The Examination Board is authorised to expand the provision and scope of its examinations in such manner, by such time and on such terms and conditions as shall be prescribed by the University and subject to authorisation by the Federal Government or the relevant provincial governments for their respective government schools and institutions.

**4. Functions of the Examination Board.**—(1) The function of the Examination Board shall include but not be limited to the following, namely:—

- (a) the conduct of the examinations in English, Urdu and such other languages as the Examination Board may prescribe;
- (b) the development and administration of examinations at all academic levels of education upto higher secondary level or its equivalent to test the attainment of the objectives of the national curriculum, for the purpose of enhancing student learning, and to do all such things that may be considered appropriate for the improvement of education in respect of teaching and learning, institutional effectiveness and all things ancillary and incidental thereto;
- (c) the assessment of educational achievement through the examinations;
- (d) the certification of candidates who are successful in the examinations;
- (e) the doing of all acts, deeds and things to secure national and international recognition of the certificate; and
- (f) the registration of the educational institutions and professional training and development of their teachers and staff for the purpose of preparing candidates for the examinations and such other services as the University shall consider necessary.

(2) The methodology and standards for achieving all of the above shall be developed and reviewed by the University from time to time.

**5. Supervision of the Examination Board.**—(1) There shall be a Board of Director of the Examination Board, or its equivalent, which shall be subject to the supervision of the Board of Trustees. The Board of Trustees shall have the power to

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delegate such of its powers hereunder to such persons, group of persons or entities, from time to time, as it shall, in its sole discretion, prescribe.

(2) There shall be a head of the Examination Board to be appointed by the Chief Executive Officer of the University on such terms and condition as determined by him in accordance with a process approved by the Board of Trustees.

(3) The Chairman of the Inter-Board Committee of Chairmen (IBCC) or his nominee, who is also a member of (IBCC) shall be a member of the Board of Directors of the Examination Board or its equivalent.

(4) The head of the Examination Board shall be a member of the Inter-Board Committee of Chairmen (IBCC).

**6. Power to charge fees, etc.** The Examination Board shall have the powers to charge fees, etc, within reasonable limits, for the provision of the examinations, or any part thereof, as may be prescribed by it.

**7. Efficacy of certification.** All certification by the Examination Board shall be, evidence of the successful completion by the holder thereof of the appropriate level of education and shall be accorded full credit and recognition.

**8. Indemnity and bar of jurisdiction.** No suit, prosecution or other legal proceedings shall lie against any person or authority for anything done or intended to be done in good faith under this Ordinance.

**9. Removal of difficulties.**—(1) If any question arises as to the interpretation of any of the provisions of this Ordinance, it shall be placed before the Board of Trustees whose decision thereon shall be final.

(2) If any difficulty arises in giving effect to any of the provisions of this Ordinance, the Board of Trustees may make such order not inconsistent with the provisions of this Ordinance for removing the difficulty.

(3) Where this Ordinance makes any provision for anything to be done but no provision or no sufficient provision has been made as respects the authority by whom, or at the time at which, or in the manner in which it shall be done, then, it shall be done by such authority, at such time, or in such manner as the University shall prescribe.

**10. Rules and Regulations.**—(1) The University may, by notification in the official Gazette, make rules for, carrying out the purposes of this Ordinance.

(2) The Board of Directors of the Examination Board may make regulations not inconsistent with the provisions of this Ordinance or the rules made thereunder.

