

A
BILL

to continue, alter and exempt certain taxes and cess in the Province of the Khyber Pakhtunkhwa and to regulate certain payments to the civil servants on account of retirement benefits and death compensation.

Preamble.- WHEREAS it is expedient to continue, alter and exempt certain taxes and cess in the Province of the Khyber Pakhtunkhwa and to regulate certain payments to the civil servants on account of retirement benefits and death compensation.

It is hereby enacted as follows:

1. Short title, extent and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Finance Act, 2015.

(2) It shall extend to the whole of the Province of the Khyber Pakhtunkhwa.

(3) It shall come into force on the first day of July, 2015, except section 6, which shall come into force from 06th November, 2014.

2. Amendment of West Pakistan Act No. V of 1958.---In the West Pakistan Urban Immoveable Property Tax Act, 1958 (W.P. Act No. V of 1958), in Schedule-II,-

(i) in entry at serial No. 3, for the existing clauses (a), (b), (c) and (d), the following shall respectively be substituted, namely:

“(a) For A1 locality	Thirteen
(b) For A locality	Ten
(c) For B locality	Eight
(d) For D locality	Six”;

(ii) in entry at S. No. 7, for the figures “10,000” and “5000”, the figures “15000” and “7500” shall respectively be substituted; and

(iii) in entry at S. No. 7A, for the figures “10,000”, the figures “15000” shall be substituted.

3. Amendment of West Pakistan Act No. XXXII of 1958.---In the West Pakistan Motor Vehicles Taxation Act, 1958 ((W.P. Act No. XXXII of 1958),-

(i) for the existing Schedule-II, the Schedule specified in the Appendix to this Act shall be substituted;

(ii) in Section 3, in sub-section (1), the full stop appearing at the end of second proviso shall be replaced by a colon and thereafter, the following proviso shall be added, namely:

“Provided also that if so opted by a tax payer, the tax in respect of a motor vehicle other than transport vehicle may be levied once for all at such rate in accordance to the specifications of such motor vehicle and in such a manner and subject to such terms and conditions as may be prescribed and if the tax is so paid such motor vehicle shall forever cease to be liable to the payment of tax under this Act.

Explanation: For the purpose of this section, transport vehicle shall have the same meaning as given to them in the Motor Vehicles Ordinance, 1965 (W.P Ord. XIX of 1965).”.

4. Amendment in the Khyber Pakhtunkhwa Act No. I of 1996.---In the Khyber Pakhtunkhwa Finance Act, 1996 (Khyber Pakhtunkhwa Act No. I of 1996), in section 11, in sub-section (1), for the words “tobacco”, the words “the following categories of the tobacco and its various parts” shall be inserted.

5. Amendment in the Khyber Pakhtunkhwa Act No. XXI of 2013.---In the Khyber Pakhtunkhwa Finance Act, 2013 (Khyber Pakhtunkhwa Act No. XXI of 2013),-

(i) in section 51, in sub-section (1), after the words and comma “or a firm of Cost and Management Accountants”, the words and commas “or any consultant, foreign or local, having expertise in the forensic audit” shall be inserted;

(ii) in section 94, after sub-section (2), the following new sub-section shall be added, namely:

“(3) The Government may, by notification in official Gazette, exempt any goods from levy of the Cess under this section, subject to such conditions, limitation or restrictions as it may specify in the said notification:

Provided that all such notification issued during a financial year shall be laid before the Provincial Assembly at the time of presenting finance bill;” and

(iii) in First Schedule,-

(a) after existing entry “9809.0000” the following new entry shall be added, namely:

“9809.1000 Printing Services”;

(b) after existing entry “9812.2500”, the following new entries shall be added, namely:

“9812.2600 Voice over I. P services

9812.2700 Teleconferencing services

9812.2800 3G/4G LTE services”; and

(c) after the existing entry “9874.0000”, the following new entry shall be added, namely:

“9875.0000 Electric power transmission or distribution services”.

6. Amendment in the Khyber Pakhtunkhwa Act No. XXVIII of 2014.---In the Khyber Pakhtunkhwa Civil Servants Retirement Benefits and Death Compensation Act, 2014 (Khyber Pakhtunkhwa Act No. XXVIII of 2014), in section 9, for sub-section (1), the following shall be substituted, namely:

“(1) At the time of retirement of a civil servant, the amount shall be paid to him with the following percentage:

- (a) the amount of benefit on retirement during the first five years after coming into force of this Act, shall be twenty five percent;
- (b) the amount of benefit on retirement during the second five years, after coming into force of this Act, shall be fifty percent;
- (c) the amount of benefit on retirement during the third five years, after coming into force of this Act, shall be seventy five percent; and
- (d) the amount of benefit on retirement after fifteen years, after coming into force of this Act, shall be hundred percent.”.

Appendix
“SCHEDULE – II
(See section3)

S#	DESCRIPTION OF MOTOR VEHICLES	ANNUAL RATE OF TAX
1	Motor cycle /Scooter	Rs. 1000,00 For life time
2.	Trucks /Trailors / Delivery Vans used for the transport of haulage of goods or materials:- (a) Vehicles not exceeding 1250 K.G. in unladen weight; (b) Vehicles with maximum laden capacity upto 2030 K.G (c) Vehicles with maximum laden capacity exceeding 2030 KG but not exceeding 4060 KG; (d) Vehicles with maximum laden capacity exceeding 4060 KG but not exceeding 6090 KG; (e) Vehicles with maximum laden capacity exceeding 6090 KG but not exceeding 8120 KG; (f) Vehicles with maximum laden capacity exceeding 8120 KG but not exceeding 12000 KG; (g) Vehicles with long Trailors or other vehicles with maximum laden capacity exceeding 12000 KG but not exceeding 16000 KG; and (h) Vehicles with long Trailors or other vehicles with maximum laden capacity exceeding 16000 KG;	Rs. 500.00 Rs. 800.00 Rs. 820.00 Rs. 1800.00 Rs. 2000.00 Rs. 4000.00 Rs. 6000.00 Rs. 8000.00
3	Vehicles plying for hire and ordinarily used for transport of passengers: (a) Mechanically propelled tricycle/rickshaw with seating capacity of not more than three persons;	Rs. 400.00

	<p>(b) Other vehicles with seating capacity of ---</p> <p>(i) Not more than 4 persons;</p> <p>(ii) More than 4, but not more than 6 person; and</p> <p>(iii) More than 6 persons, plying on A routes;</p> <p>(c) Motor vehicles with seating capacity of more than 6 but not more than 20 persons, plying exclusively within the limits of Corporation/Municipality or Cantonment:</p> <p>(d) Motor vehicles with seating capacity of more than 6 but not more than 20 persons plying exclusively within the limits of Corporation, Municipality or Cantonment or partly within and partly outside such limits with sixty percent of the total length of the route falling within the limits of a Corporation, Municipality or Cantonment.</p>	<p>Rs. 600.00</p> <p>Rs. 652.00</p> <p>Rs. 180.00 per seat</p> <p>Rs. 160.00 per seat</p> <p>Rs. 120.00 per seat</p>
4	<p>Motor vehicles (Private Motor Cars / Jeeps, etc.) other than those mentioned above and having-----</p> <p>(a) Seating capacity of not more than 3 persons;</p> <p>(b) Seating capacity of more than 3 but not more than 6 persons-</p> <p>(i) with engine power not exceeding 1000 cc a lump sum tax of rupees ten thousand shall be charged for motorcars and jeeps up to 1000 cc at the time of registration:</p> <p>Provided that in case of motor vehicle registered before 1st day of July 2015, the amount of tax already paid shall be deducted from the payable tax of rupees ten thousand and the remaining amount shall be paid lump sum at the time of payment of the tax due.”; and</p> <p>(ii) with engine power exceeding 1000 cc but not exceeding 1300 cc;</p>	<p>Rs. 500.00</p> <p>Rs. 1200.00</p>

	(iii) with engine power exceeding 1300 cc but not exceeding 1500 cc;	Rs. 1800.00
	(iv) (a) with engine power exceeding 1500 cc but not exceeding 2500 cc; (b) Luxury Vehicles	Rs. 2500.00
	(v) with engine power exceeding 2500 cc; and	Rs. 5000.00
	(c) seating capacity of more than 6 persons.	Rs. 800.00 per seat
5	All Tractors with or without trailers.	Rs. 600.00”.

STATEMENT OF OBJECTS AND REASONS

It is necessary to continue, alter and exempt certain taxes and cess in the Province of the Khyber Pakhtunkhwa and to regulate certain payments to the civil servants on account of retirement benefits and death compensation. Hence, this Bill.

MINISTER-IN-CHARGE.