

Government of Pakistan
(Revenue Division)
Federal Board of Revenue

NOTIFICATION

Islamabad, the 1st October, 2024.

S.R.O. 1621 (I)/2024.- The following draft of further amendment in the Customs Rules, 2001, which the Federal Board of Revenue proposes to make in exercise of its powers conferred by section 219 of the Customs Act, 1969 (IV of 1969), section 50 of the Sales Tax Act, 1990, section 40 of the Federal Excise Act, 2005 and section 237 of the Income Tax Ordinance, 2001 (XLIX of 2001), is hereby published for information of all persons likely to be affected thereby and, as required under sub-section (3A) of the said section 219, notice is hereby given that objections or suggestions thereon, if any, may for consideration of the Board be sent within fifteen days of publication of the draft amendments in the official Gazette. Objections or suggestions which may be received from any person, before the expiry of the aforesaid period, shall be taken into consideration by the Federal Board of Revenue, namely:-

DRAFT AMENDMENT

In the aforesaid Rules, in Chapter XXXIX, after Sub-Chapter 5, the following new Sub-Chapter 6 shall be added, namely,-

“Sub-Chapter 6

Regulatory Mechanism for Import of Vehicles by Gwadar Zone and Free Zones Area
Concession Holder and its Operating Companies Rules, 2024

870E. Short title and commencement.- This regulatory mechanism shall be called the Import of Vehicles by Gwadar Zone and Free Zone Area Concession Holder and its Operating Companies Rules, 2024.

(2) These rules shall come into force at once.


870F. Definitions.- In these rules, unless there is anything repugnant in the subject or context,-

- (a) "Authority" shall have the same meaning as assigned thereto in the Gwadar Port Authority Ordinance, 2002 (LXXVII of 2002);
- (b) "Collector of Customs", in relation to these rules, means the Collector of Customs, Gwadar in whose jurisdiction Gwadar port and Free Zone is established;
- (c) "concession-holder" means China Overseas Ports Holding Company Limited (COPHCL) and its operating companies;
- (d) "Declaration Form" means the declaration form set out on the format (in **Annex-A**) submitted by the importing company in respect of vehicles being imported; and
- (e) "vehicle" means vehicles imported by the concession holders and its operating companies for a period of twenty-three (23) years for constructions, development and operations of Gwadar port and Free Zone Area under the regulatory mechanism.

870G. Eligibility.- The concession holders and its operating companies shall be eligible to import vehicles under PCT Code 9917(3) (iii) of Pakistan Customs Tariff.

870H. Declaration form for import of vehicles.- The eligible importer shall furnish to the Authority or any other officer authorized by it in this behalf details of vehicles intended to be imported for the sole purpose of construction, development and operations of Gwadar Port and Free Zone Area, and the Authority or the officer authorized by it, as the case may be, shall ascertain actual requirement of such importer based on the nature of activities of the importer strictly in accordance with the scope as defined under PCT Code 9917(3) (iii) of Pakistan Customs Tariff. The Authority shall also take into account vehicles which have already been imported prior to issuance of the regulatory mechanism in order to regularize the same in terms of their bonafide use and to ascertain future requirements of concerned importer.

870I. Verification of Declaration Form and Certification by the Authority.- In order to avail exemption under PCT Code 9917(3) (iii) of Pakistan Customs Tariff, eligible importer shall furnish to the Authority a Declaration Form duly signed by the chief executive officer of the Company which shall be certified by the Authority, i.e. Chairman of Gwadar Port Authority, in respect of each vehicle imported, certifying in prescribed manner that such imported vehicles are genuine and bonafide requirements for construction, development and operations of Gwadar Port and Free Zone Area in accordance with the prescribed quotas to be determined by the Authority. The authority shall verify that the conditions in these rules have been satisfied before the issuance of this Authorization. The Authority shall be responsible to ensure that all other conditions as per these rules have also been fulfilled by the importer and the vehicles are bonafide requirement of the company and the same are in commensuration of their business activity before certifying genuineness of request/declaration of the importer.




870J. Authorization Letter for import of vehicles.- The Authority shall verify genuineness of request of the importing company, and after getting formal approval of the import of vehicles from the Ministry of Maritime Affairs, Government of Pakistan, an authorization letter as per actual requirements of the eligible company in the format as per **Annex-B** shall be submitted by the Authority through WeBOC system. Thereafter, the importing company shall initiate the process of import.

870K. Clearance by the Customs Department.- At the time of import, the importer shall furnish to the Collector of Customs on the format as set out in **Annex-C** an undertaking to abide by the conditions as laid down in the PCT Code 9917 (3)(iii) of Pakistan Customs Tariff and rules made thereunder failing which they shall be liable to pay the duty and taxes as leviable on each vehicle at the time of import and any other penalties that may be imposed in accordance with the law. The clearance of vehicles shall strictly be handled by the Collectorate of Customs, Gwadar in order to properly monitor such imports and to ensure centralization of record / data. However, if import is made from any other port, the same shall be processed through Transshipment Permit (TP) for destination Port Gwadar for clearance at Gwadar Collectorate.

870L. Registration.-All such vehicles shall be registered with MRAs by the Excise and Taxation department as provided in the Motor Vehicle Ordinance, 1965. The importer shall submit the copy of registration certificate of each vehicle within thirty days of the registration of the vehicles imported under these rules to the Collectorate of Customs Gwadar for record.

870M. Record keeping.- The importer and the Authority shall maintain record for each vehicle imported under PCT Code 9917(3) (iii) of Pakistan Customs Tariff as per **Annex-D**, and shall produce on demand such record and the vehicles as may be required for inspection by an officer of Customs not below the rank of an Assistant Collector of Customs working in Collectorate of Customs, Gwadar or any other officer authorized by the Federal Board of Revenue (FBR) in this regard.



870N. Disposal of Vehicle(s).-The Vehicle (s) imported and cleared under these Rules shall not be sold or otherwise disposed of without prior approval of the FBR. In case the vehicle(s) is/are sold or otherwise disposed of without prior approval of the FBR or before the period of ten years from the date of their importation, the same shall be subject to payment of statutory rates of duties and taxes as were applicable at the time of import. In case such vehicle(s) is/are sold or otherwise disposed of after ten years or twenty years of their importation, the same shall be subject to payment of 75% and 50 % of duties and taxes respectively. The vehicles may, however, be allowed to be transferred to other entities/concession holder or its operating companies, covered under the scope of PCT Code 9917(3) (iii) with prior approval of the FBR.

870O. Surrender of Vehicle(s).- (1) The vehicles imported without payment of duty and taxes availing the benefit of these rules may be surrendered at any time to the Collector of Customs, Gwadar for further disposal or departmental use.

(2) In case the vehicles are sold, transferred or otherwise disposed of in violation of any of the conditions of the rule of PCT Code 9917(3) (iii) of Pakistan Customs Tariff, the whole of customs-duties and taxes leviable at the time of import shall become payable along with any other penal action as per law.

Declaration Form

Name of Company importing the vehicle: _____

Address of the Company: _____

Contact Details (Tel, Fax, Email): _____

1. Vehicle(s) to be imported:

| Sr. No. | Type of Vehicle | Make | Model | Year of Manufacturing | Country of Origin | Quantity |
|---------|-----------------|------|-------|-----------------------|-------------------|----------|
| | | | | | | |

2. Purpose: (Tick the appropriate box)

| | | | | | |
|--------------|--|-------------|--|-----------|--|
| Construction | | Development | | Operation | |
|--------------|--|-------------|--|-----------|--|

3. Port of Shipment: (Tick the appropriate box)

| | | | | | |
|-------|--|-------|--|----------------------------|--|
| China | | Japan | | Other(s) Please Specify | |
|-------|--|-------|--|----------------------------|--|

4. Port of Discharge: Tick the appropriate box)

| | | | | | |
|--------|--|---------|--|----------------------------|--|
| Gwadar | | Karachi | | Other(s) Please Specify | |
|--------|--|---------|--|----------------------------|--|

5. Expected date of arrival of vehicle(s);

| |
|--|
| |
|--|

6. Undertaking

I / We undertake that the above mentioned vehicles(s) are genuine and bonafide requirement for construction, development and operation of Gwadar Port and the Free Zone of Gwadar Port. It is further certified that the above vehicles(s) shall not be used for any other purpose.

Name & Signature of CEO of Importing Company: _____
 CNIC No./Passport No. _____
 Date: _____

Annex-B

AUTHORIZATION

(To be filled in by the Chairman GPA (Authority) or his Authorized officer)

Name of NTN/STN of the importer:

Approval No.

Details of vehicle(s):

| S # | HS Code | Description / Type of vehicle | Make | Model | Country of Origin | Quantity | Remarks / Justification |
|-----|---------|-------------------------------|------|-------|-------------------|----------|-------------------------|
| | | | | | | | |

It is certified that the above mentioned vehicles(s) are genuine and bonafide requirement of the above named importer for construction, development and operation of Gwadar Port and development of Free Zone of Gwadar Port and the same shall be used exclusively for this purpose. It is also certified that other conditions given in the rules have also been fulfilled by the importer and verified by the Authority.

The importer, M/s _____, is accordingly authorized to import vehicle(s) as per details given being genuine bonafide requirement for construction, development and operations of Gwadar Port and its Free Zone Area.

Name & Signature:
Designation:



Date:

Annex-C

UNDERTAKING

I/We do hereby undertake that we shall abide by the conditions laid down in this Notification failing which we shall pay the customs-duties and other taxes as leviable on each vehicle(s) at the time of import and any other penalties as may be imposed by the Customs in this behalf.

I/We also undertake that the prescribed record for each vehicle imported under PCT Code 9917(3) (iii) of Pakistan Customs Tariff shall be maintained as required under the law, and shall be produced for inspection along with the vehicle(s), as and when may be required by an officer of Customs not below the rank of Assistant Collector or any other officer authorized by the Federal Board of Revenue in this behalf.

Name & Signature of CEO of Importing Company: _____

CNIC No. / Passport No. _____

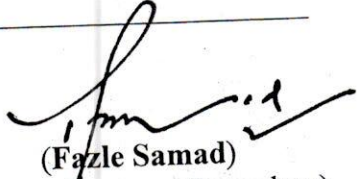
Date: _____

Annex-D

Register/Record to be maintained by the eligible importer and the Authority in respect of vehicles imported under PCT Code 9917(3) (iii) of Pakistan Customs Tariff

| S # | Approval Number | GD Number and Date | Description / Type of vehicle Imported | Make | Model | Country of Origin | Quantity | Present Condition / Status of imported vehicle |
|-----|-----------------|--------------------|--|------|-------|-------------------|----------|--|
| | | | | | | | | |

[C.No.2(3)L&P/2020-Pt]


(Fazle Samad)
Secretary (Law and Procedure)