

THE IMPORT OF GOODS (PRICE EQUALIZATION SURCHARGE) ACT, 1967

¹ACT No. III OF 1967

[3rd June, 1967]

An Act to levy an additional duty for equalization of prices of certain imported goods.

Whereas it is expedient to levy an additional duty for equalization of prices of certain goods imported at different prices under different conditions and from different countries and to provide for matters ancillary thereto;

It is hereby enacted as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Import of Goods (Price Equalization Surcharge) Act, 1967.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

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

(a) “highest rate”, in relation to any specified goods imported in any shipping period, means the highest rate of landed cost declared in relation to such goods under subsection (1) of section 4;

(b) “landed cost”, in relation to any specified goods, means the aggregate of the c.i.f. value, duties, taxes, fees and other charges payable on or for the import of such goods into Pakistan;

(c) “price equalization surcharge” means the additional duty levied under section 3;

²[(d) “shipping period” means a period beginning on the first day of January and ending on the thirtieth day of June or such other period as the Federal

¹ For Statement of Objects and Reasons, see Gaz., of P., 1967, Ext. (Rawalpindi), p.177.

²Subs. by the Import of Goods (Price Equalization Surcharge) (Amdt.) Act. 1975 (29 of 1975), s. 3, for cl. (d).

Government may, from time to time, by notification in the official Gazette, declare to be a shipping period for the purposes of this Act:

Provided that, in the case of a notification issued under sub-section (I) of section 4 which declares the highest rate of landed cost in relation to any specified goods imported in any shipping period following a date mentioned in the notification, the shipping period shall be deemed to be the period beginning on the date so mentioned and ending on the date specified in any subsequent notification as the beginning of a new shipping period in relation to such goods.]

- (e) “specified goods” means such of the goods specified in the Schedule as the ¹[Federal Government] may, by notification in the official Gazette, declare to be the goods which shall be subject to the levy of the price equalization surcharge.

3. Levy of price equalization surcharge.— There shall be levied on the specified goods imported in any shipping period into Pakistan after the 22nd day of April, 1966, or, if the ¹[Federal Government] in respect of any specified goods by order so directs, after such later date as may be specified therein, whose rate of landed cost is lower than the highest rate, an additional duty as price equalization surcharge at the rate by which the rate of the landed cost of such goods falls short of the highest rate.

²**[3A. Power to authorize repayment of surcharge.**— Subject to such conditions, limitations or restrictions as it may think fit to impose, the ¹[Federal Government] may, in such general cases as it may prescribe by rule or in particular cases by special order, authorise the repayment in whole or in part of the price equalization surcharge paid on the importation of any goods of such classes or description as may be prescribed in the rules or specified in the special order, as the case may be.]

¹Subs. *ibid.*, s. 2, for “Central Government”.

²Section 3A ins. by the Finance Act, 1968 (11 of 1968), s. 12.

4. Determination of highest landed cost.—(1) The ¹[Federal Government] shall determine and, by notification in the official Gazette, declare, in relation to every specified goods imported in any shipping period, the highest rate of landed cost of such goods.

(2) For the purpose of determining the highest rate, every importer of specified goods shall furnish at such time such papers, documents or information relating to the import of such goods, as the ¹[Federal Government] may direct.

(3) Whoever fails or neglects to comply with any direction under subsection (2) shall be deemed to have contravened the provisions of the Imports and Exports (Control) Act, 1950 , and shall be punishable under section 5 of that Act.

5. Procedure for collection of price equalization surcharge.— Subject to ²[rules made under this Act, if any] the price equalization surcharge shall be collected in the same manner as ³[a duty] payable under the ⁴[Custom Act, 1969] is collected and the provisions of the ⁵[said Act] shall, so far as may be, apply to the levy ⁶[, collection and repayment] of such surcharge.

6. Power to make rules.—(1) The ¹[Federal Government] may make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) the ⁷* ⁶[, collection and repayment] of the price equalization surcharge;
- (b) the delivery of goods on the giving of security for payment of such surcharge or on any other conditions;
- (c) the manner of payment ⁸[and repayment] of such surcharge; and
- (d) such other matters as may be necessary for carrying out the purposes of this Act.

¹Subs. by the Import of Goods (Price Equalization Surcharge) (Amdt.) Act, 1975 (29 of 1975), s. 2 for “Central Government”.

²Subs. by the Import of Goods (Price Equalization Surcharge) (Amdt.) Act, 1974 (44 of 1974), s. 2, for certain words.

³Subs. by the Federal Laws (Revision and Declaration) Ordinance, 1981 (27 of 1981), s. 3 and Sch. II, for “and import duty”.

⁴Subs. *ibid.*, for “Tarrif Act, 1934”.

⁵Subs. *ibid.*, for “Custom Act, 1969”, which was previously amended by Act 44 of 1974, s. 2 for “Sea Customs Act, 1878”.

⁶Subs. by the Finance Act, 1968 (11 of 1968), for “and collection”.

⁷Omitted by Act 44 of 1974, s. 3.

⁸Ins. by Act 11 of 1968.

¹[6A. Power to amend Schedule.— The ²[Federal Government] may, by notification in the official Gazette, make any addition to or omission from the list of goods specified in the Schedule.]

7. [Validation] Omitted by the Federal Laws (Revision and Declaration) Ordinance, 1981 (XXVII of 1981), s.3 and Sch., II.

SCHEDULE

3 * * *

- 5. Galvanized plain sheets.
- 6. G.C. Sheets.
- 7. M.S. Plates.
- 8. M.S. Sheets.
- 9. Cement.

3 * * *

12. Raw material requirements of the industrial units of the following sectors, namely:—

- (a) Steel and non-ferrous casting,
- (b) Steel construction,
- (c) Electrical equipment,
- (d) Diesel engine, and
- (e) Tube-well and pumping equipment.

3 * * *

⁴[15. Synthetic Rubber].

3 * * *

18. Sulphur.

³19. * * *

⁵[20. Tallow].

3 * * *

¹Section 6A ins. by the Finance Act, 1968 (11 of 1968).

²Subs. by the Import of Goods (Price Equalization Surcharge) (Amdt.) Act, 1975 (29 of 1975), s. 2, for “Central Government”.

³Omitted by S.R.O. 1033 (I)/74, dt.30-7-74, see Gaz. of P., 1974, Ext., pt.II.p. 1445, which was previously amended by various enactments (w.e.f 8.7.1974).

⁴Added by S.R.O. 157 (I) 169, see Gaz. of p., 1969, Ext., (Islamabad),p.577.

⁵Added by S.R.O. 151 (I)/71, dated 6-5-71, see Gaz. cl.p., 1971, Ext., p.465.