

THE PAKISTAN DAY MEMORIAL CESS WEST PAKISTAN
ACT, 1964.

WEST PAKISTAN ACT NO. XXIX OF 1964

[20" April, 1964]

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* Substituted vide W. P. Ord. No. VII of 1969.

* Inserted vide West Pakistan Ord. No. V of 1966.

THE PAKISTAN '[DAY] MEMORIAL CESS WEST PAKISTAN
ACT, 1964.

WEST PAKISTAN ACT NO. XXIX OF 1964

[20" April, 1964]

AN

ACT

to raise funds for the Pakistan *[Day] Memorial.

WHEREAS it is expedient to raise funds for the Pakistan 2[Day]
Memorial in West Pakistan;

It is hereby enacted as follows:—

1. (1) This Act may be called the Pakistan *[Day] Memorial Cess (West
Pakistan) Act, 1964.

(2) It shall extend to the whole of the "[Province of the Khyber
Pakhtunkhwa] except the Tribal Areas.

(3) It shall come into force at once.

S[1-A. In this Act, unless the context otherwise requires, the following
expressions shall have the meanings hereby respectively assigned to them, that

is to say—

(a) 'cess' means the Pakistan Day Memorial Cess to be levied
under section 2;

(b) 'Committee' means the Pakistan Day Memorial Committee
constituted under section 4-A;

(c) 'Fund' means the Pakistan Day Memorial Fund established
under section 4-B;

"Inserted vide W. P. Ord. No. V of 1966.

* Inserted vide W. P. Ord. No. V of 1966.

* Inserted vide W. P. Ord. No. V of 1966.

4 Substituted vide Khyber Pakhtunkhwa Act, No. IV of 2011.

5 Inserted vide W. P. Ord. No. V of 1966.

Preamble.

Short title,
extent and
duration.

Definitions.

(d) 'Government' means the Government of '[Khyber Pakhtunkhwa.]

2. (1) A cess shall be levied and collected, as hereinafter provided, upon all tickets issued for admission to cinema houses and race-courses.

(2) Such cess shall be levied—

(a) in the case of tickets for admission to cinema houses, at the rate of five paisa per ticket; and

(b) in the case of tickets for admission to race courses, at the rate of fifty paisa per ticket.

3. The cess described in section 2 shall be levied and collected, so far as may be, and subject to the rules made under this Act in the same manner as the entertainment duty payable under the West Pakistan Entertainments Duty Act, 1958.

*[“4. The cess shall be levied up to the thirtieth day of June, 1969”.

(2) Notwithstanding anything contained in sub-section (2) of section 4-B of the Pakistan Day Memorial Cess (West Pakistan) Act, 1964, the proceeds of the cess imposed under the said Act, as modified by this Ordinance, payable on or after the 1st day of July 1968, shall be credited into the Provincial Consolidated Fund of West Pakistan.]

3[4-A (1) Government shall, as soon as may be, constitute a Committee, to be known as the Pakistan Day Memorial (West Pakistan) Committee, which shall consist of the Commissioner, Lahore Division, as its Chairman, and such other official and non-official members, as may be appointed by Government.

(2) The Committee shall be a body corporate, having perpetual succession and a common seal, with power to enter into contracts and to acquire property, both movable and immovable, and may sue and be sued in its corporate name.

(3) Subject to the general control and superintendence of Government, the Committee shall—

' Substituted vide Khyber Pakhtunkhwa Act, No. IV of 2011.

* Substituted vide W. P. Ord. No. VII of 1969.

* Inserted vide West Pakistan Ord. No. V of 1966.

Levy of
cesses.

Manner of
Levying and
collecting the
cess.

Period for
which cess
may be

levied.

Constitution
and composition of the
committee
and its
function.

(a) be responsible for the construction of the Pakistan Day Memorial at Lahore to Commemorate the passing of the Pakistan Resolution on the 23TM of March, 1940, and for this purpose to raise loans, enter contracts, execute works and take such other action as may be necessary or may be required by Government;

(b) perform such other functions and duties as may be specified in the rules framed under section 5.

4-B. (1) There shall be a Fund to be known as the Pakistan Day Memorial Fund to the credit whereof shall be placed—

(a) the proceeds of the cess;

(b) loans and grants made by Government for construction of the Pakistan Day Memorial at Lahore;

(c) such proceeds from other sources of income as Government may direct to be credited to the Fund; and

(d) all other sums received by the Committee.

(2) The Fund shall be applied for the purposes of the construction of the Pakistan Day Memorial at Lahore and the repayment of loans received in connection there with, and if any sum remains unspent in the Fund after meeting with such expenditure, the sum so remaining unspent may be used for such public purposes as Government may direct.

4-C (1) When the Pakistan Day Memorial at Lahore has been completed to the satisfaction of Government, Government may, by an order to be notified in the official Gazette, dissolve the Committee and entrust the maintenance of the Memorial to such authority as may be specified in such order.

(2) An order made under sub-section (1) may, among other matters, specify the consequences which shall ensue upon the dissolution of the committee, including the disposal of its assets and liabilities.]

[5. (1) Government may make rules for carrying into effect the provisions of this Act.]

' Renumbered vide W. P. Ord. No. V of 1966.

Pakistan Day
Memorial
Fund.

Dissolution
of the
Committee.

Rules.

'[(2) In particular and without prejudice to the generality of the power conferred under sub-section (1), such rules may provide for all or any of the following matters, namely:—

(a) the functions to be performed by the Committee in addition to those specified in section 4-A (3)

(b) the conduct of business by. the Committee,

(c) the maintenance of accounts of proceeds of the Fund and their audit,

(d) the execution of works from out of the proceeds of the Fund, including their administrative approval and technical sanction.]

' Added vide W. P. Ord. No. V of 1966.