Regulatory Procedure

PROCEDURE FOR REGISTRATION AND DE-REGISTRATION OF SALES TAX



Small and Medium Enterprises Development Authority

Ministry of Industries & Production Government of Pakistan www.smeda.org.pk

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1-INTRODUCTION OF SMEDA

The Small and Medium Enterprise Development Authority (SMEDA) was established with the objective to provide fresh impetus to the economy through the launch of an aggressive SME development strategy.

Since its inception in October 1998, SMEDA had adopted a sectoral SME development approach. A few priority sectors were selected on the criterion of SME presence. In depth research was conducted and comprehensive development plans were formulated after identification of impediments and retardants. The all-encompassing sectoral development strategy involved overhauling of the regulatory environment by taking into consideration other important aspects including finance, marketing, technology and human resource development.

SMEDA has so far successfully formulated strategies for sectors, including fruits and vegetables, marble and granite, gems and jewellery, marine fisheries, leather and footwear, textiles, surgical instruments, transport and dairy. Whereas the task of SME development at a broader scale still requires more coverage and enhanced reach in terms of SMEDA's areas of operation.

Along with the sectoral focus a broad spectrum of services are now being offered to the SMEs by SMEDA, which are driven by factors like enhanced interaction amongst the stakeholders, need based sectoral research, over the counter support systems, exclusive business development facilities, training and development for SMEs and information dissemination through wide range of publications.

2-ROLE OF LEGAL SERVICES CELL

The Legal Services Cell [LSC] is a part of Business Sector Development Services (B&SDS) Division of SMEDA and plays a key role in providing an overall facilitation and support to SMEs. The LSC provides guidance based on field realities pertaining to SMEs in Pakistan and other parts of the world.

LSC believes that information dissemination among the SMEs on the existing regulatory environment is of paramount importance and it can play a pivotal role in their sustainable development.

In order to facilitate SMEs at the Micro Level LSC has developed user-friendly systems, which provide them detail description of the Laws, and Regulations including the process and steps required for compliance.



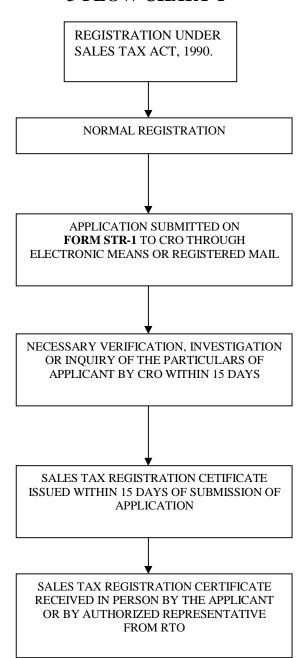
Procedure for Registration / De-Registration of Sales Tax

Legal Services Cell

The purpose of this document is to provide SMEs with information pertaining to a Registration and de-Registration procedure under the Sales Tax Act, 1990. Individuals / Companies interested in enhancing their understanding about the procedures can also use the document and documentation required to comply with registration procedure. For convenience of the readers a process flow chart and sample of various forms are also included in this document.



3-FLOW CHART-I





1) WHO SHOULD REGISTER?

Following are the persons who are required to be registered under the Sales Tax Act, 1990;

- > All importers
- ➤ All wholesalers (including dealers) and distributors
- Manufacturers not falling in cottage industry. {Cottage industry is defined as having annual turnover below Rs.5 million and whose annual utility bill (including electricity, gas and telephone) does not exceed rupees six hundred thousand}.
- Retailers (having value of supplies of over 5 million rupees, in any tax period during the last 12 months.
- A person required under any Provincial or Federal Law to be registered for purpose of any duty or tax collected or paid as if it were a levy of sales tax, e.g. service providers like hotels, clubs, caterers, customs agents, ship chandlers, stevedores, courier services etc.
- > Persons making zero-rated supplies, including commercial exporters who intend to obtain sales tax refund against their zero rated supplies.

2) PROCEDURE TO OBTAIN SALES TAX REGISTRATION CERTIFICATE

Following is the procedure to apply and obtain Sales Tax Registration Number:

a) APPLICATION FORM

A single Form "STR-1" has been developed by the Tax Department for Companies/AoPs/Individuals to apply for Sales Tax Registration. This Form can be downloaded from http://www.cbr.gov.pk/newst/RegRule/Default.asp (a sample form is attached)

b) SUBMISSION OF APPLICATION

The applicant can send the filled Form "STR-1" through registered mail or courier service to Central Registration Office (CRO) or it may be filled and submitted online. For step by step online submission of application for Sales Tax Registration please visit https://e.fbr.gov.pk.

c) VERIFICATION OF PARTICULARS

Within fifteen days of the receipt of duly completed STR-1 From, applied whether manually or online, the CRO shall through telephonic or physical inquiry, as the case maybe, verify the particulars given in the application by the applicant. The CRO may also verify the particulars by accessing databases of NTN as well as of NADRA. If the applicant is a manufacturer the CRO through Local Registration Officer (LRO) shall physically verify the place of manufacturing.

d) ISSUANCE / REJECTION OF CERTIFICATE

On completion of verification or inquiry the CRO shall either issue the sales tax registration certificate or the application may be rejected if it is not satisfied with the particulars provided in the application.



Procedure for Registration / De-Registration of Sales Tax

Legal Services Cell

e) RECEIVING OF SALES TAX REGISTRATION CERTIFICATE

Sales Tax Registration Certificate, whether it is applied electronically or manually, should be received in person at the Regional Tax Office (RTO) (addresses hereinafter mentioned) by the applicant or his/her authorized representative. At the time of receiving the Sales Tax Registration Certificate, the applicant or his/her authorized representative shall show his / her Original CNIC and original documents required for sales tax registration.

Note:

Prior to the application for sales tax registration the applicant should have the National Tax Number.

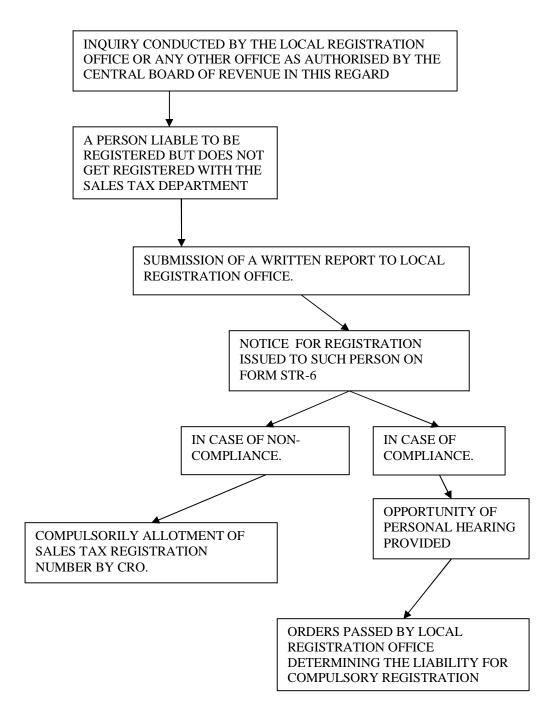
3) **DOCUMENTS REQUIRED**

Following original documents should be shown at Regional Tax Office (RTO) to receive the Sales Tax Registration Certificate:

- 1. CNIC of applicant or the authorized representative
- 2. Last paid electricity bill of the connection installed at the address given in the Form STR-1
- 3. Electronic Acknowledgement Receipt (printed at the time of online submission of the application Form STR-1) or the registered mail or courier service receipt in case of manual submission.
- 4. NTN of the applicant



4-FLOW CHART-II (COMPULSORY REGISTRATION)





5) PROCEDURE FOR COMPULSORY REGISTRATION

If a person, who is required to be registered under the Sales Tax Act 1990, for example a manufacturer who's turnover is more than five million rupees, does not apply for registration with the sales tax department, the department shall register that person compulsorily, under the Sales Tax Act, 1990 after following the procedural formalities.

a) WRITTEN REPORT AND ISSUANCE OF NOTICE

After such inquiry as deemed appropriate, if the Local Registration Office or any other office as may be authorized by the Federal Board of Revenue (FBR) or the Collector sales tax is satisfied that a person is required to be registered, it shall submit a written report to the Local Registration Office. On receipt of such report, the Local Registration Office shall issue a notice to such person on a prescribed form STR-6, which shall contain the time and manners of compliance of the notice.

b) IN CASE OF COMPLIANCE OF NOTICE

Where the person to whom the Notice for compulsory Registration is issued contests his liability to be registered through written reply to such notice, the LRO shall grant such person an opportunity of hearing, if so desired by such person. After such hearing the LRO shall pass an order whether or not such person is liable to compulsory registration. A copy of the said order shall be provided to the said person.

c) IN CASE OF NON-COMPLIANCE OF NOTICE

Where the person to whom the notice for compulsory registration is issued, does not respond within the time specified in the notice, the Local Registration Office will send the particulars of the person to the Central Registration Office, which shall compulsorily register the said person and allot him a registration number. Such registration number which shall be delivered to the said person either in person through Local Registration Office or through registered mail (acknowledgment due) or through courier service.

d) EFFECT OF COMPULSORY REGISTRATION

Where a person is compulsorily registered, he is bound to comply with all the provisions of the Sales Tax Act and the rules made thereunder from the date of his registration. In case of his failure to fulfill the requirement of the Act, the Local Registration Office may take any legal action against such person.

e) CANCELLATION OF COMPULSORY REGISTRATION

Where, subsequently it is established that the person compulsorily registered was wrongly registered due to inadvertence, error or misconstruction, the Central Registration Office on the recommendation of the Local Registration Office shall cancel the registration of such person, and such person shall not be liable to pay any tax or penalty under the Sales Tax Act.



6) <u>CHANGE IN THE PARTICULARS OF REGISTRTION</u>

The registered person is legally bound to intimate the sales tax department in case there is a change in the name, address or other particulars as stated in the registration application or certificate. The registered person shall notify the changes in the prescribed form **STR-1**, to the Central Registration Office. The registered person shall intimate the change within fourteen days of such change to the CRO.

Note:

The change of business category as 'manufacturer' shall be allowed after verification by LRO.

7) TRANSFER OF REGISTRATION

The Central Registration Office has the power to transfer the registration of a registered person from the jurisdiction of one Collector to another Collector or, as the case may be, to the Director General of Large Taxpayers Unit.

- On transfer of registration all the records and responsibilities relating to such registered person are transferred to the Collector or, as the case may be, to the Director General of Large Taxpayers Unit in whose jurisdiction the registration has been so transferred; and
- notwithstanding the actions already taken, being taken or otherwise pending immediately before the transfer in respect of such registered person under any of the provisions of the Act or the rules made there under in the Collectorate from where his registration has been transferred, the Collectorate, or as the case may be, the Director General of Large Tax payer Unit, in whose jurisdiction the registration is so transferred shall exercise the jurisdiction over such person in the manner as if he always had such jurisdiction.

In case of transfer of registration, the Central Registration Office issues a new certificate of registration to the taxpayer in lieu of the previous certificate. The new certificate will contain a reference to the previous certificate of registration.

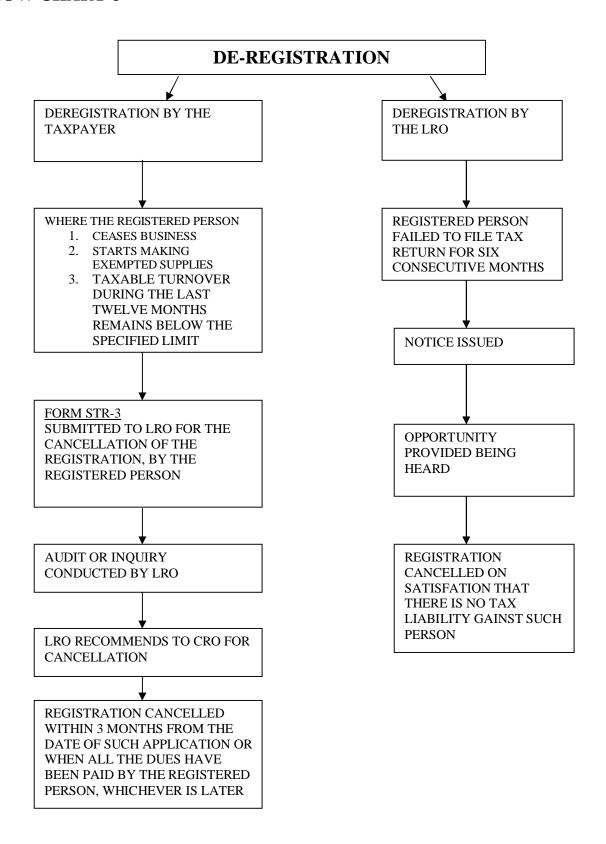
In case a registered person intends to shift his business activity from the jurisdiction of one Collector to another, or has any other valid reason for such transfer, an application is made to the Central Registration Office for transfer of registration. In such case, same procedure of transfer as stated above will be applicable.

8) CANCELLATION OF MULTIPLE REGISTRATIONS

In case a person holds multiple sales tax registrations, he shall retain only one registration and surrender all other registrations under intimation to CRO. Alternatively, such registered person shall file only one return for the period of July 2008, and onwards, against the registration number he wishes to retain and all other registration numbers shall be cancelled by CRO.



9-FLOW CHART-3





10) PROCEDURE FOR DEREGISTRATION

There are following two ways to get de-registered: -

a) DE-REGISTRATION ON TAXPAYER'S APPLICATION

Every registered taxpayer shall apply to the Local Registration Office for cancellation of his registration under the following circumstances:

- 1. End / cease of business
- 2. supplies become exempt
- 3. Total taxable turnover during the last twelve months remains below the specified limit

The application for de-registration shall be made in form **STR-3**, by the registered person to the Local Registration Office. The Local Registration Office may recommend to the Central Registration Office to cancel the registration of that person:

- from such date as may be specified but not later than **three months** from the date of such application, or
- the date of all the dues outstanding against such person are deposited by him, whichever is later.

The Local Registration Office, upon completion of any audit or inquiry which may have been initiated consequent upon the application of the registered person for de-registration shall direct the applicant to discharge any outstanding liability which may have been raised against him by filing a final return under the provisions of the Act.

b) DE-REGISTRATION BY LOCAL REGISTRATION OFFICE

if a registered person fails to file tax return for six consecutive months, the LRO may, without prejudice to any action that may be taken under any other provision of the Sales Tax Act, 1990 after issuing a notice in writing and after giving an opportunity of being heard to such person, recommend to the CRO for cancellation of the registration after satisfying itself that no tax liability is outstanding against such person.

11) BLACKLISTING AND SUSPENSION OF REGISTRATION

Where a Collector has reasons to believe that a registered person is found to have issued fake invoices, or evaded tax or has committed tax fraud, he may, after confirming the facts and the veracity of the information and giving opportunity to such person to clarify his position, blacklist such person or suspend his registration.



Procedure for Registration / De-Registration of Sales Tax

Legal Services Cell

Address Central Registration Officer (to send the application Form STR-1 by registered mail or Courier Service)

Revenue Division Federal Board of Revenue House Constitution Avenue, G-5 Islamabad Tel No: 9207540



Addresses Regional Tax Offices (RTOs) (to receive the Sales Tax Registration Certificate)

Islamabad	Lahore	Karachi			
Incharge NTN Cell, Plot# 210 Street # 07, I-9/2, Industrial Area, Islamabad. Ph # 051-9241768	Incharge NTN Cell, 1st Floor, Billaur Palace,Mcleod Road, Lahore. Ph # 042-7312732	Incharge NTN Cell, 3rd Floor, Income Tax Building, Shahrah-e-Kamal Attaturk, Karachi. Ph # 021-9211330 021-9211068 Fax # 021-9212534			
Sukkur	Multan	Faisalabad			
Incharge NTN Cell, Ground Floor, Income Tax House, Queens Road, Sukkur Ph # 071-9310149 Fax # 071-9310148	Incharge NTN Cell, 56, Tariq Road, Income Tax House, Multan. Ph # 061-9201101 Fax # 061-9201102 Incharge NTN Cell, Second Floor, Income Tax Buil Opp: Allied Hospital, Sargodha Faisalabad. Ph # 041-9210310 Fax # 041-9210126				
Gujranwala	Sialkot	Peshawar			
Incharge NTN Cell, Ground Floor, Income Tax Buildig, G. T. Road, Gujranwala Ph # 055-9200796 055-9200797	Incharge NTN Cell, Ground Floor, Income Tax Building, Katchery Road, Sialkot Ph # 052-9250430	Incharge NTN Cell, Ground Floor, Regional Taxpayer's Office (RTO's), Income Tax Building, Jamroud Road, Peshawar Ph # 091-9206091 Fax # 091-9206092			
Quetta	Fax # 052-9250429	Bahawalpur			
Incharge NTN Cell, Ground Floor, Income Tax Office, Spinny Road, Quetta Ph # 081-9202185 Fax # 081-9201376	Incharge NTN Cell, Ground Floor, Income Tax Building, Civil Lines, Hyderabad. Ph # 022-2782961 022-2782962 Fax # 022-9200205	Incharge NTN Cell, Computer Center, 32-C, Near H.B.L, Model Town-A, Shabbir Shaheed Road, Bahawalpur Ph # 062-9255280 062-9255281-83			
Sahiwal	Sargodha	Rawalpindi			
Incharge NTN Cell, Income Tax Complex, Canal Colony, Sahiwal Ph # 040-9200089 Fax #040-9200180	Incharge NTN Cell, Computer Center, 10-A Club Road, Civil Lines, Sargodha. Ph # 048-9230682 048-9230683-84	Incharge NTN Cell, Ground Floor, Regional Taxpayer Office (RTO's), Income Tax Building 12-Meyo Road, Rawalpindi Ph # 051-9270456, (051-9270411- Ext 242,243)			



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: 1	A/C Title Type	Tale of Account Check (v) the relevant not showing Account Type such at PLS or Current as the case may be.									
	27 Back Norma	Write bank name in althousiated form, e.g. MCS for blue for Commond Bank, NBP for Hatlorial Bank of Pakistan.	City Back for City Back								
	Dig Bronch	Marrie of the City is which toest brench is located Name of the bank branch with branch Clode									
	28 Novi Date	Stort Date of the trans. Account, date should be written in the format of DID-MM-YYYY,									
Ц	Other Disp. 26 VINITERS	Close Date of the bank Account, in case the account is obsect. This is applicable only when Close Account is sale									
	Name	NINE FIRM of the Employer, in case of applicant howing States inventor on Paragraph Artists, (FTM - Proc Tax Name). No recall Employer	art all slied to Sout, Departments)								
	39 Adoresa	Anthesis of Employer									
	City	City of Employor's Head Office									
	31 Declaration	Decision in the eighert by the applicant or blober authorized representative.									
	0802Pasture No.	Does of signing the application, in the farmet of DO-MMS-YYYY. CNI-CNI-control from the applicant. Applicant can be the Person timiner self-or Nather authorized representative in	series writer faster action								
1	Nerw of Aprilicent	Name of Applicant as appearing in the CNIC/Passport.									
Declaration	Squaterer	Figurelanes of the applicant.									
1	Tax Registration Form co	be submitted as follows:									
- 1	 Duly completed application form along with replace of required recomments can be collected at any of the (13) Regional Tax Offices or TACs. On the application can see be prepared by writing the FBR website https://ex.fbc.gov.gk. Online substated for positiones can also be downwarded. 										
		3) NTN Conflicted enough the recovery in person of RCO by the applicant or his authorized representative, after one working day of autocards receptures									
		verification. At the time of receiving the NTM Cestificate, Original CNEC about the process. If we associated representative of to receive the NTM Cestificate than Original Authority Letter and original CNEC or the sufficient about the RTM TPC Doublet. 19 Request for Change is Platforate is also precessed as received at 5% - 122 above. 59 Por Request of Depticals Cestificate, complete patients when the provided Cestificate about the interest cestificate is a sufficient or Some Parket of Rs. 10 should be abouted with the application. For all applications. Dupy of the last partitional consociation is the address given in the Registery Port on of the fair in (ETR-1).									
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	Attaclaments										
		For an exponent was 1. Supply of the second green in the consequent restored piece in the negative front on of the faire-(pine-1) for the desirable of 1. Copy of ONC Presigns									
		For Company 1) Capy of Child of Aprillant 2) Copy of ISCP Incorporation Certificate 1) Applications of all owners. If not already NTN haster									
	10.0	For ADP 1) Cropy of CHIC of Applicant. 2) Copy of ACF Agreement. If acplicable 3) Applications of all									
1	619 RTO Karachi, Opposito	5.0	O refamabed, Blue Area								
1	62) RTO Lations, nation R: 63) RTO Pastesser, Jann.		List of TFCs available s								

