

## **National Anti-Human-Trafficking Authority Rules, 2017**

In exercise of the powers conferred by section 46, read with section 43, of the Prevention and Suppression of Human Trafficking Act 2012 (Act No. 3 of 2012), the Government is pleased to make the following rules, namely:—

**1. Short Title and Commencement.**—(1) These rules may be called the National Anti-Human-Trafficking Authority Rules, 2017.

(2) The Rules shall come into force at once.

**2. Definitions.**— In these Rules, unless there is anything repugnant in the subject or context, —

(1) “Act” means the Prevention and Suppression of Human Trafficking Act 2012 (Act No. 3 of 2012);

(2) “Chairman” means the Chairman of the Authority;

(3) “non-government organisation” means any private organisation approved or registered under any existing law in Bangladesh, in whatever name it might be known;

(4) “Member” means any member of the National Anti-Human-Trafficking Authority; and

(5) “Authority” means the National Anti-Human-Trafficking Authority established under these Rules.

**3. Constitution of the Authority, etc.**— (1) In fulfillment of the purpose of section 43 of the Act, ‘the National Anti-Human-Trafficking Authority’ is hereby established.

(2) Members of the National Anti-Human-Trafficking Authority, established under sub-rule (1), shall be as follows, namely: --

(a) An Officer not below the rank of a Joint Secretary be nominated by the Ministry of Home Affairs, who shall also be the Chairman of the Authority;

(b) An Officer not below the rank of a Director to be nominated by the Ministry of Foreign Affairs;

(c) An Officer not below the rank of a Deputy Secretary to be nominated by the Ministry of Expatriates' Welfare and Overseas Employment;

(d) An Officer not below the rank of a Deputy Secretary to be nominated by the Legislative and Parliamentary Affairs Division;

(e) An Officer not below the rank of a Deputy Secretary to be nominated by the Ministry of Social Welfare;

(f) An Officer not below the rank of a Deputy Secretary to be nominated by the Ministry of Shipping;

(g) An Officer not below the rank of a Deputy Secretary to be nominated by the Ministry of Ministry of Women and Children Affairs;

(h) An Officer not below the rank of a Deputy Secretary to be nominated by the Ministry of Health and Family Welfare;

(i) An Officer not below the rank of a Deputy Secretary to be nominated by the Ministry of Information;

(j) An Officer not below the rank of a Deputy Director of the National Legal Aid Services Organisation to be nominated by the Law and Justice Division;

(k) An Officer not below the rank of a Deputy Director to be nominated by the Border Guards Bangladesh (BGB);

(l) An Officer not below the rank of a Deputy Director to be nominated by the Bangladesh Coast Guard; and

(m) An Officer not below the rank of a Deputy Secretary to be nominated by the Ministry of Home Affairs, who shall act as the Secretary of the Authority in carrying out all activities thereof;

(3) In discharging its functions, the Authority shall act in accordance with the Act and the Rules made thereunder.

(4) No action or proceeding of the Authority shall be unlawful only for the reason of any vacancy of membership or defect in the constitution of the Authority, and nor such vacancy or defect shall be called in question.

**4. Chief Executive of the Authority, functions, etc.**— (1) The Chairman shall be the Chief Executive of the Authority and shall be responsible for any functions of the Authority.

(2) The place, date and time of the meetings of the Authority shall be determined by the Chairman.

(3) Functions of the Authority shall be carried out in such places and in such a manner as may be determined and approved by the Government.

**(5) Powers, duties and functions of the Authority.**— (1) For the purpose of effectively discharging its functions, the Authority shall, subject to the provisions of the Act and these Rules, have power to exercise all necessary powers and to discharge all such duties and functions as may be required.

(2) Without any prejudice to the generality of sub-rule (1), the duties and functions of the Authority shall be as follows, namely—

- (1) to undertake and implement appropriate measures for the prevention and suppression of human trafficking and for the identification, rehabilitation and protection of, and for providing services to, victims of human-trafficking, and to monitor and manage the said measures;
- (2) for the purpose of preventing and suppressing human trafficking, to coordinate with all non-government organisations concerned including with law-enforcing agencies;
- (3) to inspect and monitor the non-government organisations engaged in the delivery of services and assistance to victims of human-trafficking and, when necessary, to provide them with advice, or to issue directives or render assistance to them;
- (4) to accept reports from the non-government organisations engaged in the delivery of services and assistance to victims of trafficking on their activities and services, and to evaluate them and undertake measures that may be necessary;
- (5) to inspect shelter-homes established by the Government under section 35 of the Act, to determine the standard of health-care and life-standards of victims residing in any such shelter-home or rehabilitation centre and to implement and monitor these standards, and furnish reports on these matters to the Government;
- (6) for the purpose of repatriating any Bangladeshi victim of human-trafficking from any foreign country, to initiate measures to maintain a close communication with the concerned Ministry and the Bangladesh Mission in the concerned country and to provide necessary assistance in that behalf;
- (7) to undertake necessary measures to comply with the provisions of section 34 of the Act and to maintain a large database of information relating to the rescue, repatriation, rehabilitation and protection of victims of human trafficking including information about trial of human-trafficking cases and to establish coordination between the said database and other relevant databases concerning victims of human-trafficking;
- (8) to raise public awareness about the activities undertaken for the prevention of human trafficking and to adopt necessary measures for that purpose;
- (9) to gradually establish, on a priority basis, appropriate institutions and centres for the rehabilitation of victims of human-trafficking in every Division, District and Upazilla along the Bangladesh-border;
- (10) to undertake measures to provide victims of human-trafficking with compensation, legal assistance, and other benefits in accordance with the Act and rules and regulations made thereunder;

(11) for the purpose of preventing and suppressing human trafficking, to inspect any place or to require any person to furnish any information or papers or documents concerning the matter;

(12) to provide necessary advice or assistance, as the case may be, to the Government for the implementation of the Act and these and other Rules made thereunder; and

(13) to develop a website on matters relating to functions and services of the Authority and to maintain and update the website on a regular basis.

**6. Defrayal of expenditure of the Authority, etc.** — (1) Expenses of the Authority may be defrayed out of the Human Trafficking Prevention Fund constituted under section 42 of the Act.

(2) In case of spending and paying out, the Human Trafficking Prevention Fund Rules and other rules of the government concerning public spending and procurement, whatever may be applicable, shall have to be followed.

(3) All matters relating to spending and expenses under this rule may be subjected to internal audit in accordance with the Human Trafficking Prevention Fund Rules.

**7. Constitution of Committees.**— (1) The Chairman may form one or more committees with one or more members of the Authority and persons who are experts in the relevant field that would aid the Authority in the discharge of its functions enumerated in rule 5.

(2) The Chairman may appoint a member of the Authority as the Chair of the committee formed under sub-rule (1), and shall have power to determine its terms of reference, tenure, rules of procedure and any time-frame for furnishing reports as well as other ancillary matters.

**(8) Reports.** — The Chairman shall, within 30 September of every year, furnish to the Government an annual report containing an account of all functions carried out by the Authority and incomes and expenses thereof, and a plan of future actions and recommendations, etc.