

Section	Subsection	Clause	Amendment of Sales Tax Act, 1990- In the Sales Tax Act, 1990,-	NEW / inserted Deletion or Omitted Substituted The Tax Laws (Second Amendment) Ordinance, 2019
			In the Sales Tax Act, 1990 the following further amendments shall be made, namely:-	

2			Definition
	(12A)		"greenfield industry", in relation to the entry at serial number 150 of the Table-1 of the Sixth Schedule, means -
		(a)	a new industrial undertaking which is --- (i) setup on land which has not previously been utilized for any commercial, industrial or manufacturing activity and is free from constraints imposed by any prior work; (ii) built without demolishing, revamping, renovating, upgrading, remodeling or modifying any existing structure, facility or plant; (iii) not formed by the splitting up or reconstitution of an undertaking already in existence or by transfer of machinery, plant or building from an undertaking established in Pakistan prior to commencement of the new business and is not part of an expansion project; (iv) using any process or technology that has not earlier been used in Pakistan and is so approved by the Engineering Development Board; and
		(b)	is approved by the Commissioner on an application made in the prescribed form and manner, accompanied by the prescribed documents and, such other documents as may be required by the Commissioner; Provided that this definition shall be applicable from the 1 st July, 2019 and onwards,".
	43A		Tier-1 retailers means, - Tier-1 retailer Means a retailer falling in any one or more of the following categories, namely:-
		(a)	a retailer operating as a unit of a national or international chain of stores;
		(b)	a retailer operating in an air-conditioned shopping mall, plaza or centre, excluding kiosks;
		(c)	a retailer whose cumulative electricity bill during the immediately preceding twelve consecutive months exceeds Rupees six twelve hundred thousand;
		(d)	a wholesaler-cum-retailer, engaged in bulk import and supply of consumer goods on wholesale basis to the retailers as well as on retail basis to the general body of the consumers; and
		(e)	a retailer, whose shop measures one thousand square feet in area or more."; and
		(d)	Any other person or class of persons as prescribed by the Board."

Section	Subsection	Clause	Amendment of Sales Tax Act, 1990- In the Sales Tax Act, 1990,-	NEW / inserted Deletion or Omitted Substituted The Tax Laws (Second Amendment) Ordinance, 2019
			In the Sales Tax Act, 1990 the following further amendments shall be made, namely:-	

33				
Offences and penalties.-				
		Offences	Penalties	Section of the Act to which offence has reference
		(1)	(2)	(3)
	24	Any person, who is integrated for monitoring, tracking reporting or recording of sales, production and similar business transactions with the Board or its computerized system, conducts such transactions in a manner so as to avoid monitoring, tracking, reporting or recording of such transactions, or issues an invoice which does not carry the prescribed invoice number or barcode or bears duplicate invoice number or counterfeit barcode, or any person who abets commissioning of such offence.	Such person shall pay a penalty of Rs. 5,000 or 200 percent of the amount of tax involved, whichever is higher. He shall, further be liable, upon conviction by a special Judge, to simple imprisonment for a term which may extend to two years, or with additional fine which may extend to Rs. 2,000,000, or with both. Any person who abets commissioning of such offence, shall be liable, upon conviction by a Special Judge, to simple imprisonment for a term which may extend to one year, or with additional fine which may extend to Rs. 200,000, or with both.	Sub-section (9A) of section 3 and section 40C
	25	Any person, who is required to integrate his business for monitoring, tracking, reporting or recording of sales, production and similar business transactions with the Board or its computerized system, fails to get himself registered under the Act, and if registered, fails to integrate in the manner as required under law.	Such person shall be liable to pay a penalty up to Rs. 1,000,000, and if continues to commit the same offence after a period of six months after imposition of penalty as aforesaid, his business premises shall be sealed and an embargo shall be placed on his sales.	sub-section (9A) of section 3 and section 40C

Section	Subsection	Clause	Amendment of Sales Tax Act, 1990.- In the Sales Tax Act, 1990,-	NEW / inserted Deletion or Omitted Substituted The Tax Laws (Second Amendment) Ordinance, 2019
			In the Sales Tax Act, 1990 the following further amendments shall be made, namely:-	

33				
Offences and penalties.-				
		Offences	Penalties	Section of the Act to which offence has reference
		(1)	(2)	(3)
	26	Any person, being a manufacturer or importer of an item which is subject to tax on the basis of retail price, who fails to print the retail price in the manner as stipulated under the Act.	Such person shall pay a penalty of Rs. 10,000 or five per cent of the amount of tax involved, whichever is higher; Further, such goods shall also be liable to confiscation. However, the adjudication authority, after such confiscation, may allow redemption of such goods on payment of fine which shall not be less than twenty percent of the total retail price of such goods.	Sub-section (27) of section 2 and clause (a) of sub-section (2) of section 3
	27	Any person, being owner of the goods which are brought to Pakistan in violation of section 40D	Such person shall pay a penalty of Rs. 10,000 or five per cent of the amount of tax involved, whichever is higher. Further, such goods shall also be liable to confiscation. However, the adjudication authority, after such confiscation, may allow redemption of such goods on payment of fine which shall not be less than twenty percent of value, or retail price in case of items failing in the Third Schedule, of such goods.	Section 40D.

Section	Subsection	Clause	Amendment of Sales Tax Act, 1990- In the Sales Tax Act, 1990,-	NEW / inserted Deletion or Omitted Substituted The Tax Laws (Second Amendment) Ordinance, 2019
			In the Sales Tax Act, 1990 the following further amendments shall be made, namely:-	

40D			Provisions relating to goods supplied from tax-exempt areas-	
	(1)		The conveyances carrying goods supplied from the tax exempt areas, shall be accompanied by such documents in respect of the goods carried as may be prescribed under rules.	
	(2)		The Regional Tax Office having jurisdiction may establish check-posts on the routes originating from tax-exempt areas for the purpose of examining the goods carried and the documents related thereto. An officer not below the rank of Inspector, Inland Revenue, and assigned to such check-posts, may stop vehicles on such routes as coming from tax-exempt areas and examine documents for ascertaining their validity and conformity to the goods carried.	
	(3)		In the absence of the prescribed documents or any discrepancy in such documents, the goods so carried shall be seized along with the vehicle carrying the goods by the officer as aforesaid under proper acknowledgment.	
	(4)		The notices to the owner of the goods and the vehicle to show cause against imposition of penalty shall be issued within fifteen days of the seizure as aforesaid.	
	(5)		For the purposes of this section, the expression "tax-exempt areas" means Azad Jammu and Kashmir, Gilgit-Baltistan, Tribal Areas as defined in Article 246 of the Constitution of the Republic of Pakistan and such other areas as may be prescribed.	
73			Certain transactions not admissible	
	(4)		A registered manufacturer shall make all taxable supplies to a person who has obtained registration under this Act excluding supplies not exceeding a value of one hundred million Rupees in a financial year and ten million Rupees in a month, failing which the supplier shall not be entitled to claim credit adjustment or deduction of input tax as attributable to such excess supplies to unregistered person."	
76			Fee and service charges.-	
			The Federal Government Board with approval of the Federal Minister-in-charge " may, by notification in the official Gazette, subject to such conditions, limitations or restrictions as it may deem fit to impose, levy fee and service charges for valuation, in respect of any other service or control mechanism provided by any formation under the control of the Board, including ventures of public-private partnership, at such rates as may be specified in the notification.	