

AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
LAW, JUSTICE, PARLIAMENTARY AFFAIRS AND HUMAN RIGHTS
DEPARTMENT MUZAFFARABAD

Dated: 23rd June, 2017

No. LD/Legis-Act/489-500/2017. The following Act of Assembly received the assent of the President on the 22nd day of June 2017, is hereby published for general information.

(ACT XXVII OF 2017)

An

Act

to give effect to the financial proposals of Azad Government of the State of Jammu and Kashmir

WHEREAS it is expedient to make provisions to give effect to the financial proposals of Azad Government of the State of Jammu and Kashmir to consolidate and amend certain Fiscal Laws for the purposes hereinafter appearing;

It is hereby enacted as follows:

1. Short Title, Extent and Commencement.- (1) This Act may be called the Azad Jammu and Kashmir Finance Act, 2017.

(2) It extends to the whole of Azad Jammu and Kashmir.

(3) It shall come into force at once.

2. Adaptation of the Amendments of Sales Tax Act, 1990 (Act, VIII of 1990).- (1) In the Sales Tax Act, 1990 (Act VIII of

1990), as adapted and enforced in Azad Jammu and Kashmir, hereinafter referred to as the said Act, except otherwise legislated by an Act of the Assembly, all the amendments made in the said Act and all rules, notifications, circulars and orders made or issued thereunder, as enforced in Pakistan at any time on or after the 3rd August, 2016 and before the commencement of this Act, shall also, as far as practicable, be deemed to have been made, at the same time, in the said Act, as enforced in the Azad Jammu and Kashmir by virtue of the Sales Tax (Adaptation) Act, 1993 (Act IV of 1993) with the modification that the words "Minister Incharge of", wherever occurring in the said Act shall be omitted.

(2) Notwithstanding any judgment or decision of any court including Supreme Court and High Court of Azad Jammu and Kashmir, anything done, tax levied, charged or collected, proceedings initiated, notices issued, orders passed, penalties

imposed, powers exercised or powers conferred on any authority

513

on or after the 3 August, 2016, in accordance with the amendments made in the said Act, as enforced in Pakistan, shall be deemed always to have been validly done, levied, charged, collected, initiated, issued, passed, imposed, exercised or conferred and so much of such tax have not been levied, charged, paid or collected, before coming into force of this Act, shall be leviable, chargeable and recoverable in accordance with the said amendments.

Adaptation of the Amendments in Federal Excise Act, 2005.-

(1) In the Federal Excise Act, 2005, as adapted and enforced in

Azad Jammu and Kashmir, hereinafter referred to as the said Act, except otherwise legislated by an Act of the Assembly, all the amendments made in the said Act and all rules, notifications, circulars and other orders made or issued there under, as enforced in Pakistan at any time on or after 3 August, 2016, and before the commencement of this Act, shall also, as far as practicable, be deemed to have been made, at the same time, in the said Act, as enforced in the Azad Jammu and Kashmir by virtue of the Azad Jammu and Kashmir Finance Act, 2005 (Act VIII of 2005) with the modification that the words "Minister Incharge of", wherever occurring in the said Act shall be omitted.

(2) Notwithstanding any judgment or decision of any court including Supreme Court and High Court of Azad Jammu and Kashmir, anything done, tax levied, charged or collected, proceedings initiated, notices issued, orders passed, penalties imposed, powers exercised or powers conferred on any authority on or after the 3rd August, 2016, in accordance with the amendments made in the said Act, as enforced in Pakistan, shall be deemed always to have been validly done, levied, charged or collected, initiated, issued, passed, imposed, exercised or conferred, done and so much of such tax have not been levied, charged, paid or collected, before coming into force of this Act, shall be leviable, chargeable and recoverable in accordance with the said amendments.

Sd/-
(Mehr-un-Nisa Qadri)
Section Officer (Legislation)