

**The Exemption of Supplies
against International Tender for Earthquake
Rehabilitation Rules, 2006**

**adapted and enforced
in
Azad Jammu and Kashmir
by
AJK Finance Act, 2007 & subsequent Finance Acts
of
AJK Legislative Assembly**

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**THE EXEMPTION OF SUPPLIES AGAINST INTERNATIONAL TENDER FOR
EARTHQUAKE REHABILITATION RULES, 2006**

NOTIFICATION
(SALES TAX)

S.R.O. 274(I)/2006, dated 21.03.2006.--In exercise of the powers conferred by clause (a) of sub-section (2) of section 13 and section 50 of the Sales Tax Act, 1990, the Federal Government is pleased to make the following rules, namely:-

1.Short title, application and commencement.--(1) These rules may be called the Exemption of Supplies against International Tender for Earthquake Rehabilitation Rules, 2006.

(2) They shall apply to supplies of taxable goods made by registered persons against international tender to UNICEF, UNDP, WHO, WFP, UNHCR and ICRC for earthquake rehabilitation.

2.Definitions.--(1) In these Rules, unless there is anything repugnant in the subject or context,-

- (a) "Act" means the Sales Tax Act, 1990;
- (b) "ICRC" means International Committee of the Red Cross;
- (c) "UNDP" means United Nations Development Program;
- (d) "UNHCR" means United Nations High Commission for Refugees;
- (e) "UNICEF" means the United Nations International Children's Emergency Fund;
- (f) "WFP" means World Food Program; and
- (g) "WHO" means World Health Organization.

(2) The words and expression used, but not defined in these rules, shall have the same meanings as are assigned to them in the Act.

3.Exemption of taxable supplies for earthquake rehabilitation.--- The taxable supplies made by registered persons to UNICEF, UNDP, WHO, WFP, UNHCR and ICRC against international tender for earthquake rehabilitation shall be exempt from tax.

4. Procedure and conditions for making zero rated supplies.--For making exempt supplies under these rules shall be subject to the following procedure and conditions, namely:--

- (a) the supply shall be made against international tender issued by UNICEF, UNDP, WHO, WFP, UNHCR or ICRC. The contract signed with the concerned organization shall be retained by the supplier in his record along with a copy of the tender notice;

- (b) the supplier shall issue a commercial invoice for each supply mentioning the full particulars of the buyer and the contract number;
- (c) the goods shall be duly received by the organization which signed the contract and a certificate to this effect shall be issued by the organization which shall be duly attested by the Federal Relief Commissioner; and
- (d) a copy of the certificate mentioned in clause (c) shall be forwarded by the organization to the Collector of Sales Tax in whose jurisdiction the supplier of goods is registered.

5.Maintenance of records.--The supplier shall maintain separate records of supplies of exempt goods, number and date of the international tender, number and date and copy of the contract, name of the organization to whom goods were supplied, value of the goods, and number and date of the certificates obtained under clause (c) of rule 4.

6.Penalty.-- In case the goods are found not to be supplied to the organization specified in rule 3, the sales tax involved on such goods shall be recoverable from the supplier besides legal or penal action under appropriate provisions of the Act.

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