

EXTRAORDINARY
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PART I
Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY OF PAKISTAN
Islamabad, the 9th February, 1973

The following Acts of the National Assembly received the assent of the President on the 9th February, 1973, and are hereby published for general

information :—
ACT No. XXIE of 1973

An Act further to amend the West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance, 1968.

WHEREAS it is expedient further to amend the West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance, 1968 (West Pakistan Ordinance No. VI of 1968). for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. Short title and commencement.—(1) This Act may be called the West Pakistan Industrial and Commercial Employment (Standing Orders) (Amendment) Act, 1973.

(2) It shall come into force at once.

2. Amendment of section 1, W.P. Ordinance No. VI of 1968.—In the West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance, 1968 (W.P. Ordinance No. VI of 1968), hereinafter referred to as the said Ordinance in section 1. in sub-section (4),

(a) for clauses (a) and (b) the following shall be substituted, namely :—

“(a) every industrial establishment or commercial establishment wherein

twenty or more workmen are employed, directly or through any
(59)

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Societies Registration Act, 1860 (XXJ of 1860), stand dissolved, and upon such dissolution—

(a) all-assets, rights, powers, authorities and privileges and all property, movable and immovable, cash and bank balance, reserve funds, investments and all other interests and rights in, or arising out of, such property and all debts, liabilities and obligations of whatever kind of the registered Council subsisting immediately before its dissolution shall stand transferred to and vest in the Council ;

(6) all officers and other employees of the registered Council shall, notwithstanding anything contained in any law or in any agreement, deed, document or other instrument, stand transferred to the Council and shall be deemed to have been appointed or engaged by the Council in accordance with the terms and conditions of service applicable to them; and no officer or other employee whose services are so transferred shall be entitled to any compensation because 'of such transfer ;

(c) all debts and obligations incurred or contracts entered into or rights acquired and all matters and things engaged to be done by, with or for the registered Council before its dissolution shall be deemed to have been incurred, entered into, acquired or engaged to be done by, with or for the Council; and

(d) all suits and other legal proceedings instituted by or against the registered Council before its dissolution shall be deemed to be suits and proceedings by or against the Council and may be proceeded or otherwise dealt with accordingly.

(2) The Federal Government may, for the purpose of removing any difficulty in relation to the transfer and other matters specified in sub-section (1), make such order as it considers expedient and any such order shall be deemed to be, and given effect to, as a part of the provisions of this Act.

ACT No. XXXI of 1973

An Act to provide for introducing a scheme for the import of machinery and equipment' on credit for establishing certain industrial units and enterprises

Whereas' it is expedient to provide for introducing a scheme for the import of machinery: and equipment on credit for certain industrial units and enterprises ;

_It is hereby enacted as follows :—

'1. Short title and commencement.—(i) This. Act may be called the Pay-As-You-Earn Scheme Act, 1973.

(2) It shall come into force at once.

2: Definitions.—in this Act, unless there is anything repugnant in the subject or context,—

(a). "Prescribed" means prescribed by the Scheme or the rules made under this Act ;. and

(b) "Scheme" means the scheme brought into force under section 3.

3. The Scheme.—(1) The Federal Government may prepare and, by notification in the official Gazette, bring into force a scheme, to be known as the Pay-As-You-Earn Scheme, for the import of machinery and equipment on credit for the establishment of an industrial unit or enterprise and requiring that the cost of the machinery or equipment so imported, and such other charges in foreign exchange as may be prescribed, shall be met from out of the export earnings of such industrial unit or enterprise.

(2) The Scheme may specify, among other things, the categories of industrial units or enterprises for the establishment of which machinery or equipment may be imported under the Scheme, the proportion of export earnings which may be utilized by an industrial unit or enterprise for meeting charges in foreign exchange, the procedure for sanctioning of projects and scrutiny of list of importable machinery, and the terms and conditions of foreign credits.

4. Power to make rules.—(1) The Federal Government may, by notification in the official Gazette, make rules for the administration of the Scheme.

(2) Any rules made under sub-section (1) may provide that an industrial unit or enterprise shall,

(a) -if it fails to- repatriate to Pakistan any foreign exchange which it is required by the Scheme to repatriate ; or : "

(b) if the prescribed percentage of its export earnings. .is- not sufficient to meet the cost of the machinery and equipment and. the when prescribed charge in foreign exchange,

be liable to pay to the State Bank of Pakistan by way of penalty a sum not exceeding twenty-seven per cent, of the value in Pakistan rupees of the amount of foreign exchange it fails to repatriate or, as the case may be, of the amount by which its export earnings fall short of the aggregate of the cost and charges referred to in clause (b).

(3) Arty amount payable by an industrial unit or enterprise as a penalty under the rules made under sub-section (i) shall be recoverable as an arrear of land revenue. -

5. Repeal—The Pay-As-You-Earn Scheme Ordinance, 1972 (LIX of 1972), is hereby repealed.