THE BALOCHISTAN FINANCE ACT, 2020

(Baln Act I of 2020)

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[1]THE BALOCHISTAN FINANCE ACT, 2020

(Balochistan Act I of 2020)

[*15th September, 2020*]

An act to continue and revise certain taxes and fees and enacting the law of public finance management in the Province of Balochistan.

Preamble.

WHEREAS, it is expedient to continue and revise certain taxes, fees and public fiancé management in Balochistan Province and for the matters connected therewith or ancillary thereto;

It is hereby enacted as follows: —

Short title, extent and commencement.

1. (1) This Act may be called the Balochistan Finance Act, 2020.

(2) It extends to the whole of Balochistan.

(3) Unless otherwise provided, it shall deem to have come into force on and from the first day of July, 2020.

Enactment of Balochistan Public Finance Management Act, 2020.

2. It is hereby enacted the Balochistan Public Finance Management Act, 2020, in the manner as follows: —

An act to strengthen management of public finances with the view to improve definition and implementation of fiscal policy for better macroeconomic management, to clarify institutional responsibilities related to financial management, and to strengthen budgetary management;

WHEREAS, matters mentioned above are

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[1] This Act was passed by the Provincial Assembly of Balochistan on 29th June, 2020; assented to by the Governor of Balochistan on 15th July, 2020; and first published in the Balochistan Gazette (Extraordinary) No. 94, dated 15th July, 2020.

pivotal for reducing public debt and management of public finances;

AND WHEREAS as defined under Article 119 of the Constitution of the Islamic Republic of Pakistan, 1973[1] it is expedient to provide for regulating the custody of the Provincial Consolidated Fund, the payment of moneys into that Fund, the withdrawal of moneys therefrom, the custody of other moneys received by or on behalf of the Government, their payment into, and withdrawal from, the Public Account of the Province, and all matters connected therewith or ancillary thereto;

AND WHEREAS to give elaborate mechanism of public finance management as envisaged in Articles 118 to 127 and 160 to 171 of the Constitution and to guide budgetary management processes, financial and fiscal controls, cash and banking arrangements, and financial oversight of public entities;

It is hereby enacted as follows: —

CHAPTER – I
PRELIMINARY

Short title, application and commencement.

1. (1) This Act may be called the Balochistan Public Finance Management Act, 2020.

(2) It shall apply to all matters of the Provincial Consolidated Fund and Public Account of the Province and all other matters of the Government connected therewith or ancillary thereto.

(3) It shall come into force at once.

Definitions.

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

(a) "**Appropriation**" means the, assignment to meet specified expenditure of funds at

[1] Constitution of the Islamic Republic of Pakistan 1973; enacted on 10th April, 1973 and authenticated by the Assembly on 12th April, 1973; published on the same day in the official Gazette of Pakistan; and came into force with effect from 14th August, 1973.

the disposal of the assigning authority;

(b) "**Auditor-General**" means Auditor-General of Pakistan appointed under Article 168 of the Constitution;

(c) "**Authorization of Expenditure**" means payments and withdrawals from the Provincial Consolidated Fund and Public Account of the Province against approved budgetary provisions deemed to be duly authorized unless it is specified in the schedule of authorized expenditure;

(d) "**Bank**" means the State Bank of Pakistan or any office or agency of the State Bank of Pakistan and includes any bank acting as an agent of the State Bank of Pakistan in accordance with the provisions of the State Bank of Pakistan Act, 1956 (XXXIII of 1956);

(e) "**Commitment**" means an obligation to make a future payment, the funds for which are reserved against the allocated budget of an entity during the current financial year where the unutilized amount will lapse at the close of financial year and is subject to re-allocation for the following financial year;

(f) "**Constitution**" means the Constitution of the Islamic Republic of Pakistan, 1973[1];

(g) "**Controller General of Accounts**" means the person appointed under the Controller General of Accounts (Appointment, Functions and Powers) Ordinance, 2001 (XXIV of 2001);

(h) "**Provincial Consolidated Fund**" means

[1] Constitution of the Islamic Republic of Pakistan 1973; enacted on 10th April, 1973 and authenticated by the Assembly on 12th April, 1973; published on the same day in the official Gazette of Pakistan; and came into force with effect from 14th August, 1973.

the Provincial Consolidated Fund of the Government of Balochistan created under Article 118 of the Constitution;

(i) "**Financial Propriety**" means the compliance of law, rules, regulations, maintaining high standard of prudence, vigilance, due diligence and ensuring value for money while incurring expenditure and collecting government receipts;

(j) "**Financial Year**" means the financial year as defined under Article 260 of the constitution;

(k) "**Government**" means the Government of Balochistan;

(l) "**medium-term**" means budgetary estimates for a rolling three-year budgetary horizon. This includes current estimates, which are to be appropriated by Provincial Assembly, and two additional or "outer" years' estimates;

(m) "**Outcomes**" means the effects of outputs on targeted audience;

(n) "**Outputs**" means service delivered;

(o) "**Prescribed**" means prescribed by rules made under this Act;

(p) "**Principal Accounting Officer**" means the secretary of a Department or any official notified as principal accounting officer, responsible for exercising financial propriety in management of public funds and having accountability to Provincial Assembly for the economic, efficient and effective use of resources.

[*Explanation.* — The term "secretary" shall include the additional chief

secretary, principal secretary, secretary or acting secretary to the Government of Balochistan in charge of a department and where there is no secretary, the special secretary or additional secretary in charge of a department];

(q) "**Public Account**" means the Public Account of the Province as defined under Article 118(2) of the Constitution and includes moneys, other than Provincial Consolidated Fund, received by or on behalf of the Government or a Public Entity; moneys received by or deposited with the Supreme Court or any other court established; and moneys received by a Public Entity as a trust account, conditional grant, contribution or donation from the general public or public servants, or from a foreign donor agency or organization and is payable on demand or fulfillment of an obligation on the part of the payee or the beneficiary, as the case may be;

(r) "**Public Moneys**" mean the moneys forming part of the Provincial Consolidated Fund and the Public Account of the Province;

(s) "**Public Servant**" means a public servant within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860);

(t) "**Re-Appropriation**" means transfer of funds from one head of account of appropriation to another such head of account within the same budget grant;

(u) "**Supplementary Grant**" means budget grant within the meaning of Article 124 of the Constitution;

(v) "**Technical Supplementary Grant**" means surrender of funds from one budget grant and supplementary budget authorization in another grant. Technical supplementary grant shall not result in increase of overall government expenditure;

(w) **"Tax Expenditure**" means the revenue which Government foregoes through the provisions of tax laws that allows deductions, exclusions or exceptions, exemptions from the taxpayer's taxable expenditure income or investment, deferral of a tax liability or preferential tax rates;

(x) **"Treasury Single Account**" means the Provincial Consolidated Fund Account with a banking arrangement for the consolidation of government financial resources in one bank account or multiple bank accounts linked to one main account through which the government transacts all its receipts and payments; and

(y) **"Voted Expenditure**" means expenditure other than the charged expenditure specified in the annual budget statement referred to in Article 122(2) of the Constitution.

CHAPTER – II
BUDGET MANAGEMENT
BUDGET PREPARATION AND PRESENTATION

Budget Strategy Paper.

3. (1) The Government shall approve the annual budget strategy paper containing quantified macroeconomic and fiscal projections for the medium-term by fifteenth of March of each year. The paper shall indicate strategic priorities of the

Government revenue and spending policies and specify indicative levels of spending in various Sectors and Departments. Upon approval of the paper, the Finance Department shall issue indicative budget ceilings to various Sectors and Departments.

(2) The Government may extend the deadline mentioned in sub-section (1) in case of extreme requirement.

Annual Budget Statement.

4. (1) The Government shall, in respect of every financial year, cause to be laid before the Provincial Assembly, Annual Budget Statement consistent with Articles 120 and 121 of the Constitution including a statement of the purpose and estimates divided into detailed items for each item of receipts and demand for grant.

(2) Each item of receipts and Demand for grant shall indicate budget estimates of the ensuing year, initial budget estimates and revised estimates of outgoing year and actual expenditure of year Prior to outgoing year.

Plan based Government's Expenditure Estimates.

5. All government expenditures, whether from a recurrent or development demand for grant, shall be based on well-defined plans.

Grant-in-aid.

6. The Government may approve grant-in-aid for individual, public and private institutions, local bodies and other non-political institutions and associations as it may consider appropriate in the manner as may be prescribed.

Receipt of Grants and Loans by the Government.

7. (1) Grants or a loan made to the Government by a federal government or foreign Donor Agency through Economic Affairs Division or by any other person shall be received by the Finance Department on behalf of the Government.

(2) The Planning and Development

Department may, with the approval of Government, enter into grant and loan agreements with donor agencies in collaboration with representatives of concerned departments.

(3) Any endorsement, under sub-section (2), shall be given after obtaining prior concurrence of Finance Department.

Tax Expenditure.

8. The Government shall, in respect of every financial year cause to be laid before the Provincial Assembly, Finance Bill consistent with Article 115 of the Constitution including a statement of estimated tax expenditure of the Government.

Mode of Budgeting.

9. The Government shall, in respect of every financial year, cause to be laid before the Provincial Assembly a budget including the Annual Budget Statement based on any reasonable approach of budgeting as it may deem appropriate.

Changes in Schedule of Authorized Expenditure.

10. If in respect of any financial year it is found —

(a) that the amount authorized to be expended for a particular service for the current financial year is insufficient, or that a need has arisen for expenditure upon some new service not included in the Annual Budget Statement for that year; *or*

(b) that any money has been spent on any service during a financial year in excess of the amount granted for that service for that year,

the Government shall have power, as prescribed, to authorize expenditure from the Provincial Consolidated Fund, whether the expenditure is charged by the Constitution upon that Fund or not, and shall cause to be laid before the Provincial Assembly a Supplementary Budget Statement or, as the case may be, an Excess Budget

Statement, setting out the amount of that expenditure, and the provisions of Articles 120 to 123 shall apply to those statements as they apply to the Annual Budget Statement.

Re-appropriation of Funds.

11. Principal Accounting Officers may sanction, in consultation with Finance Department, at any time before the close of the financial year, re-appropriation of funds from one detailed expenditure item to another within a budget grant in the manner and subject to such conditions and limitations, as may be prescribed.

Surrender of Savings.

12. (1) All Departments, their attached departments and sub-ordinate offices and autonomous organizations shall surrender to the Finance Department by 15th May each year all anticipated savings in the grants or assignment accounts or grant-in-aid controlled by them.

[*Explanation.* — In case of autonomous organizations, surrender of any savings from their grant-in-aid are subject to provisions of their respective enactments.]

(2) The Finance Department shall communicate the acceptance of such surrenders before close of the financial year and where requirement is justified, shall provide for equivalent amount in the next financial year budget.

CHAPTER — III
DEVELOPMENT PROJECTS AND MAINTENANCE AND USE OF PUBLIC ASSETS

Conception and Preparation of Development Projects.

13. (1) All development projects shall be conceived and prepared in conformity with procedures, processes, templates and guidelines defined by the Planning Commission or Planning and Development Department, as the case may be.

(2) Cost and benefit analysis and risk

assessment of all development project proposals, in excess of a threshold size prescribed by the Planning and Development Department, shall be undertaken.

Quality Assurance.

14. Development project proposals which exceed in their total cost thresholds defined by the Planning and Development Department shall be subject to clearance by a committee of experts, aimed to ensure quality assurance, to be notified by the planning and development department prior to its placement before the relevant competent forum for approval.

Technical Approval.

15. (1) All development project proposals shall be subject to a technical approval process. Technical approval shall only be granted to projects which are compliant with the standards and procedures set by the Planning Commission or Planning and Development Department, as the case may be.

(2) Findings and recommendations of the quality assurance reports, required under section 14, and cost and benefit analysis and risk assessment, where required as per sub-section (2) of section 13, shall be taken into account by these forums while considering the development project proposals.

Inclusion of Development Projects in Demands for Grants.

16. No development project shall be considered for inclusion in demands for grants that has not been granted technical approval.

(2) No development project shall be considered for inclusion in demands for grants unless it is provided with a budget allocation of at-least thirty three percent of its total cost for the coming year.

Monitoring and Evaluation of Development Projects.

17. (1) Development projects shall be subject to the following forms of monitoring and evaluation, namely: —

(a) monitoring of progress during implementation;

(b) evaluation of the project on completion; *and*

(c) in case of the projects with a total cost exceeding a threshold to be set by the Planning and Development Department, an independent impact assessment within five years after completion of the projects.

(2) Timelines, forms and formats and guidance on conducting monitoring and evaluation and reporting shall be as may be prescribed.

Budgetary Provision for Maintenance of Assets.

18. (1) Every Department shall include in its demands for grants adequate funds dedicated for operation and maintenance of the physical infrastructure assets under its supervision.

(2) The Finance Department, in consultation with concerned department, shall define adequacy requirements for different categories of physical infrastructure expressed as the ratio of the annual provision for maintenance and the current market value of the asset.

Records and Utilization of Public Assets.

19. (1) Principal Accounting Officers shall ensure a comprehensive and updated fixed-assets register on the form as prescribed and that the maximum possible returns are achieved on each and every asset falling under the oversight of the Department.

(2) The returns on a public asset may include utilization of the asset for delivery of one or more public services or a financial return accruing to the Government from utilization of the potential of the asset.

(3) Each Principal Accounting Officer shall send updated report of such fixed assets register periodically as prescribed to Finance Department for

compilation and other purposes but not later than 31 August following the close of current financial year.

CHAPTER — IV
CONTROL OF PROVINCIAL CONSOLIDATED FUND AND PUBLIC ACCOUNT

Provincial Consolidated Fund.

20. (1) All Departments, their attached departments and subordinate offices and all public entities if so required by their statutes, shall arrange remittance in the Provincial Consolidated Fund, without delay, of all revenues including all grants received by the Government, all loans raised by the Government including sub-lent loans by the federal government and all moneys received by it in repayment of any loan and all other moneys into the Public Account of the Province as required under Article 118 of the Constitution.

(2) All loans or grants made to the Government by a foreign donor agency or federal government or otherwise shall be remitted to the Provincial Consolidated Fund.

Custody of the Provincial Consolidated Fund and Public Account of the Province.

21. The operation of the Provincial Consolidated Fund and the Public Account of the Province shall vest in the Finance Department under the overall supervision of the Government.

Expenditure from Provincial Consolidated Fund.

22. (1) No authority shall incur or commit any expenditure or enter into any liability involving expenditure from the Provincial Consolidated Fund and Public Account of the Province until the same has been sanctioned by a competent authority duly empowered and the expenditure has been provided for the financial year through —

(a) schedule of authorized expenditure; *or*

(b) supplementary grant and technical supplementary grant as per Article 124 of the Constitution; *or*

(c) re-appropriation as per section 11.

(2) No authority shall transfer public moneys for investment or deposit from government account to other bank account without prior approval from the Government.

(3) Every grant approved by the Provincial Assembly for a financial year and every other authority or sanction issued under this Act in respect of a financial year, shall lapse and cease to have any effect at the close of that financial year.

Withholding of Authorized Appropriations.

23. The Finance Department may, with the prior approval of the Provincial Assembly, suspend, withdraw, limit or place conditions on any budget appropriation or other authority issued by it if the Finance Department is satisfied that such action is required by reason of a financial exigency or is in the public interest.

Excess Expenditure.

24. (1) The expenditure in excess of the amount of budget grant as well as the expenditure not falling within the scope or intention of any budget grant, unless regularized by a supplementary grant, shall be treated as excess expenditure.

(2) Excess expenditure shall not become a charge against the Provincial Consolidated Fund except when —

(a) The Provincial Assembly approves an additional amount equivalent to overspending as a direct charge against the Provincial Consolidated Fund as voted or charged expenditure; *or*

(b) it decides —

(i) to recover the excess expenditure from the public servants who are found to be involved to incur such an expenditure. In this case, the Finance Department may take appropriate measures; *or*

(ii) to take disciplinary proceedings against the principal accounting officer.

(3) If the provincial Public Accounts Committee recommends the excess expenditure to stand as a charge to Provincial Consolidated Fund, then it shall be included in the statement of excess expenditure required under Article 124 of the Constitution.

Commitment Control System.

25. The Finance Department in consultation with the Auditor General shall approve and issue guidelines related to annual and multi-annual commitment control systems.

Delegation of Financial Powers.

26. The Finance Department shall approve regulations for the delegation of financial powers based on the following principles, namely: —

(a) financial powers accorded to the principal accounting officers to balance financial authority with responsibility for financial propriety as per the applicable financial rules and regulations;

(b) financial powers are accorded with the view to enhance public service delivery; *and*

(c) allowing the principal accounting officers to delegate financial powers to sub-ordinate officials. The delegation shall not diminish the responsibility and

accountability of the principal accounting officers.

Fiscal Management Targets.

27. In particular and without prejudice to the generality of the foregoing provisions, the Government shall —

(a) strive for achieving zero budgeting deficit through gradual annual reduction in deficit by Rs. 10 billion;

(b) restrict its total outstanding debt up to a threshold as prescribed by the Government;

(c) also strive for an annual gradual decrease in the percentage of non-development expenditure, with a specific preference to expenditure for pay and allowances and its related expenditure and increase development expenditure with the same ratio.

CHAPTER — V
TREASURY MANAGEMENT

Cash Management.

28. (1) The Finance Department, with the approval of the Government, shall notify policy and rules under this Act to prescribe an effective cash management system for all public entities and special purpose funds leading to treasury single account. Fundamental principles and objectives of such policy and rules shall be —

(a) to anticipate cash needs of Government;

(b) to ensure availability of cash when it is required;

(c) to manage cash balance in the Government bank accounts effectively; *and*

(d) to neutralize impact of the

Government's cash flows on the domestic banking sector.

(2) the policy and rules under this section, inter alia, shall provide for —

(a) establishing institutional and administrative arrangements needed to manage an effective cash management system;

(b) availability of funds in accordance with schedule of authorized expenditure or supplementary grant;

(c) availability of foreign exchange, where required, from within the allocation of foreign exchange sanctioned for the Departments concerned;

(d) placement of all public moneys into the treasury single account;

(e) quarterly revenue, expenditure, cash requirement and debt plan within sanctioned budget;

(f) gradual expansion of budgetary and accounting framework to all autonomous entities;

(g) usage of idle cash of the autonomous entities;

(h) require all principal accounting officers to provide the information deemed necessary for effective operation of the cash management and treasury single account system. This may include the unused cash balances of any entity operating under the administrative control of that principal accounting

officer; *and*

(i) The Finance Department, with the approval of Government, may advise, in writing, the State Bank of Pakistan to direct all conventional and non-conventional banks and other financial institutions, to debit their bank accounts and credit the same into Provincial Consolidated Fund for purposes of formulation and management of single treasury account system.

Government Banking Arrangements.

29. (1) The Government shall maintain its Provincial Consolidated Fund Account in the State Bank of Pakistan and it may open its such other bank accounts as may be required by the Finance Department, from time to time, in accordance with the State Bank of Pakistan Act, 1956 (XXXIII of 1956).

(2) These accounts shall be operated by such authorized signatories as may be prescribed by the Finance Department.

(3) For the purpose of effective financial management and taking corrective measures to ensure financial discipline, all banks in Pakistan shall provide such information of all accounts maintained by Departments, attached departments and subordinate offices and public entities as shall be required by the Finance Department, from time to time, through State Bank of Pakistan.

(4) Finance Department may give any instructions, in respect of regulating and operating the bank accounts pertaining to provincial consolidated fund and public account, to State Bank of Pakistan or any other bank acting on its behalf.

CHAPTER — VI

SPECIAL PURPOSE FUNDS

Special Purpose Funds.

30. (1) If monies have been appropriated by the Provincial Assembly to establish a fund, the Finance Department shall notify rules or regulations and issue directives for the management and control of such a fund. Any statutory instrument shall —

(a) state the purposes for which the special fund has been established;

(b) revenue generation capacity of such fund as a source of provincial revenues and transfer of such proceeds into provincial consolidated fund;

(c) identify the principal accounting officer responsible for its operations; *and*

(d) specify that the cash balances of such funds shall form part of Public Account of the Province.

(2) Such funds shall be subject to audit by the Auditor-General of Pakistan.

(3) Where the Government is satisfied that either —

(a) the purposes for which any special fund was established have been fully served; *or*

(b) it is in the public interest to wind up a special fund, it shall notify dissolution of the said special fund and any credit balances in such fund shall be transferred to the Provincial Consolidated Fund. An evaluation report and regulation of such funds shall be notified by the Finance Department.

CHAPTER — VII
ACCOUNTING AND REPORTING

Accounts of the Province.

31. The Accountant General, Balochistan shall prepare Financial Statements and Appropriation Accounts of the province in accordance with Accounting Framework as prescribed by the Auditor General of Pakistan.

Pre-audit and Payments of expenditure from the Provincial Consolidated Fund Account.

32. (1) The Finance Department, with the approval of Government, may delegate powers for pre-audit and authorization of expenditure from the Provincial Consolidated Fund Account to the Accountant General, Balochistan or District Account Officers, as it deems appropriate;

(2) The Finance Department, with the approval of Government, shall delegate following functions to the Accountant General, Balochistan at provincial level and to District Account Officers at district level:

(a) collection and record keeping of subscription of Government employees towards General Provident Fund, Group Insurance, Benevolent Fund and any other employee contributory scheme notified by the Government;

(b) settlement and authorization of payment of General Provident Fund or any other employee contributory scheme authorized by the Finance Department with the approval of Government;

(c) Preparation of Government employee salary-slips including fixation of pay as prescribed by the Government;

(d) Preparation, record keeping and

endorsement of work/ development cheques;

(e) Record keeping and maintaining accounts of receipts of the province;

(f) Verification of service books; *and*

(g) Opening of assignment accounts on the advice of Finance Department.

(3) The District Accounts Officers shall report monthly accounts to Accountant General, Balochistan for compilation and preparation of the consolidated monthly, quarterly, bi-annual and annual accounts of the province.

(4) The Accountant General, Balochistan shall prepare and report monthly, quarterly, bi-annual and annual accounts including Financial Attest Audit Report to Finance Department.

Mid-year Reporting of Budget Developments.

33. By twenty-eighth February each year, the Government shall place mid-year review report before the Provincial Assembly. The report shall provide budget and actual comparison of revenues, expenditure and financing.

CHAPTER — VIII
PUBLIC ENTITIES

Public Entities.

34. (1) Where —

(a) any board, commission, company, corporation, trust or other fund or account is established by or under any law which is fully or substantially funded either from the Provincial Consolidated Fund or by way of taxes, levies, duties or other public monies accruing to it in terms of any laws; *or*

(b) any entity other than a state

enterprise is established by or under any law, the activities of which may result in a financial commitment or other liability being incurred by the Government, the Government may declare such entity to be a public entity for the purposes of this Act.

(2) The Government shall, by notification in the official Gazette, classify public entities as —

(a) Government's business enterprises, including public limited companies or registered companies under the law regulating companies or banking; *or*

(b) autonomous entities, which include all public entities that are not Government's business enterprises, which have been established to provide regulatory, research, development and training or are producing goods or services on non-commercial basis.

(3) The Finance Department shall be responsible for notifying the policy framework and guidelines for financial management of Government's business enterprises and autonomous entities, including those related to internal controls, borrowing, cash management, accounting, reporting and external audit.

Self-generated Revenues.

35. The Finance Department shall, with approval of the Government, notify policy and guidelines and may issue regulations on the utilization of revenues generated by autonomous entities which may arise from any act or statutory instrument of the government.

Preparation of

36. (1) Financial Statements including detailed

Accounts.

accounts of its financial affairs of Government's business enterprises shall be prepared in accordance with the provisions of the relevant law. Copy of the annual audited financial statements shall be made available to the Finance Department within three months of their certification.

(2) Financial Statements including detailed accounts of its financial affairs of autonomous entities shall be prepared in accordance with instructions issued by the Finance Department. Copy of annual audited financial statements and auditor's certificate in respect of any other statement if required, shall be made available to the Finance Department within three months of their finalization.

(3) Audited financial statements and annual accounts referred to in sub-section (1) and sub-section (2) shall be laid before Provincial Assembly along with other accounts of Government not later than one month after the same are submitted by Auditor-General, except that, if Provincial Assembly is not in session, then the accounts shall be laid before it on the first day of the following session.

(4) Any reports laid before Provincial Assembly under sub-section (3) shall be referred to the Public Accounts Committee of Provincial Assembly.

Audit.

37. (1) The audit of all public business enterprises shall be in accordance with the provisions of the relevant law.

(2) The audit of autonomous entities classified shall be in accordance with instructions issued by the Auditor-General.

Dissolution of Public Entity.

38. Where the public entity established under any law or legal instrument stands dissolved or has been wound up, any monies or other resources standing to the credit of the public entity at the time of dissolution or winding up shall be paid into the

Provincial Consolidated Fund.

CHAPTER — IX
REMOVAL OF DIFFICULTY AND POWER TO MAKE RULES

Removal of Difficulty.

39. If any difficulty arises in giving effect to the provisions of this Act, Government may make such order, not inconsistent with the provisions of this Act, as it may consider necessary for removal of such difficulty.

Power to make Rules.

40. (1) The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

(2) All existing instruments shall continue in force until altered, amended or repealed by such authority competent to alter, amend or repeal the same.

(3) Without prejudice to anything contained in this Act, the existing instruments shall include —

(a) The General Financial Rules;

(b) Federal Treasury Rules;

(c) Fundamental Rules and Supplementary Rules;

(d) Civil Service Regulations;

(e) Provident Fund Rules;

(f) Civil Pension Rules;

(g) Methods and procedures prescribed by the Auditor-General of Pakistan with reference to deposit and withdrawal of public money;

(h) Public Works Department Code;

(i) the New System of Financial Control and Budgeting, 2018;

(j) the Central Public Works Account Code;

(k) the New Accounting Model including Accounting Policies and Procedures Manual;

(l) other Financial Regulations consistent with the above rules; *and*

(m) all amendments, schedules, manuals, notifications, forms, appendixes, orders, circulars, codes, instructions, directives, guidelines, clarifications and any other supplementary legal instruments relating to any of those rules, in each case as in force in the Government before commencement of this Act.

(4) All the existing public finance management and administration including the rules, regulations and all amendments, schedules, manuals, notifications, forms, appendixes, orders, circulars, codes, instructions, directives, guidelines, clarifications and any other supplementary legal instruments relating to any of those rules, in each case as in force in the Government before commencement of this Act shall be made consistent with this Act through appropriate amendments where required.

Budget Manual.

41. Within a period of one year from commencement of this Act, the Finance Department shall approve a budget manual, to be published as well as placed on the Government's website.

Implementation and

42. The Government shall constitute a committee to oversee implementation of this Act and its secondary legislation. The committee shall also enlist

Improvement

international best practices of the public finance management and shall recommend improvements in this Act and its secondary legislation from time to time.

Overriding Effect.

43. This Act shall have overriding effect over all other laws and any law inconsistent with this Act in contradiction with this Act shall be amended to the extent of the inconsistency.

Amendment in the Balochistan Finance Act, 1964 (West Pakistan Act No. XXXIV of 1964)

1. In the Balochistan Finance Act, 1964 (West Pakistan Act XXXIV of 1964), in section 11, in sub-section (1), —

(1) in clause (k), the word "and" appearing at the end shall be omitted; and thereafter, for clause '(l)', the following new clauses from (l) to (bb) shall be substituted, namely: —

"(l)Educational institutions:

Particulars	**Rate of Tax**
All private schools, colleges, universities and academies, where the number of enrolled students is 120 or more and further such enrollment is active for at-least three months in the concerned institution record: —	Rs.100,000 per annum for main campus and in case of its sub-branch Rs.50,000 per annum per branch. These rates are applicable for schools charging average monthly school fee Rs.7,000 and above. Rs.70,000 per annum for main campus and in case of its sub-branch Rs.35,000 per annum per branch. These rates are applicable for schools charging average monthly school fee Rs.3,000 to Rs.6,999. Rs. 35,000 per annum

		for main campus and in case of its sub-branch Rs. 20,000 per annum per branch. These rates are applicable for schools charging average monthly school fee Rs. 3,000 or below.
Particulars		**Rate of Tax**
(m)	Motor cars dealers /Motor car and Motor cycle bargain centers.	Rs. 25,000 per annum from authorized dealers of Motorcar Manufacturers. Rs. 10,000 per annum from authorized dealer of Tractor/ Rickshaws/ Motorcycle etc. Rs. 10,000 per annum from bargain centers having floor area of 1,000 square feet and above. Rs. 5,000 per annum from all bargain centers having floor area below 1,000 square feet.
(n)	Carriage of Goods and Passengers companies/ service.	Rs. 5,000 per annum.
(o)	Furniture/ Carpet Showrooms.	Rs. 2,000 per annum for show rooms having floor area up to 1,000 square feet. Rs. 5,000 per annum for show rooms having floor area above 1,000 square feet.
(p)	Pesticide dealers.	Rs. 5,000 per annum.

(q)	Cable Operators.	Rs. 10,000 per annum.
(r)	Departmental Stores	Rs. 10,000 per annum.
(s)	Marriage Halls and Marquees	Rs. 10,000 per annum.
(t)	Tent/Catering Service Providers/ Pakwan centers.	Rs. 2,000 per annum.
(u)	Franchisee, Authorized Dealers /Agents and Distributors.	Rs. 3,000 per annum.
(v)	Jewelers	Rs. 2,000 per annum.
(w)	Money Exchange Traders.	Rs. 5,000 per annum.
(x)	Courier Companies.	1% of the invoice value excluding tax.
(y)	Restaurants eateries, Ice cream parlor, Juice centers, Fast food points, Bakeries and Sweet Shops.	Rs. 1,000 per annum having floor area up to 1,000 square feet. Rs. 2,000 per annum having floor area up to 2,000 square feet. Rs. 5,000 per annum having floor area above 2,000 square feet.
(z)	Commercial Vehicles.	Rs. 200 per annum.
(aa)	Hardware, Tiles and Sanitary shops, Electronics /electrical Goods stores, Mechanical works/ Machinery dealers, Solar	Rs. 1,000 per annum.

	energy equipment dealers, Battery Shops, Health clubs, Gymnasium, New/ Old Spare parts/ accessories dealers, motor car garages, stationeries, medical stores, Cloth shops, Crockery shops, Grocery shops, Boutique/ Garments dealers, Foot ware shops, Printing press, Tailors, Hair dressers, Beauty Parlors, Service Stations, Iron works, Carpenters, Timber Depot, Poultry/Mutton/ Beef Shops, Fruit/ Vegetable Shops, Dairy/Milk shops and others.	
(bb)	**Commercial establishments other than mentioned in clause 'a' to 'aa'.** Any commercial establishment not covered in any of the clauses (a) to (aa) will be charged to tax for Rs. 1,000 per annum.	

(2) At the end of proviso, for 'paragraph (iii)', the following shall be substituted: —

"(iii) for the class of persons specified at clause (h) the rates shall be, —

S. No.	For class of Medical Practitioners	Rate of Tax
1.	Specialist Doctors	Rs. 50,000 per

		annum.
2.	General Doctors	Rs. 30,000 per annum.

Amendment in the Balochistan Finance Act, 1965 (West Pakistan Act No. I of 1965).

4. In the Balochistan Finance Act, 1965 (W.P. Act No. I of 1965) in section 12, in sub-section (8), —

(1) in clause (a) of the 'Explanation', after the word **"consideration"** the full stop and words **". It also includes motels, boatels and similar type of establishment"** shall be inserted.

Amendment in the Balochistan Sales Tax on Services Act, 2015 (Balochistan Act No. VI of 2015).

5. In the Balochistan Sales Tax on Services Act, 2015 (Act No VI of 2015), —

(1) In section 30, for sub-sections (2) and (3), the following shall be substituted: —

"(2) The Authority may, by notification in the official Gazette, specify a format of invoices to be issued by a registered person or class of registered persons and prescribe a procedure for authentication of such invoices.

(3) The Authority or an officer authorized by the Authority in this behalf, may require a registered person or a class of registered persons to issue invoices electronically in such manner as may be prescribed, and to transmit such invoices to the Authority, subject to such conditions and restrictions as the Authority may specify by notification in the official Gazette."

(2) In section 31, in sub-section (1): —

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

(a) record of services provided, including exempt services, indicating the description,

quantity and value of service, name, registration number and address of the person to whom services were rendered and the amount of tax charged;

(b) record of goods and services received, including exempt goods and services, indicating description, quantity and value of goods and services, name, address and registration number of the service provider or supplier of goods and the amount of the tax charged;

(c) record of goods imported indicating the description, quantity and value of goods and the amount of tax paid on imports;"

(b) After clause (c), as so amended, the following new clauses shall be added, namely: —

(d) Books of Prime Entry or subsidiary books including Cash Books;

(e) double entry accounts including General Ledger;

(f) Annual Audited Financial Statements prepared either on the basis of International Financial Reporting Standards (IFRSs) or International Public Sector Accounting Standards (IPSAS), as the case may be;

(g) bank statements, banking instruments and the related reconciliation statements;

(h) inventory records, utility bills, salary and labor bills, rent deeds and agreements;

(i) record required to be maintained and the declarations filed under any other law for the time being in force; *and*

(j) records of tax invoices and debit credit notes issued by the person;

(k) records of tax invoices and debit credit notes received by the person;

(l) records of customs documents (goods declaration under section 30 of the Customs Act, 1969 and its ancillary documents);

(m) Minutes of various meetings including minutes of Board, Annual General Meeting (AGM), Extra Ordinary General Meeting; *and*

(n) such other records as may be specified by the Authority.";

(3) In section 33, in sub-section (1), after the word 'records', the words **"or documents which are in his possession or control or in the possession or control of his agent; and where such record or documents have been kept on electronic data"** shall be inserted;

(4) In section 33, after sub-section (3), the following new sub-section (3A) shall be inserted namely: —

"(3A) The officer authorized under sub-section (1) may conduct audit proceedings electronically through

video links or any other facility as may be notified by the Authority."

(5) In section 35, for sub-section (1), the following shall be substituted namely: —

"(1) Every registered person shall furnish to the Authority, not later than the due date, a true, correct and properly filled-up return in the form notified by the Authority, indicating the tax due and paid during a tax period and such other information or particulars as may be notified by the Authority."

(6) In section 48, in sub-section (2), in the table, after S.No.2 and the entries relating thereto in columns 1, 2, 3 and 4, the following new entries shall be inserted: —

2A	Where any person fails or refuses to issue a tax invoice as required in sub-rule (1) of rule 29 of the Balochistan Sales Tax on Services Rules, 2018.	Such person shall be liable to pay a penalty of twenty thousand rupees on first default and fifty thousand rupees for each subsequent default. In case of three acts of such default, the business premises shall be liable to be sealed.	General
2B	Where any person either avoids, defies, fails to comply with e-invoicing system or Issues Invoices outside the e-invoicing	Such person shall be liable to pay a penalty of up to one hundred thousand rupees, but not less than twenty-five thousand rupees. In case of three consecutive defaults, the place of business of such person may further be liable to sealing.	59A

	system		

(7) In section 63, for sub-section (4), the following shall be substituted, namely: —

"(4) An appeal under subsection (1) may be filed manually or electronically as may be specified by the Authority.";

(8) In section 66,

(a) for sub-section (2), the following words **"The Appellate Tribunal shall consist of three members of such number of judicial and technical members as are determined and appointed by the Government having regard to the needs of the Tribunal."** shall be substituted;

(b) in sub-section (4), after the word **'Member'** the words **"on the recommendations of a Government Committee as prescribed in section 3(4) of the Balochistan Revenue Authority Act, 2015"** and further in clause (b), after the word 'authority', the words **"or Federal Board of Revenue"** shall be omitted;

(c) in sub-section (4), after clause (b), a new clause (bb) **"is Associated Chartered Certified Accountant or Associated Chartered Accountant having at-least three years of experience in taxation;"** shall be inserted;

(d) after sub-section (4), the following new sub-section (4A) shall be inserted, namely: —

"(4A) Notwithstanding anything contained in sub-section (4), the

Government may, for three years from the enforcement of this Act, appoint any person, as Technical Member, who has worked for a minimum of three years:

(i) in the Federal Board of Revenue or Provincial Excise and Taxation Department or Balochistan Board of Revenue in the rank not below BS-20 for five years in aggregate, *or*

(ii) as A Commissioner Inland Revenue (Appeals) under clause (c), sub-section (1) of section 30 of the Sales Tax Act 1990, for three years with service of at least five years in BS-20, as an Accountant Member of the Appellate Tribunal." shall be inserted;

(e) in sub-section (6), full stop "." appearing at the end shall be substituted by colon ":" and thereafter the following two provisos shall be added: —

"Provided that in the event of the occurrence of any vacancy in the office of the Chairperson by reason of his death, resignation or otherwise, the senior most Member of the Tribunal shall act as the Chairperson until the date on which a new Chairperson, appointed in accordance with the provisions of this Act to fill such vacancy, enters upon his office:

Provided further that where the Chairperson is unable to discharge his functions owing to absence, illness or any other cause, the senior most

Member of the Tribunal shall discharge the functions of the Chairperson until the date on which the Chairperson resumes his duties."

(f) in sub-section (7) after the word "discharged" the words **"in the prescribed manner, if not provided in this section"** shall be inserted;

(g) in sub-section (9) after the word "may" and comma "," the words **"subject to such conditions, limitations or restrictions as it may determine,"** shall be inserted;

(h) in sub-section (11) for the words "tax or penalty involved does not exceed five million rupees" the words and full stop **"tax or input tax credit involved or the difference in tax or input tax credit involved or the amount of fine, fee, default surcharge or penalty determined in any order appealed against, does not exceed five hundred thousand rupees and which does not involve any question of law."** shall be substituted;

(i) in sub-section (12) after the word "opinion" the words **"or are equally divided"** shall be substituted;

(j) sub-sections (13) and (14) shall be omitted;

(k) in sub-section (16) after the word "may" the commas and words **", in consultation with Authority and Finance Department,"** shall be inserted;

(l) after sub-section (16), as so amended, the following new sub-section (17) shall

be added, namely: —

"(17) No act or proceedings of the Appellate Tribunal shall be questioned or shall be invalid merely on the ground of the existence of any vacancy or defect in the constitution of the Appellate Tribunal."

(9) After section (66), the following new section (66A) shall be inserted: —

"66A- Member Qualification, Remuneration and Removal: —

(1) Prior to appoint any person as Members of the Appellate Tribunal under section 66, the Government shall satisfy itself that such person does not have any financial or other interests which are likely to prejudicially affect his functions as such Member including Chairperson.

(2) The salary, allowances and other terms and conditions of service of the Members including Chairperson of the Appellate Tribunal shall be such as may be prescribed by the Government:

Provided that neither salary and allowances nor other terms and conditions of service of the Members of the Appellate Tribunal shall be varied to their disadvantage after their appointment.

(3) Any Member may, by notice in his hand writing addressed to the Government resign from his office:

Provided that the Member shall continue to hold office until the expiry of three months from the date of receipt of such notice by the Government or until a person duly appointed as his successor enters upon his office or until the expiry of his term of office, whichever is the earliest.

(4) The Government may, after consultation with the Chief Justice of Balochistan High Court in case of Judicial Members only, remove Members from their office, who: —

(a) has been adjudged an insolvent; *or*

(b) has been convicted of an offence which, in the opinion of Government involves moral turpitude; *or*

(c) has become physically or mentally incapable of acting as Member; *or*

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as Member; or

(e) has so abused his position as to render his continuance in office prejudicial to the public interest:

Provided that the Member shall not be removed on any of the grounds specified in clauses (d) and (e), unless he has been informed of the charges against him and has

been given an opportunity of being heard.

Provided further that, the Judicial Member shall not be removed from their office except by an order made by the Government on the ground of proved misbehavior or incapacity after an inquiry made by a Judge of the Balochistan High Court nominated by the Chief Justice of the Balochistan High Court on a reference made to him by the Government and of which the said Member had been given an opportunity of being heard.

(5) The Government, with the concurrence of the Chief Justice of Balochistan High Court, may suspend from office, the Judicial Members of the Appellate Tribunal in respect of whom a reference has been made to the Chief Justice of the Balochistan High Court under sub-section (4).”

(10) In section 72,

(a) in sub-section (1), in clause (bb), after the word ‘companies’, the words **“including running and demand finance”** shall be inserted;

(b) in sub-section (1), in the proviso, the full stop at the end shall be substituted by a colon and thereafter the following second proviso shall be added: —

“Provided further that in cases where

Assessment of tax has been made under section 24 or where determination of tax not levied or short levied has been adjudged under section 52, action for the recovery of the tax and the default surcharge and penalty relating thereto shall not be made under this section for a period of thirty days from the date of the order of such assessment or determination.";

(11) In Second Schedule,

(a) against the Tariff Heading 9801.2000, in column 3 'rate of tax', for the figure and sign "15%", the following shall be substituted, and at the end of this entry in column 2 'Description', the following paragraph of 'Explanation' shall be inserted namely: —

"(i) 'Chainaki Restaurants': — the amount of monthly tax shall be fixed at Rs. 3,000 without input tax credit or adjustment;

(ii) Other restaurants including café, coffee houses, food huts, ice-cream shops and eateries excluding chainaki restaurants: - 6% without input tax credit or adjustment"

[*Explanation*: — For the purposes of this tariff heading, the term 'Chainaki Restaurant' means a restaurant, café, coffee house, food hut, ice cream shop and eatery where its monthly electricity consumption is not more than Rs. 7,000 and the number of employees does not

exceed two.]"

(b) against the Tariff Heading 9814.2000, in paragraph of 'Excluding' as stated in column 2 of description, after the word "or", the words **"or interest free loans"** shall be inserted and in its column 3 'rate of tax' the figure and sign "15%" shall be substituted by

"(i)- Rs. 60 per square yard in case the services mentioned are rendered in relation to residential building/ property; *and*

(ii)- Rs. 50 per square feet in case the services mentioned are rendered in relation to commercial building/ property.";

(c) against the Tariff Heading 9814.3000, in in column 3 'rate of tax' the figure and sign "15%" shall be substituted by **"(i)- Rs. 60 per square yard in case the services mentioned are rendered in relation to residential property; and (ii)- Rs. 50 per square feet in case the services mentioned are rendered in relation to commercial property.";**

(d) against the Tariff Headings 9815.4000, 9815.5000, 9815.7000 and 9815.8000, in column 2 of description, under the existing entries, the following paragraph shall be added namely: — **"Excluding. — Where the services are rendered and funded under an agreement of foreign grant-in-aid or interest free loan.";**

(e) against the Tariff Heading 9824.0000, in column 2 of description, under the existing entries, the following two paragraphs shall be added, namely: —

"Excluding. — Where the construction work is funded under an agreement of foreign grant-in-aid or interest free loan or involves construction of consular buildings.

***Explanation.* — Notwithstanding the rate of 15% fixed in column 3 (rate of tax), the following reduced rate of 6%, will be applicable, for all services specified at tariff heading 9824.0000 without input tax credit or adjustment to the extent of contracts for which payment is made from the Provincial Consolidated Fund.".**

(f) In Second Schedule, against the Tariff Heading 9868.0000, in column 2 of description, under the existing entries, the following paragraph shall be added namely: —

[*Explanation.* — Notwithstanding the rate of 15% fixed in column 3 (rate of tax), the following reduced rate of 6%, will be applicable, for all services specified at tariff heading 9868.0000 without input tax credit or adjustment].

Amendment in Balochistan Revenue Authority Act, 2015 (Balochistan Act No. VII of 2015).

6. In Balochistan Revenue Authority Act, 2015 (Act No: VII of 2015): —

(1) in section 2: —

(a) after clause (f)- the following new clause (ff) shall be inserted namely: —

"(ff) "Corruption" means —

(i) Accepting, obtaining or offering any gratification or valuable things directly or indirectly which deem to

be unauthorized or illegal; *or*

(ii) Dishonestly or fraudulently misappropriate, or indulge in embezzlement of funds including unauthorized drawl from the Authority's Bank Account or unauthorizedly using the property or resources of the Authority including all classes of fixed assets; *or*

(iii) Entering into plea bargain under any law for the time in force, voluntarily returning the assets or gains acquired through corruption or corrupt practices;";

(b) after clause (k), the following new clause (kk) shall be inserted namely: —

"(kk) "Misconduct" means a conduct prejudicial to good order or service discipline, and includes any of the following activities:

(i) Any action without the approval of the competent authority; *or*

(ii) engage, take part, assist, aid, convince or interfere in any political activity and election other than discreetly casting vote; *or*

(iii) submission of fake documents; *or*

(iv) breach of contract or accepted terms and

conditions by any public servant; *or*

(v) conviction for an offence by a court of law' *or*

(vi) absence from duty without prior approval of leave including foreign visits whether official or un-official; *or*

(vii) unauthorized or ineligible usage of assets including vehicle, equipment etc. owned by the Authority; *or*

(viii) theft, fraud, misappropriation or embezzlement in connection with the Authority's property or assets; *or*

(ix) violation or deviation from the Act, rules, regulations or policy of the Authority; *or*

(x) call, attempt, threat or induce for strike."

(c) in clause (o) for the figure **"188"**, the figure **"118"** shall be substituted; *and*

(d) in clause (jjj) for the words **"competent authority"**, the word **"Authority"** shall be substituted.

(2) in section 3, —

(a) in sub-section (4),

(i) after the words **"performance-based market salaries"** the words [or salaries as fixed by the

Government] shall be added;

(ii) at the end of the words **"a similar term"** the words and comma **"in accordance with the same procedure, as stated in this sub-section"** shall be added;

(b) in sub-section (5),

(i) after the words **"appointed as the Chairperson"** the words "through open competition" shall be inserted;

(ii) in clause (b), for the words **"twenty-five"** the words **"twenty"** shall be substituted;

(c) in sub-section (6),

(i) after the words **"requirements for appointment of Members"** the words **"appointed through open competition"** shall be inserted;

(ii) in 5th bullet point, for the word **"twenty"** the word [fifteen] shall be substituted; *and*

(d) for sub-section (7), the following shall be substituted, namely: —

"(7) If office of the Chairperson or of any Member is vacant owing to any cause, the Chief Minister may, on the recommendations of the Government Committee, appoint a suitable officer of BPS-20 or above of the Government of Balochistan on transfer / posting basis for a temporary period but not exceeding one year, as Chairperson or Member as per Authority's pay structure and subject to relevant qualification

and experience.

Provided that the Government shall fill in the vacant post of Chairperson or of any Member, as the case may be, within a reasonable period but not exceeding one year.

Provided further that, in case of deputation, the Government Committee, may appoint a suitable officer of BPS-20 or above of the Government of Balochistan on deputation basis for a period of three years and shall be eligible for re-appointment for a similar term, as Chairperson or Member as per Authority's pay structure and subject to relevant qualification and experience."

(e) After sub-section (7), as so amended, the following new sub-section (8) shall be added namely: —

"(8) Notwithstanding anything contained in this Act or the rules or regulations made thereunder, the Government Committee, with the approval of Chief Minister, may initiate an inquiry and thereafter on its basis, it may terminate the contract of the Chairperson or of any Member with other penalties as may be prescribed if, such contractual employee, is involved in any corruption or any subversive activity, or involved in any misconduct under the Act or the

rules or regulations made thereunder."

(3) in section 4, —

(a) in sub-section (2),

(i) in Clause (h) after the word "grant", the commas and words **", with the approval of Advisory Council,"** shall be inserted;

(ii) in Clause (i) for the word "defied", the word "verified" shall be substituted;

(iii) clause (r) shall be omitted; *and*

(iv) in clause (v), after the word "establish" the comma, words and comma ", with the approval of Advisory Council," shall be inserted.

(4) in section 5, —

(a) In sub-section (1), —

(i) for clause (b), the following shall be substituted, namely: —

"(b) assess and identify, with the approval of Advisory Council, creation or abolition or re-designation of posts, and prepare internal job posting regime against the posts so approved by the Advisory Council"

(ii) in clause (h), after the word 'appoint', the commas and words **", with the approval of advisory council,"** shall be inserted;

(iii) after clause (h), the following new clause (hh) shall be inserted, namely: —

"appoint, on the Authority's pay

structure, an employee of the Government of Balochistan through deputation as advisor, consultant, expert, commissioner or additional/ deputy commissioner subject to his relevant qualification in Accountancy, Commerce, Finance or Law and having an experience, of at-least ten years, in tax or audit or law;

(iv) in clause (i) for the words and figures **"as may be prescribed under section 32 of the Act"**, the words **"with the approval of the Advisory Council"** shall be substituted;

(b) for the existing sub-section (3), the following shall be substituted, namely: —

"Notwithstanding anything contained in this Act or any other law, rules or judgment of any court, the Government shall be competent to re-designate or regularize employees of the Authority working on contract or temporary basis, in basic pay scale 1 to 20 through its selection committee, to be notified, and further the Government shall not be required to refer such employees to and consult the Balochistan Public Service Commission for making such appointments, or on matters relating to qualifications for such appointments and methods of their recruitment.

(5) in section 13, —

(a) In sub-section (1), —

(i) for clause (b), the following shall be substituted, namely: —

"(b) Minister Finance; Member"

(ii) for clause (c), the following shall be substituted, namely: —

"(c) Chief Secretary of the Government; Member"; *and*

(iii) for clause (h), the following shall be substituted, namely: —

"(h) Six private members to be nominated by the Government, on the recommendations of the administrative department of the Authority, from amongst the eminent Economists, Tax Experts, Bankers, Chartered Certified Accountants or Chartered Accountants, representatives of Chambers of Commerce and Industry or civil society organizations, at a minimum comprising of, an Economist with a PhD in Economics from any HEC recognized university, a Chartered or Chartered Certified Accountant with fifteen years of experience, a Lawyer who has LLM degree with a minimum of ten years of Tax experience, and a tax expert with ten years of experience; Member; and"

(b) in sub-section (2), for the word **"purpose"**, the word **"advise"** and for

the word **"Government"** the word **"Authority"** shall be substituted;

(c) in sub-section (3), for the words **"Chief Secretary"**, the words **"Minister Finance"** shall be substituted;

(d) for sub-section (6), the following shall be substituted: —

"The Council shall meet at least once every six months or as and when required by the Authority or the Government." shall be added

(6) in section 22, —

(a) in sub-section (1), the brackets and figure **"1"** appearing at the beginning shall be omitted; *and*

(b) sub-section (2) shall be omitted.

(7) in section 29, in sub-section (1), for the words **"tax-relator"**, the words **"tax-related"** shall be substituted.

(8) in section 32, —

(a) in sub-section (1), the brackets and figure **"1"** appearing at the beginning shall be omitted; *and*

(b) sub-section (2) shall be omitted.

(9) in section 34, clause (b) shall be omitted.

Amendment in the Excise and Minerals (Labor Welfare) Act, 1967 (Act No. VIII of 1967).

7. In the Excise Duty on Minerals (Labor Welfare) Act, 1967 (Act No VIII of 1967), in section 3, in subsection (1), for the words **"one rupee"**, the words **"two hundred rupees"** and for the words **"five rupees"**, the words **"25% on major minerals and 10% of the rate of royalty on other minerals as specified in third schedule Part-II & III of the Balochistan Mineral Rules, 2002"** shall be substituted.

Amendment in Mines Act, 1923 (Act No. IV of 1923)

8. In the Mines Act, 1923 (Act No IV of 1923), —

(1) in section 30A, in clause (d) for the words **"not exceeding five rupees per ton"**, the words **"25% per ton of the rate of royalty on respective mineral as specified in third schedule Part-II & III of the Balochistan Mineral Rules, 2002"** shall be substituted;

(2) in section 34, in sub-section (1) for the words **"one thousand"**, the words **"one hundred thousand"** shall be substituted and in sub-section (2) for the words **"six hundred"** the words **"fifty thousand"** shall be substituted;

(3) in section 35, in clause (e), for the words **"one thousand"**, the words **"one hundred thousand"** shall be substituted;

(4) in section 36, for the words **"four thousand"** the words **"one hundred thousand"** shall be substituted and for the words **"six thousand"** the words **"ten hundred thousand"** shall be substituted;

(5) in section 37, for the words **"one thousand"** the words **"one hundred thousand"** shall be substituted;

(6) in section 38, in sub-section (1) for the words **"one thousand"** wherever appears, the words **"one hundred thousand"** shall be substituted and in sub-section (2) for the words **"five hundred"** the words **"fifty thousand"** shall be substituted;

(7) in section 39, for the words **"five thousand"** the words **"one hundred thousand"** shall be substituted and for the words **"twenty thousand"** and **"five**

hundred" the words **"two hundred thousand"** and **"eight hundred"** shall be substituted respectively; *and*

(8) in section 40, in sub-section (1), —

(a) for the words **"forty thousand"**, the words **"five hundred thousand"**;

(b) for the words **"twenty thousand"** the words **"three hundred thousand"**; *and*

(c) for the words **"ten thousand"** the words **"one hundred thousand"**, shall be substituted.

———