GOVERNMENT OF PAKISTAN
Revenue Division
Federal Board of Revenue

Islamabad, the 16th October, 2008

NOTIFICATION
(Income Tax)

S. R. O.1099 (I)/2008.- The following draft of certain further amendments in the Income Tax Rules, 2002, which the Federal Board of Revenue proposes to make in exercise of the powers conferred by section 237 of the Income Tax Ordinance, 2001 (XLIX of 2001), is hereby published for the information of all persons likely to be affected thereby, as required by sub-section(3) of the said section, and notice is hereby given that the draft will be taken into consideration after seven days of its publication in the official Gazette.

Any objection or suggestion which may be received from any person, in respect of the said draft before the expiry of the aforesaid period, shall be considered by the Federal Board of Revenue.

DRAFT AMENDMENTS

In the aforesaid Rules,-

(a) in rule 40, after sub-rule (2), the following new sub-rules shall be added, namely:-

"(3) An application for a certificate under sub-section (1) of section 159 read with clause (v) of paragraph 1 of Notification No. S.R.O. 947(1)/2008, dated the 5th September, 2008, shall be in the form specified in Part VII(a) of the First Schedule to these rules.

(4) A system based exemption certificate issued by the Commissioner for goods specified under clause (v) of paragraph 1 of Notification No. S.R.O. 947(1)/2008, dated the 5th September, 2008 shall be in the form specified in Part-VIII(a) of the First Schedule to these rules." ; and

(b) in the First Schedule,-

(i) after Part VII, the following shall be inserted, namely:-

"PART VII (a) OF THE FIRST SCHEDULE

Application for Certificate of Exemption under section 159 of the Income Tax Ordinance, 2001

[See Rule 40(3)]

To,

The Commissioner of Income Tax__________________

I Principal Officer/Member of AOP/Individual Proprietor of M/s ____ ________________________ hereby declare that I am entitled to import goods without collection of tax at source on the following basis, in accordance with the provisions of clause (v) of paragraph 1 of Notification No. S.R.O. 947(1)/2008, dated 05-09-2008 for the tax year___________:

(i) The goods imported consist of plant, machinery, fixtures, fittings or its allied equipments for the purposes of setting up an industrial undertaking(including hotel) owned by me.

(ii) Goods imported consist of plant, machinery, fixtures, fittings or its allied equipments are for the purpose of installation/utilization in an existing industrial undertaking (including hotel) owned by me.
(Tick whichever is applicable)

I, therefore, request that certificate may be issued to the Collector of Customs______________ not to collect tax at source on the value of imports. Necessary details in this regard are given as under:-

(a) Copy of Memorandum and Articles of the Association in case of Company /AOP owning industrial undertaking/Registration No.________________

(b). NTN__________________

(c) Location address of the industrial undertaking __________________

(d) Nature of the business of industrial undertaking _________________

(e) Copy of the balance sheet of the industrial undertaking for the latest Tax year_____________

(f) Description of goods imported _______________________________

(g) L.C. No._____________________________

(h) Value of goods _______________________

(i) Port of clearance _____________________

I, hereby declare that whatever is stated in the application is correct to the best of my knowledge and belief.

Signature____________________
Name ______________________
Address_____________________
Dated_______________________**";** and

ii) after Part VIII, the following shall be inserted, namely:-

"**PART VIII(a) OF THE FIRST SCHEDULE**

GOVERNMENT OF PAKISTAN
Department of Income Tax
Office of the _________________

EXEMPTION CERTIFICATE UNDER SECTION 159
OF THE INCOME TAX ORDINANCE, 2001

[See Rule 40(4)

On an application made under Rule 40, the Commissioner of Income Tax may, subject to conditions laid down in sub rule (3) of the said rule, give a certificate authorizing the Collector of Customs not to collect tax on the import of goods from the person making the application in the following form specified herein namely:-

To,

The Collector of Customs ______________________

M/S ____________________________ have applied for issuance of exemption certificate under section 159 of the Income Tax Ordinance, 2001. The relevant particulars are given hereunder:-

1. Certificate No.____________ Date of Issue___________
2. Validity period From:_____________ To______________
3. N.T.N.:________________________
4. Location address of the industrial undertaking: ______________________
5. Description of goods imported: __________________________________
   ____
6. L.C. No.: ____
7. Value of goods:____

I hereby authorize you to exempt the import of goods from collection of tax under section 148 of the Income Tax Ordinance, 2001 as specified in clause (v) of paragraph 1 of Notification No. S.R.O. 947 (1)/2008, dated 05-09-2008 for setting up of an industrial undertaking or for installation in an existing industrial undertaking. This authorization will remain in force until the date specified above or cancelled by me earlier.

Any Remarks_________________________________

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Commissioner of Income Tax
Enforcement Division ________
RTO/LTU__________________**".**

[C.No.3(8)ITR/08]

(IRFAN NADEEM)
Member (Direct Taxes)/
Additional Secretary