



The Sindh Government Gazette

Published by Authority

KARACHI FRIDAY JANUARY 27, 2012

PART-IV PROVINCIAL ASSEMBLY OF SINDH NOTIFICATION KARACHI, THE 27TH JANUARY, 2012.

NO.PAS/Legis-B-35/2011- The Sindh Sales Tax on Services (Amendment) Bill, 2011 having been passed by the Provincial Assembly of Sindh on 7th January, 2012 and assented to by the Governor of Sindh on 26th January, 2012 is hereby published as an Act of the Legislature of Sindh.

THE SINDH SALES TAX ON SERVICES (AMENDMENT) ACT, 2011.

SINDH ACT NO. II OF 2012.

AN
ACT

to amend the Sindh Sales Tax on Services Act, 2011.

WHEREAS it is expedient to amend the Sindh Sales Tax on Services Act, 2011, in the manner hereinafter appearing; Preamble.

It is hereby enacted as follows:-

1. (1) This Act may be called the Sindh Sales Tax on Services (Amendment) Act, 2011. Short title and commencement.

(2) It shall come into force at once.

Amendment of section 4 of Sindh Act No.XII of 2011.

2. In the Sindh Sales Tax on Services Act, 2011 hereinafter referred to as the said Act, in section 4, in sub-section (3)-

(i) in clause (a), after the semicolon, the word "or" shall be added;

(ii) in clause (b), for the semi colon at the end, a full stop shall be substituted; and

(iii) clauses (c) and (d) shall be omitted.

Amendment of section 11 of Sindh Act No.XII of 2011.

3. In the said Act, in section 11, the words "or to increase or decrease the rate of tax applicable to any taxable service" shall be omitted.

Amendment of section 43 of Sindh Act No.XII of 2011.

4. In the said Act, in section 43, in the Table, against S.No.6, in column (1), the full-stop at the end of item "(c)", shall be replaced by a semicolon and the word "or" and thereafter the following shall be added:-

"(d) fails to pay, recover or deposit the actual amount of tax, or claims inadmissible tax credit or adjustment or deduction or refund."

Amendment of section 45 of Sindh Act No.XII of 2011.

5. In the said Act, in section 45, for the figures and the word "34 and 35", the figures and the word "43 and 44" shall be substituted.

Amendment of section 47 of Sindh Act No.XII of 2011.

6. In the said Act, in section 47 -

(i) after sub-section (1), the following shall be added:-

"(1A) Where by reason of some collusion, abetment, deliberate attempt, mis-statement, fraud, forgery or false or fake documents-

(a) any tax or charge has not been paid or is, short paid, assessed or collected, the person liable to pay such tax shall be served with a notice within five years of such tax period, requiring him to show cause for non-payment of such tax;

(b) any amount of tax is refunded which is not due, the person obtaining such refund shall be served with a notice within five years of the receipt of such refund to show cause for such refund.";

(ii) in sub-section (2), after the bracket and figure "(1)", the word, bracket and figure "or (1A)" shall be added.

7. In the said Act, in section 57, in sub-section (1), for the figures, commas and word "13, 18, 19 or 38", the figures, commas and word "22, 23, 24B, 43, 44, 47, 68 or 76" shall be substituted. **Amendment of section 57 of Sindh Act No. XII of 2011.**
8. In the said Act, in First Schedule - **Amendment of First Schedule of Sindh Act No. XII of 2011.**
- (i) in column (1), in the heading, for the word "**Number**", the words "**Tariff heading**" shall be substituted;
- (ii) against Tariff heading "9813.3900", in column (2), for the word "musharika", the words "modarba and musharika" shall be substituted;
- (iii) after Tariff heading "9813.4910" and entries thereagainst in columns (2) and (3) the following shall be added:-
- "9813.4990 other service not specified elsewhere"
- (iv) against Tariff heading "9813.8100", in column (2), for the word "Other", the words and commas "Others, including the services provided or rendered by non-banking finance companies, modaraba and musharika companies and other financial institutions" shall be substituted; and
- (v) against Tariff heading "9819.9090", in column (2), for the word "Others", the words and commas "Others, including the services provided by port operators, airport operators, airport ground service providers and terminal operators" shall be substituted.
9. In the said Act, in Second Schedule - **Amendment of Second Schedule of Sindh Act No. XII of 2011.**
- (a) after the words "Part A", the following shall be added:-
- | "Tariff heading | Description | Rate of tax |
|-----------------|-------------|-------------|
| (1) | (2) | (3)"; |
- (b) after the words "Part B", the following shall be substituted for the existing column titles:-
- | "Tariff heading | Description | Rate of tax |
|-----------------|-------------|-------------|
| (1) | (2) | (3)"; |

(c) in Part B -

(i) for the Tariff heading "9813.1600" and entries thereagainst in columns (2) and (3), the following shall be substituted:-

"9813.1600 Other insurance 16%
including reinsurance

"9813.3000 Services provided or 16%
rendered in respect of
leasing

9813.3010 Financial leasing 16%

9813.3020 Commodity or 16%
equipment leasing

9813.3030 Hire purchase leasing 16%

9813.3900 Services provided or 16%";
rendered in respect of
modaraba and
musharika financing

(ii) after Tariff heading "9813.4910" and entries thereagainst in columns (2) and (3), the following shall be added:-

"9813.4990 Other services not 16%";
specified elsewhere

(iii) in Tariff heading "9813.8100" in column (2), for the word "Other", the words and commas "Others, including the services provided or rendered by non-banking, finance companies, modaraba and musharika companies and other financial institutions" shall be substituted;

(iv) after the Tariff heading "9813.9000" the following shall be added:-

"9814.2000 Contractor of building 16%
(including water
supply, gas supply and
sanitary works),
electrical and
mechanical works
(including air
conditioning), multi-
disciplinary works

(including turn-key projects) and similar other works.

9814.3000 Property developers or promoters 16%";

(v) after the Tariff heading "9819.2000", the following shall be added:-

"9819.9090 Services provided or rendered by port operators, airport operators, airport ground service providers and terminal operators. 16%";

(vi) for the Tariff heading "9824.0000" and entries thereagainst in columns (2) and (3), the following shall be substituted:-

"9824.0000	Construction services	16%
	Management Services including fund and assets management services	16%
	Airport services	16%
	Tracking services	16%
	Security alarm services	16%
	Services provided by motels and guest houses	16%".

10. The Sindh Sales Tax on Services (Amendment) Ordinance, 2011 is hereby repealed. Repeal.

BY ORDER OF THE SPEAKER

**PROVINCIAL ASSEMBLY OF SINDH
HADI BUX BURIRO**

SECRETARY

PROVINCIAL ASSEMBLY OF SINDH