

THE [KHYBER PAKHTUNKHWA]
FINANCE ACT, 2009.

?[KHYBER PAKHTUNKHWA] ACT NO. XI OF 2009)

CONTENTS

PREAMBLE

SECTIONS

1. Short title, extent and commencement.
2. Substitution of Schedules-I to W.P. Act No. V of 1958.
3. Substitution of Schedule-I to Act No. XXXII of 1958.
4. Amendment of *[Khyber Pakhtunkhwa] Ord. No. VIII of 1983.
5. Amendment of “[Khyber Pakhtunkhwa] Act No. IV of 1990.
6. Amendment of *[Khyber Pakhtunkhwa] Act No. I of 1996.

*Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

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THE [KHYBER PAKHTUNKHWA] FINANCE ACT, 2009.
[KHYBER PAKHTUNKHWA] ACT NO. XI OF 2009]

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AN
ACT
to continue, revise and exempt certain taxes and fees
in the °[Khyber Pakhtunkhwa].

Preamble.---WHEREAS it is expedient to continue, revise and exempt
certain taxes and fees in the °[Khyber Pakhtunkhwa];

It is hereby enacted as follows:

1. Short title, extent_and_commencement.---(1) This Act may be called the [Khyber Pakhtunkhwa] Finance Act, 2009.
(2) It extends to whole of the *[Province of the Khyber Pakhtunkhwa].
(3) It shall come into force on the first day of July, 2009.
2. Substitution of Schedules-I_ to W.P. Act No. V_of 1958.---In the West Pakistan Urban Immovable Property Tax Act, 1958 (W.P. Act No. V of 1958), for the existing "Schedules-I", the Schedule, specified in Appendix-I to this Act shall be substituted.
3. Substitution of Schedule-I_ to Act No. XXXII of 1958.---In the West Pakistan Motor Vehicles Taxation Act, 1958 (Act No. XXXII of 1958), for Schedule-I, the Schedule specified in Appendix-II to this Act shall be substituted.
4. Amendment of *[Khyber Pakhtunkhwa] Ord. No. VIII of 1983.---In the Khyber Pakhtunkhwa] Real Estate Agents and Motor Vehicles Dealers

'Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

*Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

*Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

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°Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

"Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

(Regulation of Business) Ordinance, 1983 ('[Khyber Pakhtunkhwa] Ord. No. VIII of 1983),-

(i) in section 2, in clause (c), for the words "safe or purchase", the words and comma "sale, purchase or rent" shall be substituted; and

(ii) in section 5, in sub-section (1), the words "and furnishing of such security" shall be omitted.

5. Amendment of "Khyber Pakhtunkhwa] Act No. IV_ of 1990---In the [Khyber Pakhtunkhwa] Finance Act, 1990 ("[Khyber Pakhtunkhwa] Act No. IV of 1990), in section 7, for the existing Table, the Table specified in Appendix-III to this Act shall be substituted.

6. Amendment _ of 5[Khyber Pakhtunkhwa] Act No. I of 1996---In the [Khyber Pakhtunkhwa] Finance Act, 1996 (Act No. I of 1996), in section 11, in sub-section (3), in clause (ii), the semi-colon and the word "and" appearing at the end shall be replaced by a full-stop and thereafter clause (iii) shall be deleted.

'Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

*Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

*Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

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°Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

APPENDIX -I

[See section 2]

"SCHEDULE-I

[See section 3 (2)]

PART-'A'

Rate of taxin | Rate of tax at | Rate of tax at
Rate of tax at suburban areas District District
Provincial and (other than areas| Headquarters | Headquarters
S. No. Category Defunct Divisional covered by for old city (other than
headquarters for | column 3) of the | and extended | areas covered
old city and new | Provincial and area not by column 5) of
extended area. Defunct covered by the District
Divisional column No.4. | Headquarters.
Headquarters.

1. 2. 3. 4. 5. 6.

1 Upto 5 Marlas (other Rs.750/- Rs.325/- Rs.300/- Rs.150/-

'| than self occupied). Per Annum Per Annum Per Annum Per Annum

2. | Exceeding 5 Marlas but Rs.1500/- Rs.750/- Rs.750/- Rs500/-
not exceeding 10 Per Annum Per Annum Per Annum Per Annum
Marlas.

3. | Exceeding 10 Marlas Rs.2000/- Rs.1000/- Rs.1000/- Rs.500/-
but not exceeding 15 Per Annum Per Annum Per Annum Per Annum
Marlas.

4. | Exceeding 15 Marlas Rs.3000/- Rs.1500/- Rs.1500/- Rs.750/-
but not exceeding 20 Per Annum Per Annum Per Annum Per Annum
Marlas.

5. | Exceeding 20 Marlas Rs.7000/- Rs.3500/- Rs.2500/- Rs.1750/-
but not exceeding 40 Per Annum Per Annum Per Annum Per Annum
Marlas.

6. | Exceeding 40 Marlas. Rs.10000/- Rs.6000/- Rs.5000/- Rs.3500/-

Per Annum Per Annum Per Annum Per Annum

PART 'B'

Buildings acquired for the use as offices by Government, Semi-Government, Non-

Governmental Organizations, Development Financial Institutions, private
commercial organizations, or by Banks shall be assessed for the purposes of tax on
the basis of twenty percent of the actual annual rent; whereas the buildings
heretofore mentioned, if rented out for residential purpose, shall be taxed on 15% of
the actual rent during the year. In case buildings other than those exempted under
section 4 of this Act, which are owned and occupied by such organizations, tax shall
be levied on the assessed annual rental value of such buildings.”.

APPENDIX-II

See section 2

"Schedule-I

See section 4

Category of Motor Vehicle

Motor Cycle / Scooter.

Rate of Fee

One per cent of the
value of vehicle

Motor Cars, Jeeps, Vans, Double Cabin/Sing
Cabin Pickups etc. upto 1300CC Engine power.

Motor Cars, Jeeps, Vans, Double Cabin/Sing
Cabin Pickups etc. from 1300CC upto 2500 C
Engine power.

Motor Cars, Jeeps, Vans, Double Cabin/Single
Cabin Pickups etc. of above 2500 CC Engine
power.

Trucks/Busses and commercially used Vans, Single
Cabin Pickups, Motor Cab Rickshaws and Motor
propelled Tricycles etc.

Tractors.

One per cent of the
value o

Two per
value o

Four per
value o

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hicle.

cent of the

hicle.

cent of the

hicle.

One per cent of the

value o

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hicle.

Rs. 1000.”.

APPENDIX-II
[SEE SECTION 5]

“TABLE

S.No Description of Tax Payers Rates of Tax

1 2 3

1 (i)- All persons engaged in any profession, trade, calling or employment, other than those specifically mentioned hereinafter, in the ‘Khyber Pakhtunkhwa], whose monthly income or earning,-

- (a) when exceed Rs.3,000/- but not exceed Rs.6,000/- Exempted
- (b) when exceed Rs.6,000/- but not exceed Rs.10,000/- Rs.120.00
- (c) when exceed Rs.10,000/- but does not exceed Rs.180.00

Rs. 20,000/-

- (d) when exceed Rs.20,000/- Rs.240.00

(ii)- Employees of Federal and Provincial Government drawing pay in Basic Scales:

- (a) BS-1 to 16. Exempted
- (b) BS-17. Rs.100.00
- (c) BS-18. Rs.150.00
- (d) BS-19. Rs.200.00

(e) BS-20 and above. Rs.300.00

2- All Limited Companies, Modarbas, Mutual Funds and any other body corporate with paid capital or paid up capital and reserves in the preceding year, which ever is more,-

- (a) when not exceeding Rs.10 million. Rs.10,000.00
- (b) when exceeding Rs.10 million but not exceeding Rs. 25 —_ Rs.15,000.00 million;
- (c) when exceeding Rs.25 million but not exceeding Rs. 50 —_Rs.20,000.00 million;
- (d) when exceeding Rs.50 million but not exceeding Rs.50,000.00 Rs. 100 million;
- (e) when exceeding Rs.100 million but not exceeding Rs.75,000.00

Rs. 200 million; and

- (f) when exceeding Rs.200 million.

Explanation.- The paid up capital in case of foreign banks shall be the minimum paid up capital as determined by the State Bank of Pakistan.

'Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

Rs.100,000.00

6-

7-

8-

9-

10-

11-

12-

Persons, other than companies, owning factories, commercial establishments, private education institutions and private hospitals, having the following commercial establishments:

a- Any Commercial establishment/factories having 10 or more employees which have not been otherwise explicitly given in this Table.

b- Private hospitals having upto 10 employees.

c- Private hospitals having employees more than 10 but not more than 50.

d- Private hospitals having more than 50 employees.

e- Private education institutions including professional and technical institutions charging monthly fee not exceeding Rs.1000/- per student.

f- Private education institutions including professional and technical institutions charging monthly fee exceeding Rs.1,000/- but not exceeding Rs.2,000/- per student.

g- Private education institutions including professional and technical institutions charging monthly fee exceeding Rs.2,000/- but not exceeding Rs.5,000/- per student

h- Private education institutions including professional and technical institutions charging monthly fee exceeding Rs.5,000/- per student

Holders of import or export license, assessed to income tax

in the preceding year with annual turn over-

(a) when not exceeding Rs.50,000.00

(b) when exceeding Rs.50,000.00

Clearing Agents licensed or approved as Custom House

Agents.

Travel Agents-

(a) IATA.

(b) Non-IATA.

Restaurants liable to Sales Tax.

Professional Caterers.

Wedding Halls/Lawns (irrespective of their nomenclature).

Advertising Agencies.

DOCTORS.

a- Specialists.

b- Non specialists including Medical Practitioners, Hakeems, Homeopaths.

“Diagnostics and Therapeutic Centers” including pathological and chemical Laboratories”

a- Located at Divisional Headquarters.

Rs.2,000.00

Rs.3,000.00

Rs.5,000.00

Rs.10,000.00

Rs.1,500.00

Rs.2,000.00

Rs.3,000.00

Rs.4,000.00

Rs.2000.00

Rs.3000.00

Rs.1500.00

Rs.7500.00

Rs.5000.00

Rs.10,000.00

Rs.10,000.00

Rs.25,000.00

Rs.5000.00

Rs.3,000.00

Rs.1,000.00

Rs.10,000.00

14-

15-

16-

b- Located at other places.

Contractors, Suppliers and Consultants who, during preceding financial year supplied to the Federal or any Provincial Government or any local authority, in the District Goods, Commodities, or rendered service of the value.-

- a) When exceeding Rs.10,000/- but not exceeding Rs.1.00 million.
- b) When exceeding Rs.1.00 million but not exceeding Rs.2.500 million.
- c) When exceeding Rs.2.50 million.

Petrol/diesel/C.N.G. Filling Stations-

All establishments, including video shops, real estate shops/agencies, card dealers, and net cafes assessed or not assessed to income tax in the preceding financial year.

Chartered Accountants with an independent audit practice and excluding those who are employed in companies not owned by them.

Rs.2,000.00

Rs.3000.00
Rs.5,000.00

Rs.15000.00
Rs.5000.00

Rs.2,000.00

Rs 10,000.00
per annum.”.