

**GOVERNMENT OF PAKISTAN  
(REVENUE DIVISION)  
FEDERAL BOARD OF REVENUE**

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Islamabad the 13<sup>th</sup> June, 2009.

**NOTIFICATION  
(CUSTOMS/SALES TAX/FEDERAL EXCISE)**

S.R.O. **494**(I)/2009.— In exercise of the powers conferred by section 219 of the Customs Act, 1969 (IV of 1969), section 50 of the Sales Tax Act, 1990 and section 40 of the Federal Excise Act, 2005, the Federal Board of Revenue is pleased to direct that the following amendments shall be made in the Export Oriented Units and Small and Medium Enterprises Rules, namely:—

In the aforesaid Rules,—

- (i) in rule 2, in sub-rule 1, in clause (c) for the words “established unless otherwise specified” the words “registered for sales tax purpose.” shall be substituted;
  
- (ii) in rule 3, in sub-rule (1), after the word “Collector”, the words, figures and commas “of Customs having jurisdiction in which the unit is registered under the Sales Tax Act, 1990, and in case there are more than one unit of a proprietor, he shall apply to the Collector of Customs where the head office of applicant is registered under the Sales Tax Act, 1990,” shall be inserted;

- (iii) in clause (f), after the words “general bond”, the words “equal to the amount of duty and taxes” shall be inserted;
- (iv) in rule (8), in sub-rule (2), after the word and full stop “Unit.” at the end, the words, comma, letters and figures “The unit shall be allowed to avail licence either under Chapter XV of the Customs Rules, 2001 or these Rules at one time.” Shall be added;
- (v) in rule 10, in sub-rule (1),—
  - (i) after clause (a), the following new clause shall be inserted, namely:—

“(a1) the Collector of Customs may allow transfer of input goods from a Customs Bond to an Export Oriented Unit without payment of customs duty and other taxes against an indemnity bond as set out in Appendix-VII to this chapter on submission of an application, by the licensee, as set out in Appendix-VIII to this chapter.”;
  - (ii) in clause (e), for the full stop at the end, a colon shall be substituted and thereafter the following provisos shall be added, namely:—

“Provided that plant, machinery, equipment and apparatus including capital goods imported for an Export Oriented Unit shall be retained for a period of ten years from the date of importation;

Provided further that the disposal of plant, machinery, equipment and apparatus before the expiration of ten years shall be subjected to following reduced rates of duty and taxes leviable at the time of importation, namely:—

	<u>Disposal Period</u>	<u>Duty and Taxes</u>
(i)	If sold or otherwise disposed of before the expiration of five years from the date of importation.	Full
(ii)	If sold or otherwise disposed of after five and before seven and half years from the date of importation.	50%
(iii)	If sold or otherwise disposed of after seven and half years and before ten years from the date of importation.	25%
(iv)	If sold or otherwise disposed of after ten years from the date of importation.	0%”;

(vi) in rule 14,—

(a) for sub-rule (3), the following shall be substituted, namely:—

“Such post-exportation audit shall be conducted by the Collector of Customs, in whose jurisdiction the licensee is registered.”; and

(b) in sub-rule (4), for the words “Sales Tax and Federal Excise” the word “Customs” shall be substituted.

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[C.No.11(25)EP/2007]

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(Rozi Khan Burki)  
Chief (Exports)