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| Rules | Sub-rule | Clause | The Sindh Sales Tax Special Procedure (Withholding) Rules, 2011 issued under notification No. SRB-3-4/1/2011, dated 24 th August, 2011 repealed. | |
| | | | AMENDMENT MADE BY SRB-3-4-11-2016 dated 26 th June, 2016 | |
| | | | NEW / inserted Deletion or Omitted Substituted | |
| 2 | | | Definition | |
| | 5 | | "FBR-registered person" means a person registered with FBR under the Sales Tax Act, 1990, for the purpose of taxable supply of goods as defined in clause (41) of section 2 thereof and also means a person holding NTN or taxpayer registration or FTN under the Income Tax Ordinance, 2001 (Ordinance No. XLI X of 2001) or the rules or procedure made thereunder. | |
| 3 | | | Responsibility of a withholding agent. | |
| | 3 | | ILLUSTRATION : Value of taxable services excluding sales tax | Rs. 1,000 |
| | | | Sales tax chargeable @ 13% | Rs. 130 |
| | | | Sales tax to be deducted by the withholding agent | Rs. 26 (i.e Rs. 130 / 5) |
| | | | Sales tax payable by the withholding agent to the service provider | Rs. 104 (i.e Rs. 130 - Rs. 26) |
| | | | Balance amount payable to the service provider by the withholding agent. | Rs. 1,104 (i.e Rs. 1,000 + Rs. 104) |
| | 6 | | Where the services are received by a withholding agent, as specified in clause (a) sub-rule (2) (a) of sub-rule (2) of rule (1) of these rules, the following procedure shall be observed, namely:- | |
| | 7 | (ii) | in case the withholding agent is not registered as a service provider under the Act but is registered with FBR under the Sales Tax Act, 1990, by the 15th day of the month in which he claims input tax credit/adjustment in Annex-A of his tax return (Form STR-7), as prescribed by the FBR, or the date on which payment is made to the service provider, whichever is earlier; | |
| | | | Provided that where such a withholding agent does not claim input tax credit/adjustment for a period of four months succeeding the month in which the tax invoice was issued or is not otherwise entitled to claim input tax credit/adjustment, he shall deposit the withheld amount of tax within a period of four months from the date of the tax invoice or the date when he makes a payments to the service provider, whichever is earlier; and | |
| | | (iii) | in case of other withholding agents, not covered by clauses (i) and (ii) of this sub-rule, by the 15th day of the following second month in which the tax invoice was issued by the service provider or the date on which payment is made to the service provider, whichever is earlier. | |
| | 8 | | Provided that in case the withholding agent is not a SRB-registered person but holds a national tax number tax registration number or NTN or FTN assigned under the Income Tax Ordinance, 2001 (XLI X of 2001), he shall file the return, as set out in Form SSTW-03 of these rules, electronically, and deposit the withheld or deducted amount of tax in Sindh Government's head of account "B-02384" against a withholding challan prescribed in Form SSTW-04: | |