Tax registration, Filing of tax returns and statements of withholding taxes, Process of obtaining exemption certificates and NPOs

By: Arqam Ashfaq Ansari, ACA October 12, 2017





Agenda

Sr. No.	TOPIC
1.	Tax registration procedure — Individuals, Companies/AOPs, Non-residents having/not having PE
2.	Filing of tax returns
3.	Filing of withholding statements
4.	Procedure on IRIS portal for requesting approval of withholding exemption certificates
5.	Procedure on IRIS portal for requesting approval of Non-Profit Organizations

A·F·FERGUSON&Co.

Tax registration procedure — Individuals, Companies/AOPs, Non-residents having / not having PE





Overview

- In 2015, the Federal Board of Revenue (FBR) revamped the procedure for obtaining tax registration and substituted Rule 80 of the Income Tax Rules, 2002 which deals with the registration requirements for individuals and Companies / AOPs. The FBR made further amendments in the said rule through SRO 466(I)/2016 dated May 21, 2016 and laid down the registration requirements for non-residents having / not having Permanent Establishment in Pakistan.
- The above-referred changes in the registration mechanism were resultantly followed by changes in the registration module of FBR's IRIS portal. However, due to certain teething issues which continued for over one year in the new registration module, non-resident investors faced difficulties in obtaining tax registration. The registration issues were finally resolved in the beginning of this year and now the registration module allows **real time processing** of tax registration applications.

A·F·FERGUSON&CO.

Registration requirements for 'individuals'

- By way of an amendment made through the Finance Act, 2015 in section 181 of the Income Tax Ordinance, 2001, the requirement for individuals to have a separate National Tax Number (NTN) has been done away with. Therefore, in case of individuals, Computerized National Identity Card (CNIC) issued by the National Database and Registration Authority (NADRA) is now to be used as National Tax Number.
- Under Rule 80 of the Income Tax Rules, 2002, an individual having CNIC required to file return of total income manually is to be treated as registered under section 181 on the day he files the return manually.
- An individual having CNIC required to e-file return of total income shall be treated as registered, when the individual is e-enrolled.

Registration requirements for 'individuals' Contd.

• An individual is not required to personally visit the tax office for e-enrollment and online registration is available on FBR's IRIS portal. Now FBR has linked the system with NADRA's database, so that online verification of CNIC provided can be done. Once the above-referred required details are entered on the IRIS portal, password is sent to the email address provided and PIN Code is sent to the cell phone number provided by the individual.

A·F·FERGUSON&CO.

Registration requirements for 'individuals' Contd.

Documents required for E-enrollment of an individual

An individual required to be registered is required to provide:

- (a) number of CNIC, NICOP or Passport;
- (b) cell phone number in his name;
- (c) e-mail address;
- (d) nationality;
- (e) residential address;
- (f) accounting period;
- (g) name and NTN of employer in case of salary income;
- (h) address of property in case of property income;
- (i) in case of business income, (i) business name; (ii) business address; and (iii) principal business activity.

Registration requirements for a Company / an AOP

Documents required for registration of a Company / an AOP

A company and an AOP required to be registered under Rule 80 are required to provide:

- (a) name of company or AOP;
- (b) business address;
- (c) accounting period;
- (d) phone No of business;
- (e) e-mail;
- (f) cell phone of principal officer of the company or AOP (cell number must not already be registered with FBR);
- (g) principal business activity;
- (h) address of industrial establishment or principal place of business;
- (i) company type, like public limited, private limited, unit trust, trust, NGO, society, small company, modaraba or any other;
- (j) date of registration;
- (k) incorporation certificate by Securities and Exchange Commission of Pakistan (SECP) in case of company;
- (I) registration certificate and partnership deed in case of registered firm;

Registration requirements for a Company / an AOPcontd.

- (n) partnership deed in case firm is not registered;
- (o) trust deed in case of trust;
- (p) registration certificate in case of society;
- (r) name of representative with his Original CNIC;
- (s) Original letter on letterhead of the company signed by all Directors, verifying the Principal Officer and authorizing him for Income Tax Registration;
- (t) Original certificate of maintenance of bank account in Company's name;
- (u) Original evidence of tenancy / ownership of business premises, if having a business;
- (v) Original paid utility bill of business premises not older than 3 months, if having a business
- (x) following particulars of every director and major shareholder having 10% or more shares in case of company or partners in case of an AOP, namely:-
 - (i) Name;
 - (ii) CNIC/NTN/Passport; and
 - (iii) Share %

Registration requirements for a Non-resident having PE

.....contd.

DOCUMENTS REQUIRED FOR REGISTRATION OF A NON-RESIDENT COMPANY HAVING PE IN PAKISTAN

(Please note that personal visit of one of partners or one of directors is required at FBR office in the case of NTN of AoP or Company)

A non-resident company having permanent establishment in Pakistan is required to provide:

- (a) name of company;
- (b) business address;
- (c) accounting period;
- (d) phone number of business;
- (e) principal business activity;
- (f) address of principal place of business;
- (g) registration number and date of the branch with the Securities and Exchange Commission of Pakistan (SECP);
- (h) name and address of principal officer or authorized representative of the company;

Registration requirements for a Non-resident having PE

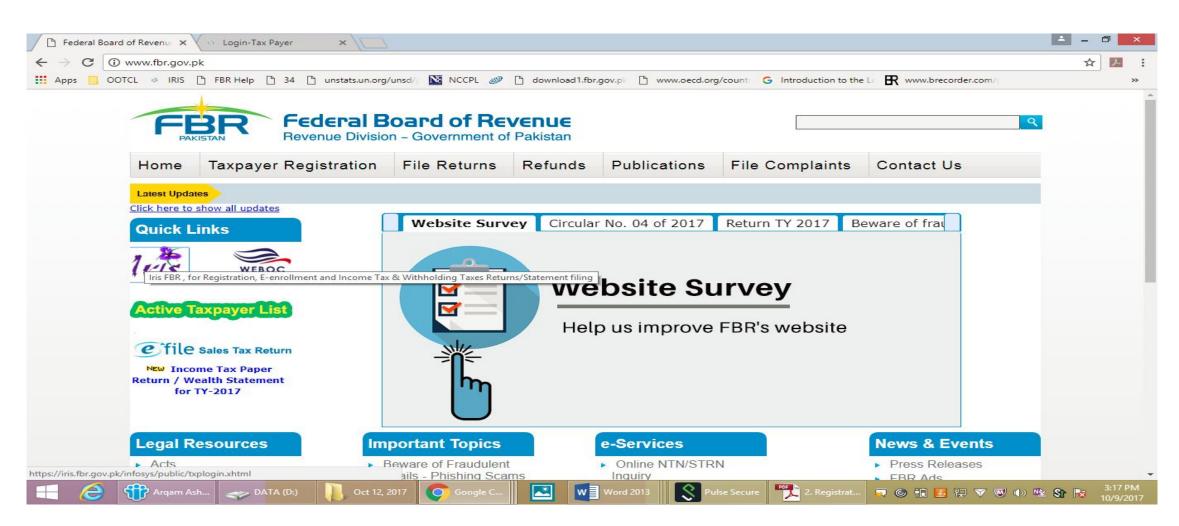
- (i) authority letter for appointment of principal officer or authorized representative of the company;
- (j) cell phone number of principal officer or authorized representative of the company;
- (k) email address of principal officer or authorized representative of the company
- (I) Original certificate of maintenance of bank account in non-resident Company's name;
- (m) Original evidence of tenancy / ownership of business premises of principal officer, if having a business; and
- (n) Original paid utility bill of business premises not older than 3 months.

Registration requirements for a Non-resident <u>not</u> having PEcontd.

DOCUMENTS REQUIRED FOR REGISTRATION OF A NON-RESIDENT COMPANY NOT HAVING PE IN PAKISTAN

- (a) name of company;
- (b) business address in the foreign country;
- (c) name and nationality of directors or trustees of the company;
- (d) accounting period;
- (e) name and address of authorized representative of the company;
- (f) authority letter for appointment of authorized representative of the company.
- (g) cell phone number of authorized representative of the company;
- (h) email address of authorized representative of the company;
- (i) principal business activity;
- (j) tax registration or incorporation document from concerned regulatory authorities of the foreign country.
- (k) Original certificate of maintenance of bank account in non-resident Company's name;
- (I) Original evidence of tenancy / ownership of business premises of authorised representative, if having a business; and
- (m) Original paid utility bill of business premises of authorised representative not older than 3 months.

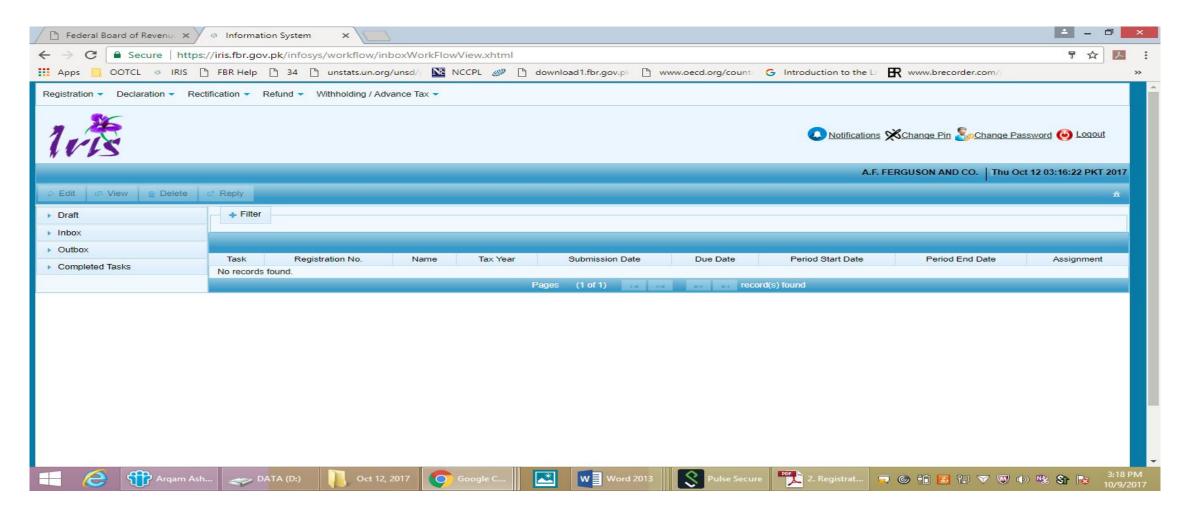
Procedure on IRIS Portal for filing annual tax return



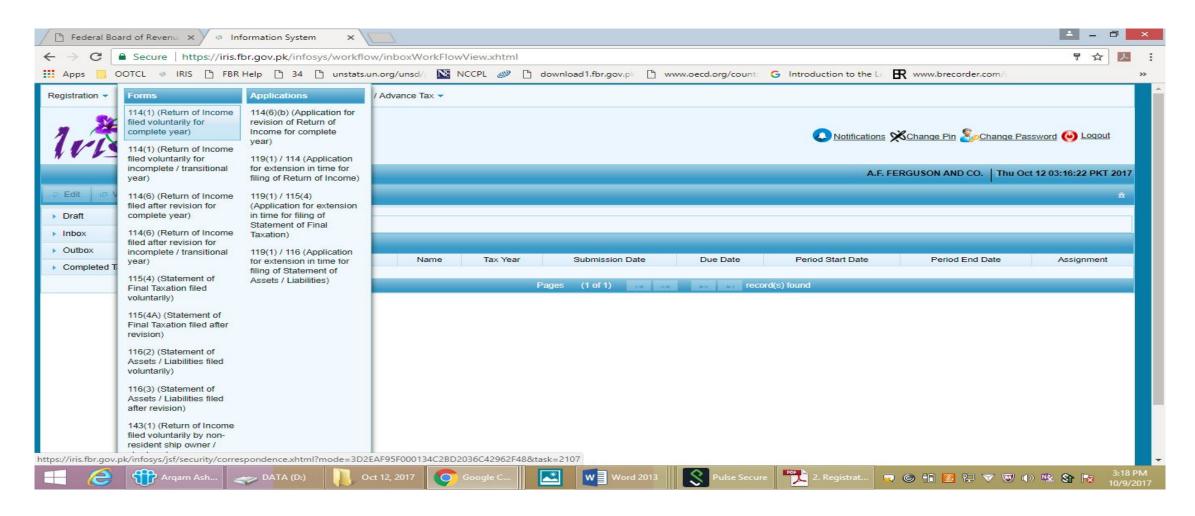




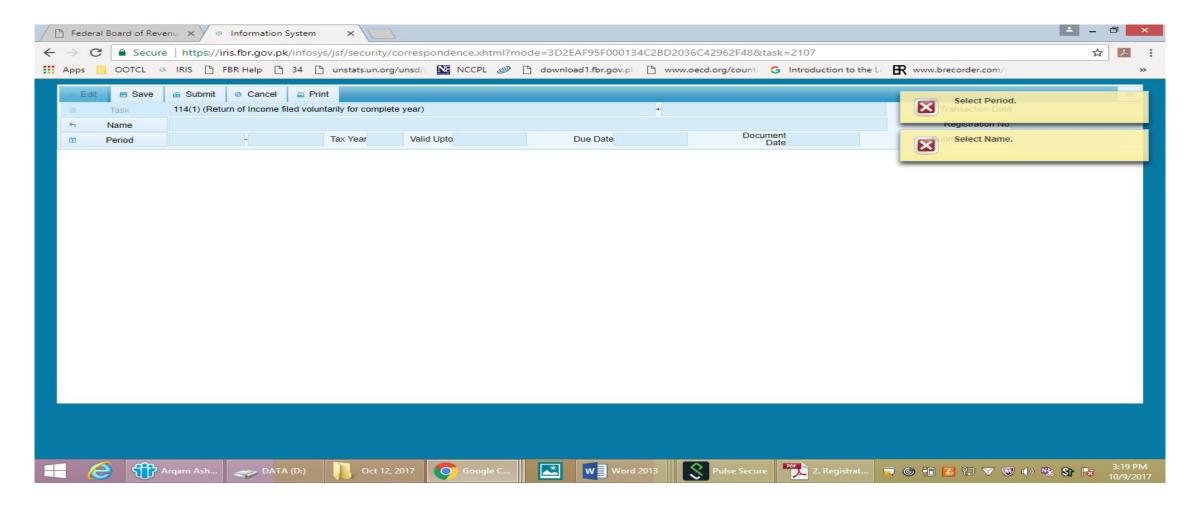




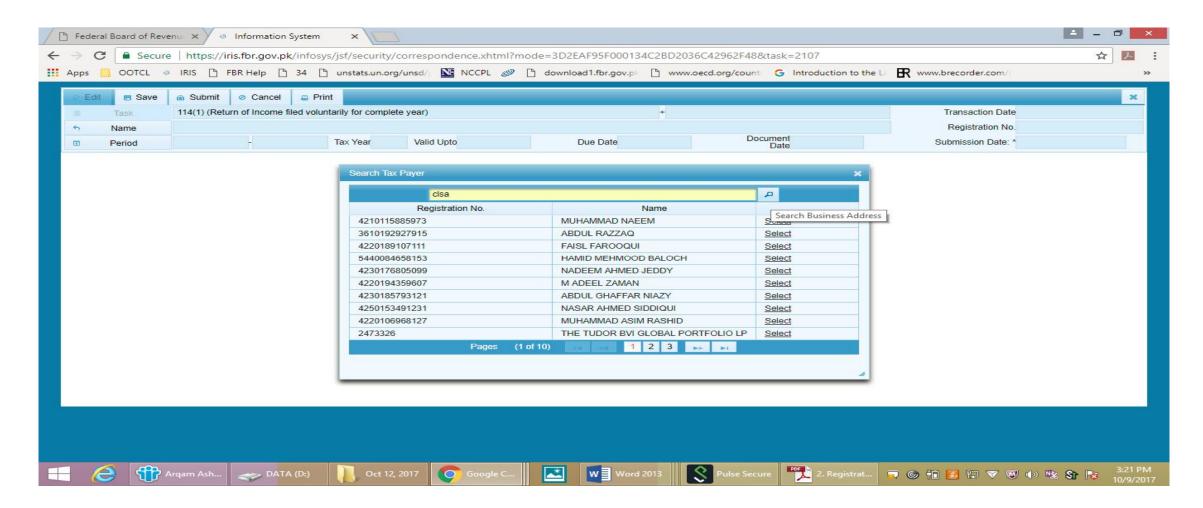




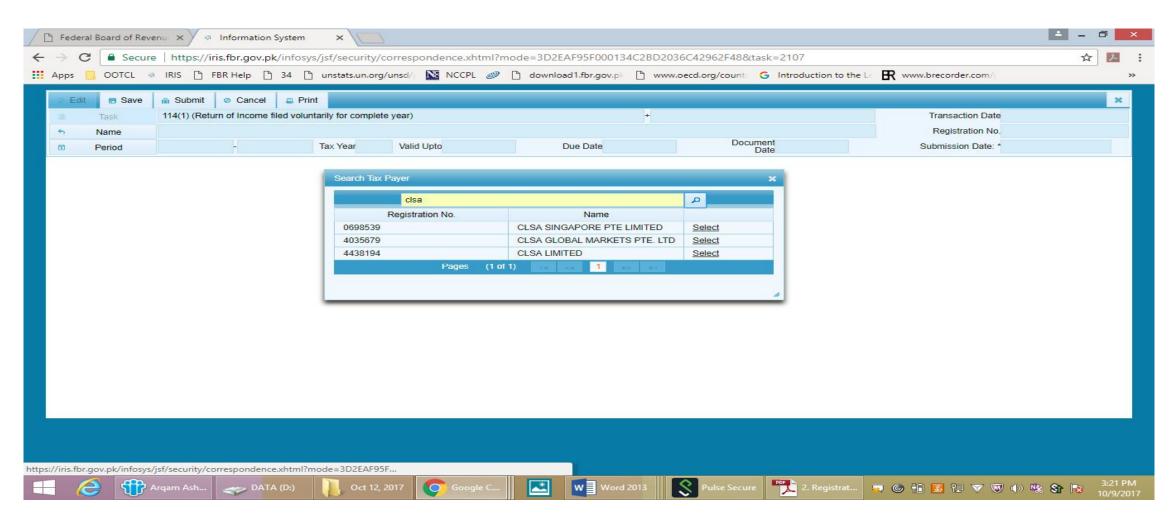


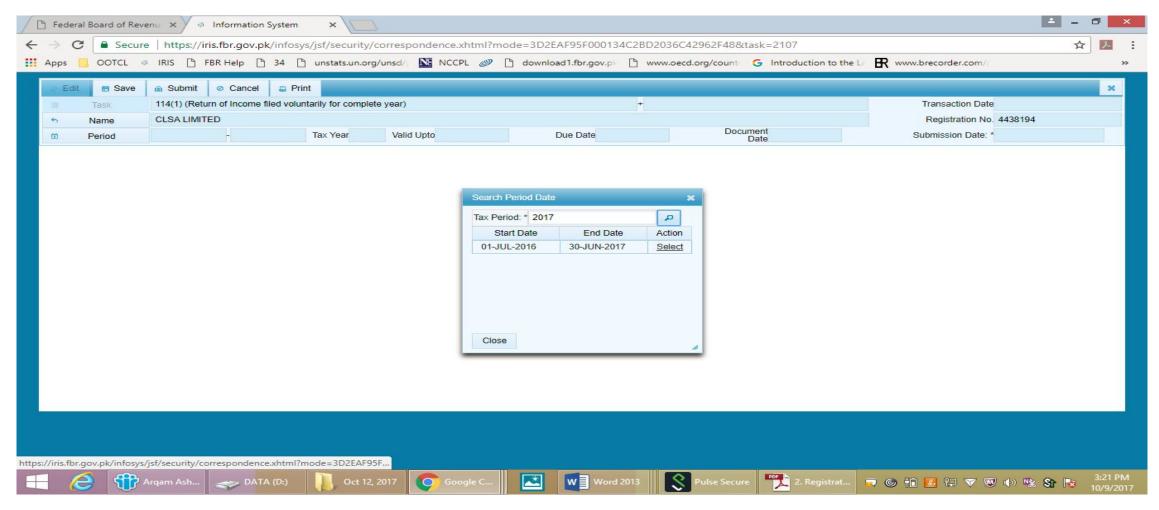




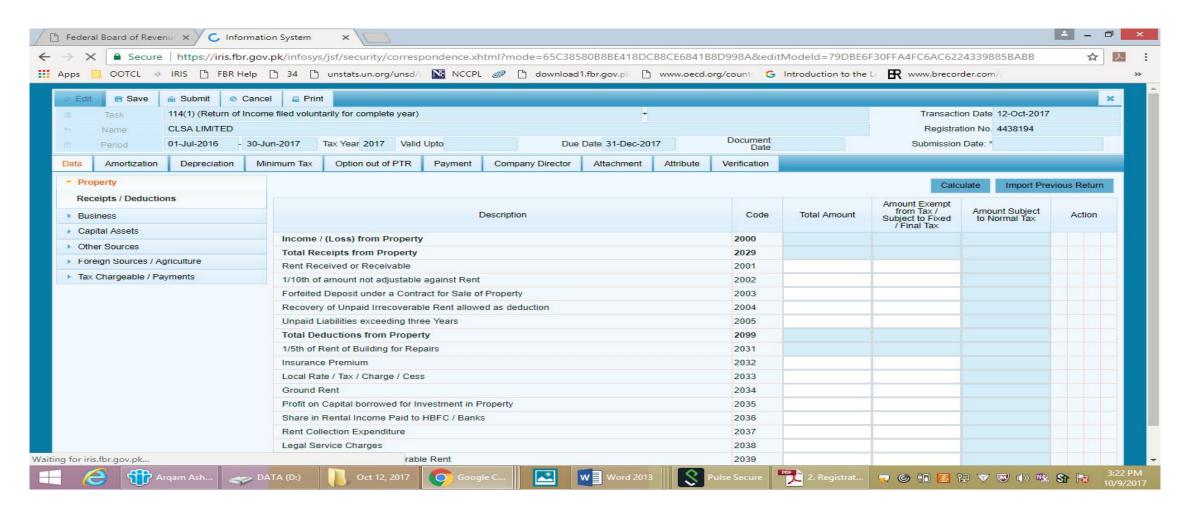




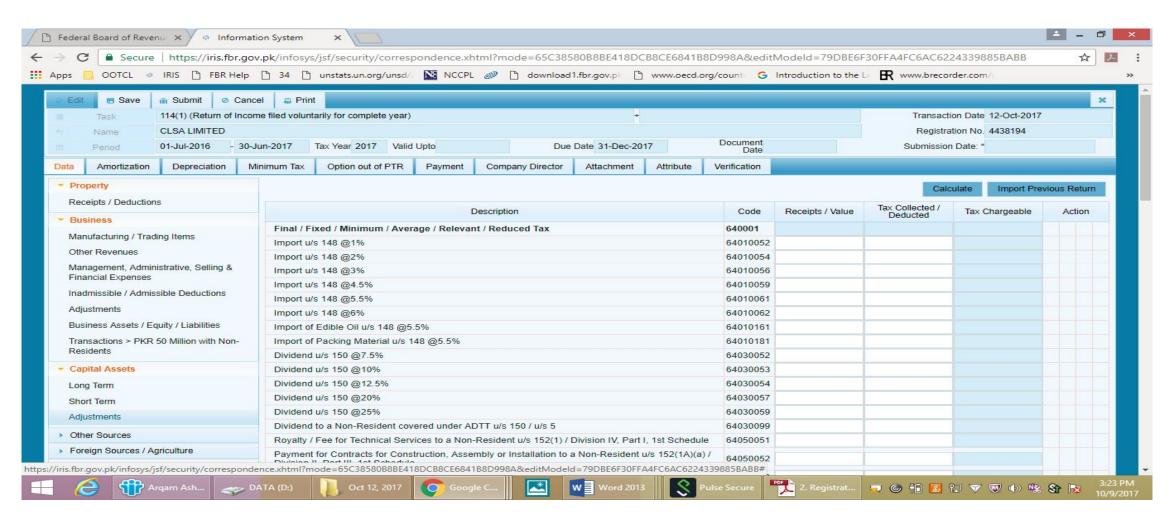




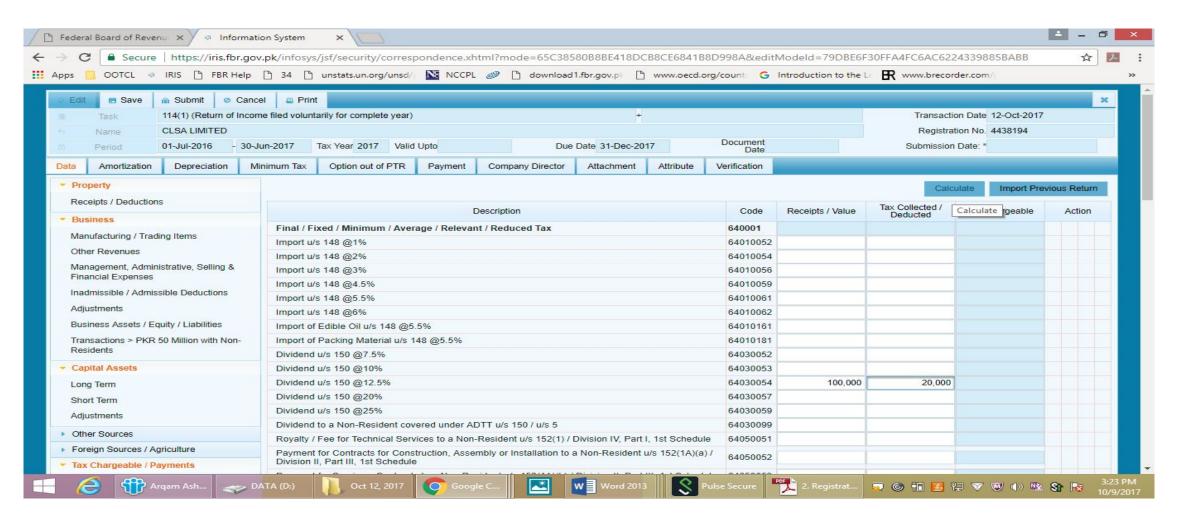




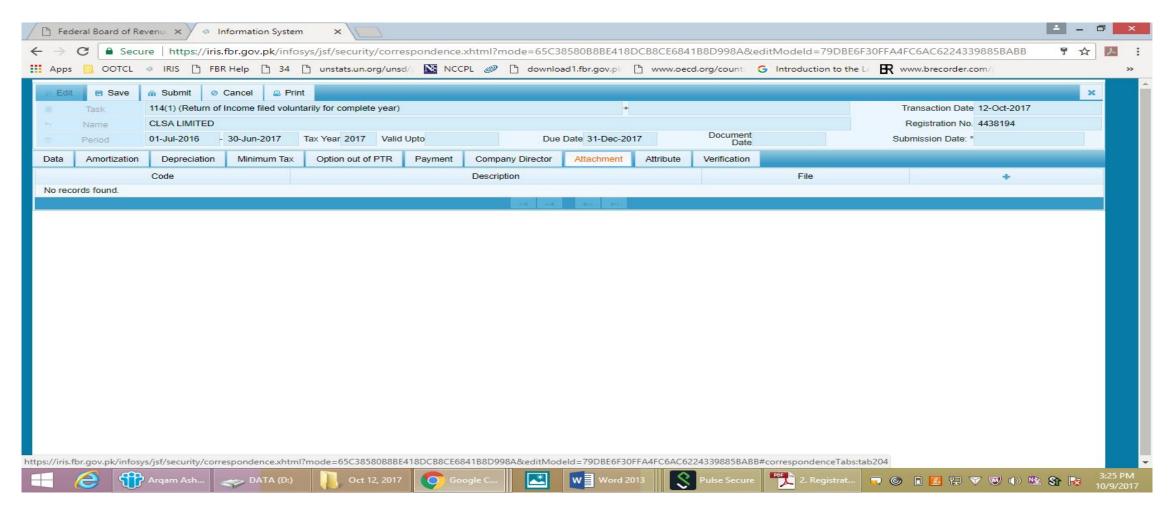




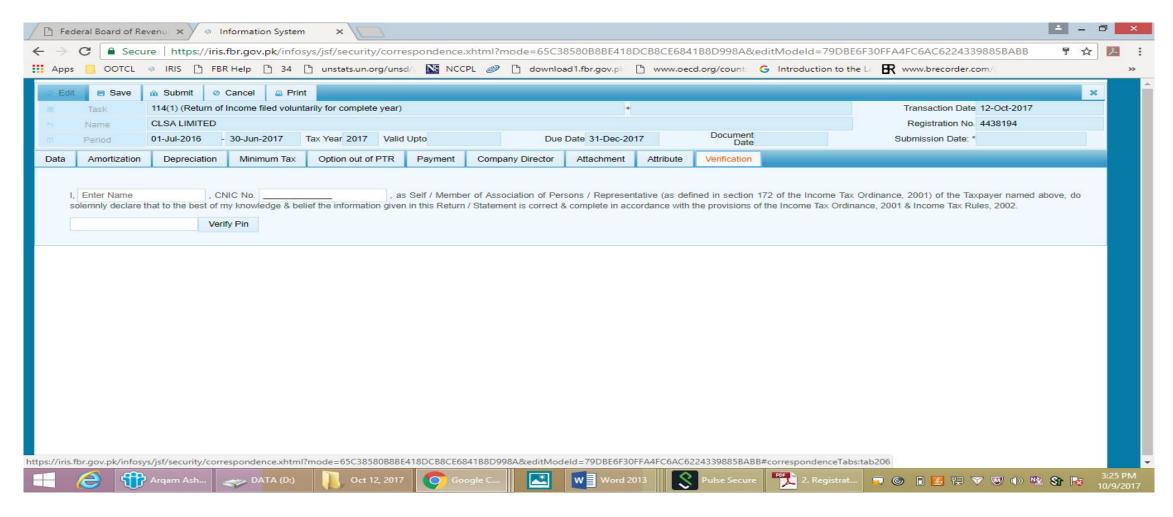




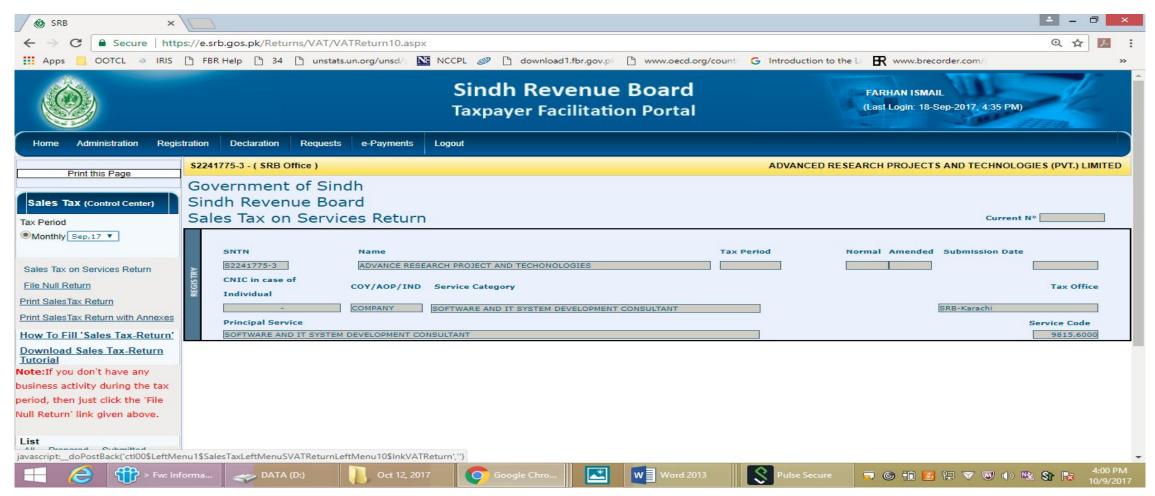


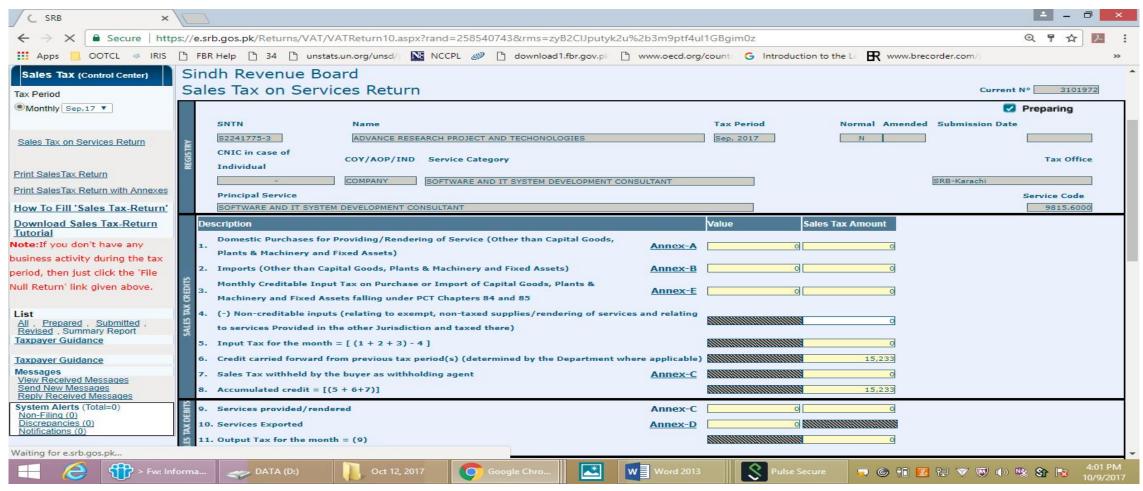


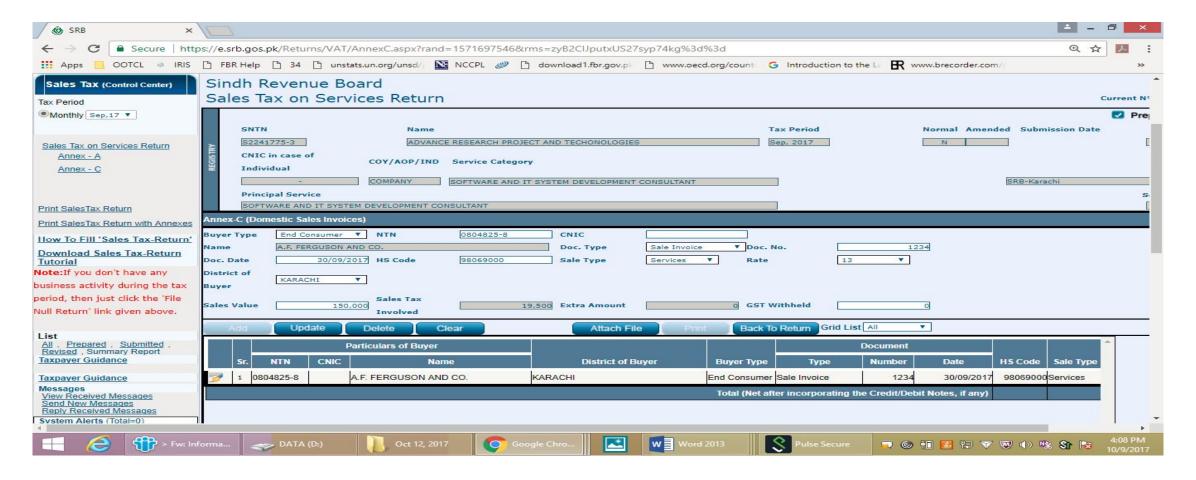




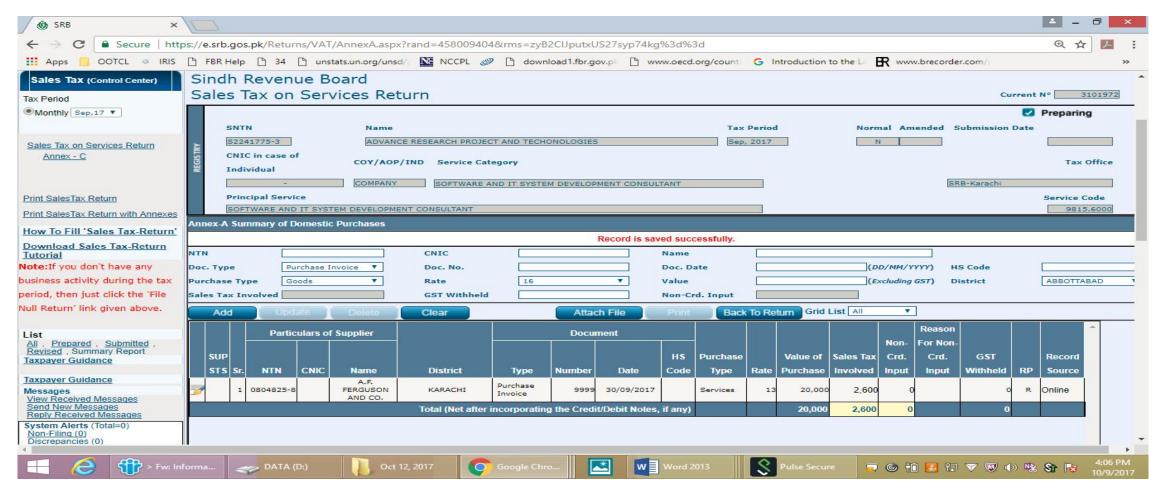




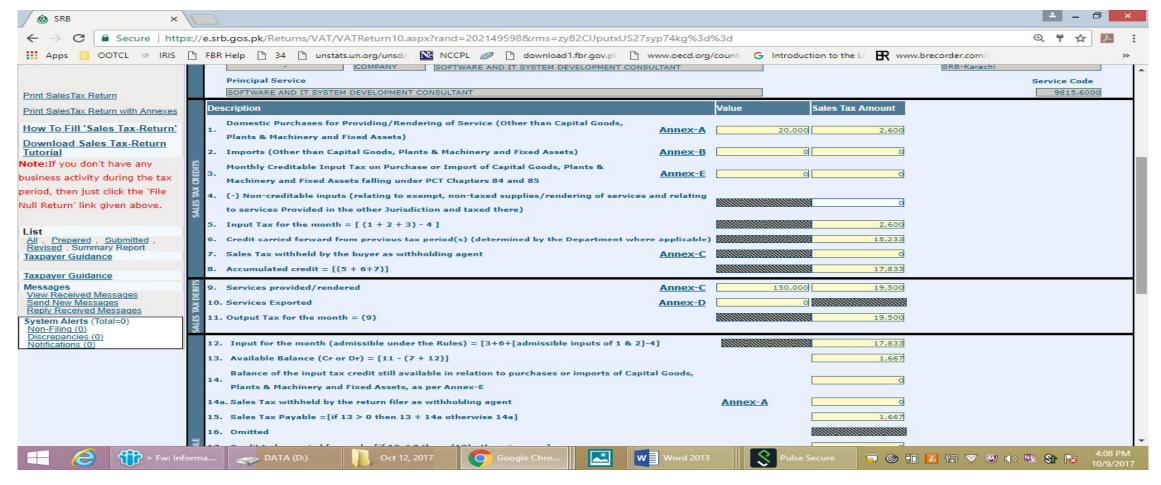




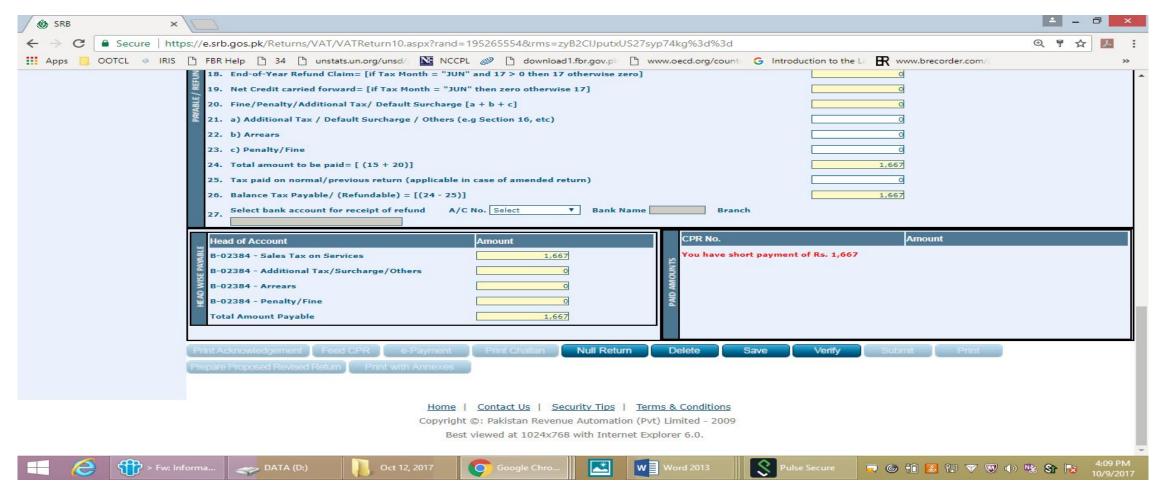












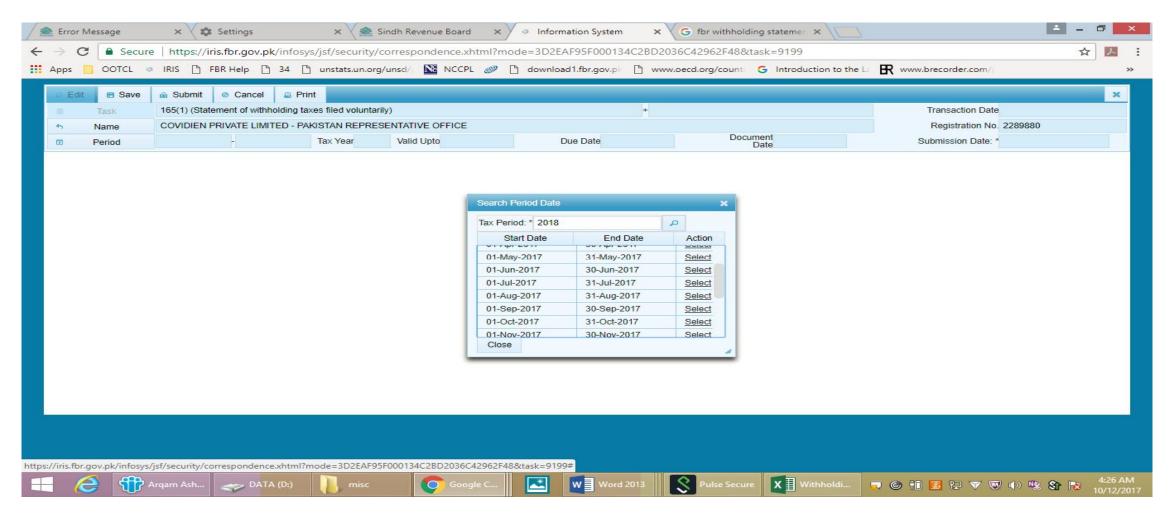
Procedure on IRIS Portal for filing monthly withholding statements

Procedure on IRIS for filing of monthly withholding statementcontd.



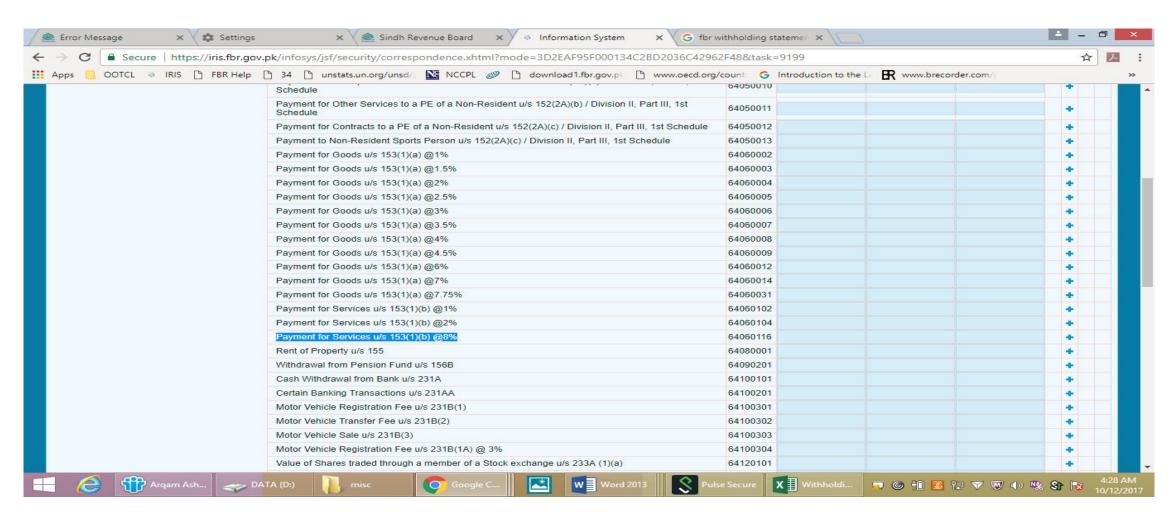


Procedure on IRIS for filing of monthly withholding statementcontd.

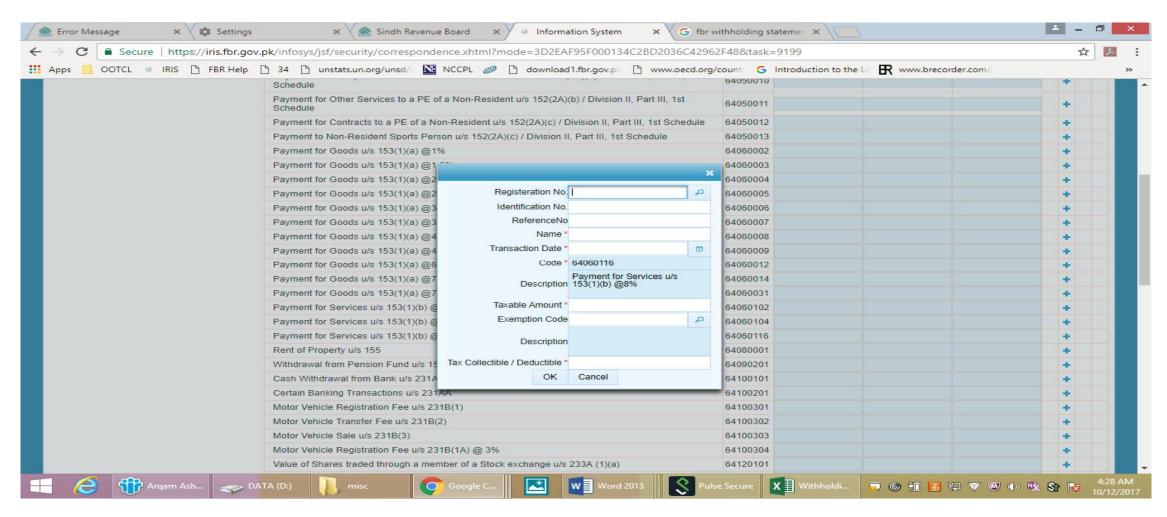




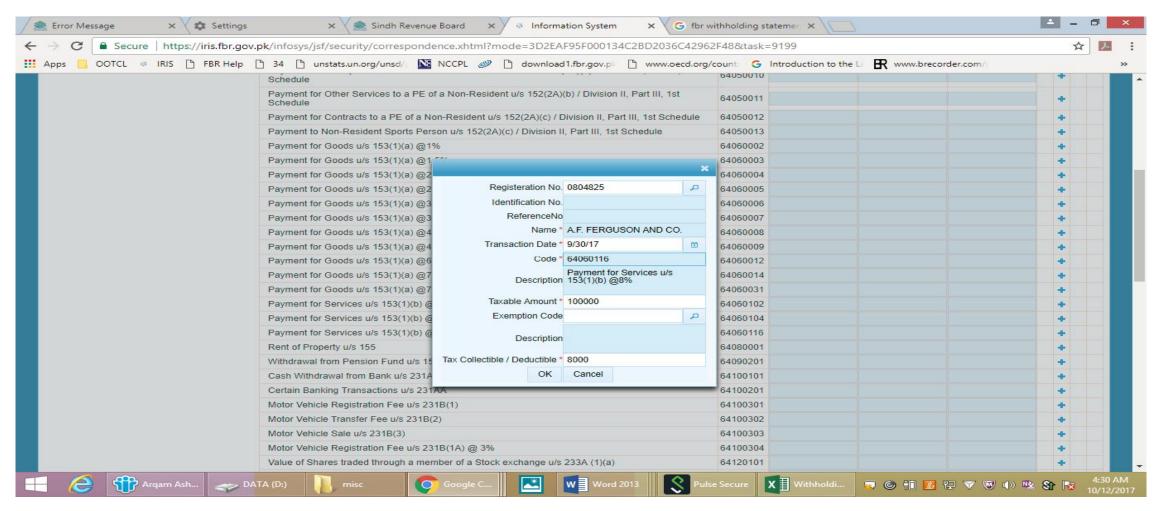






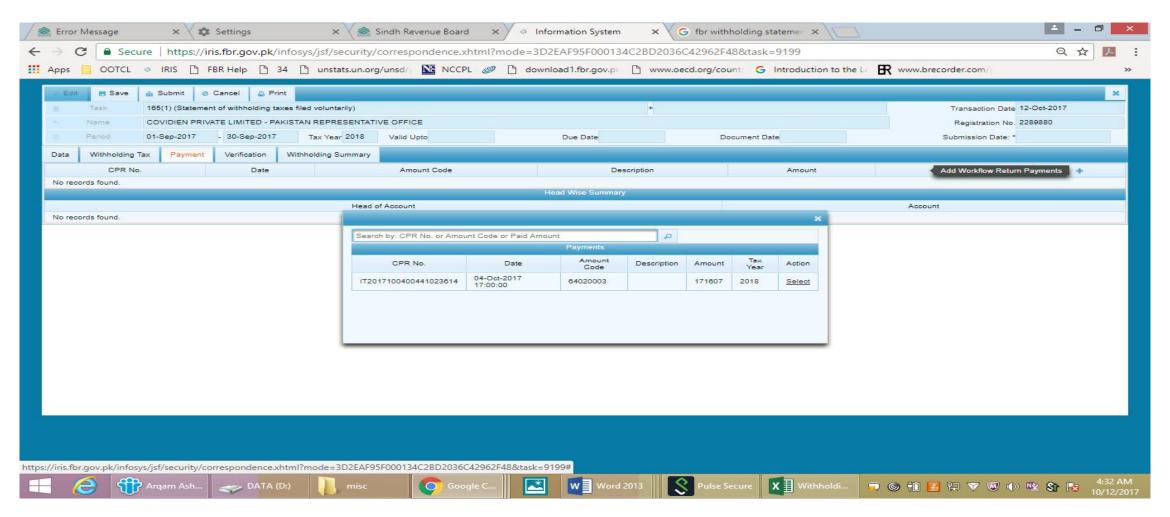








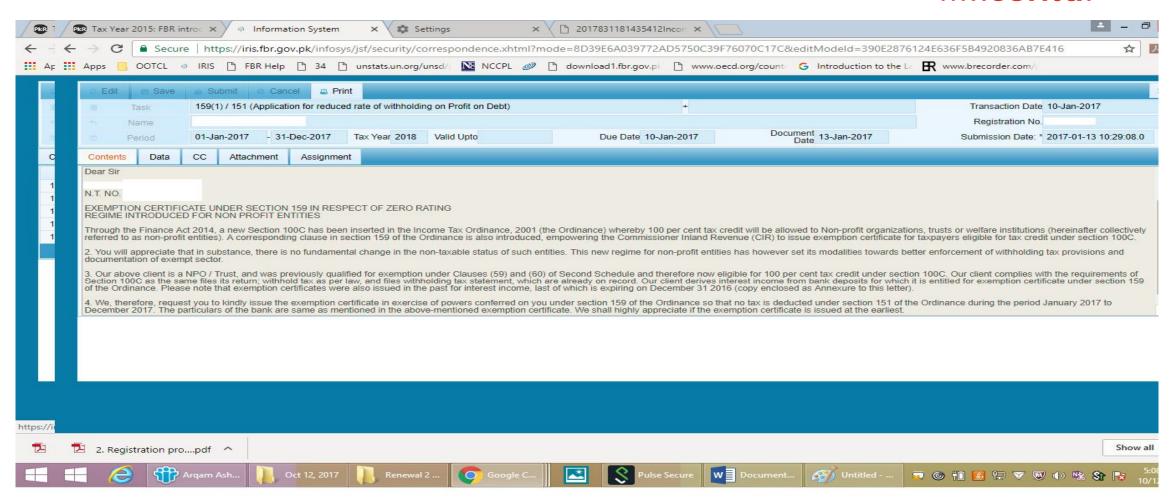


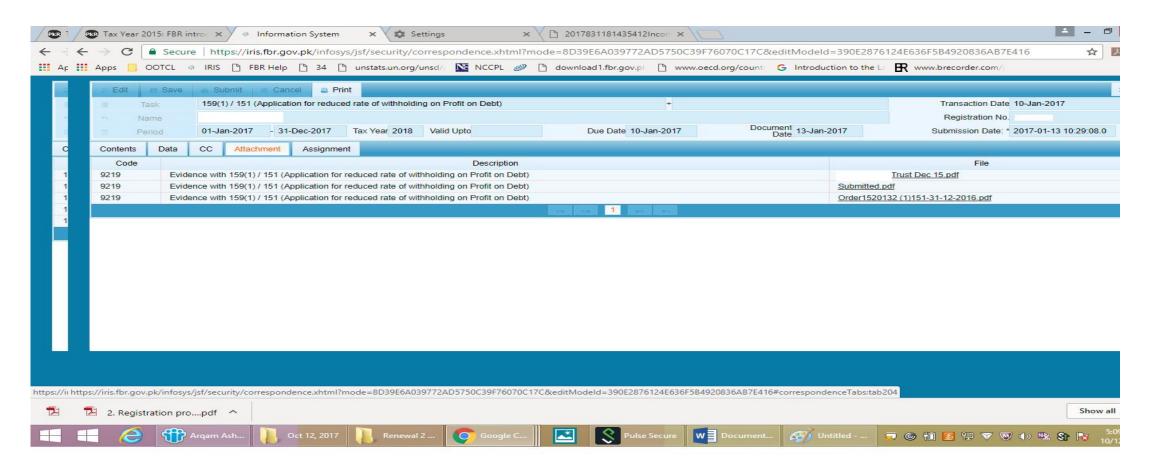


Procedure on IRIS Portal for filing application for withholding exemption certificate

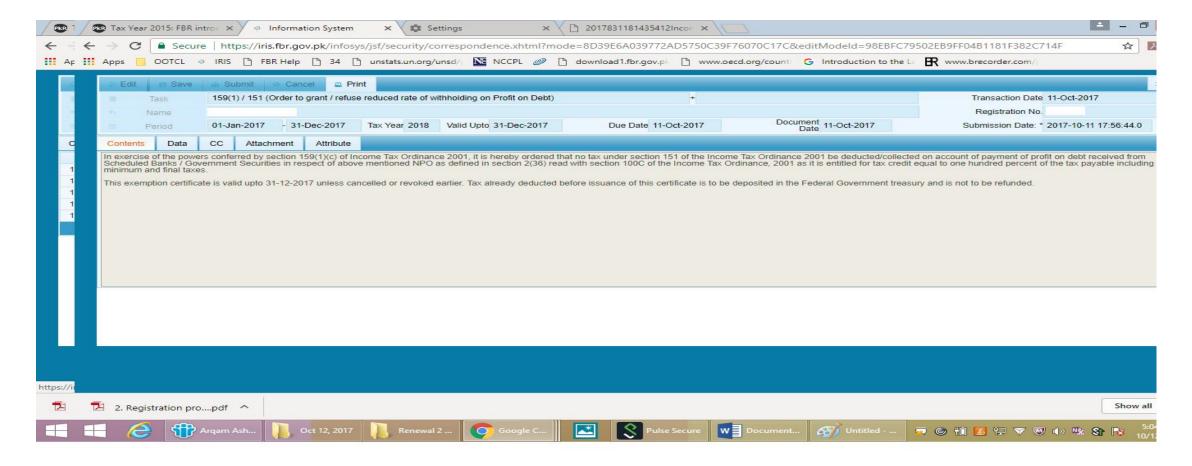






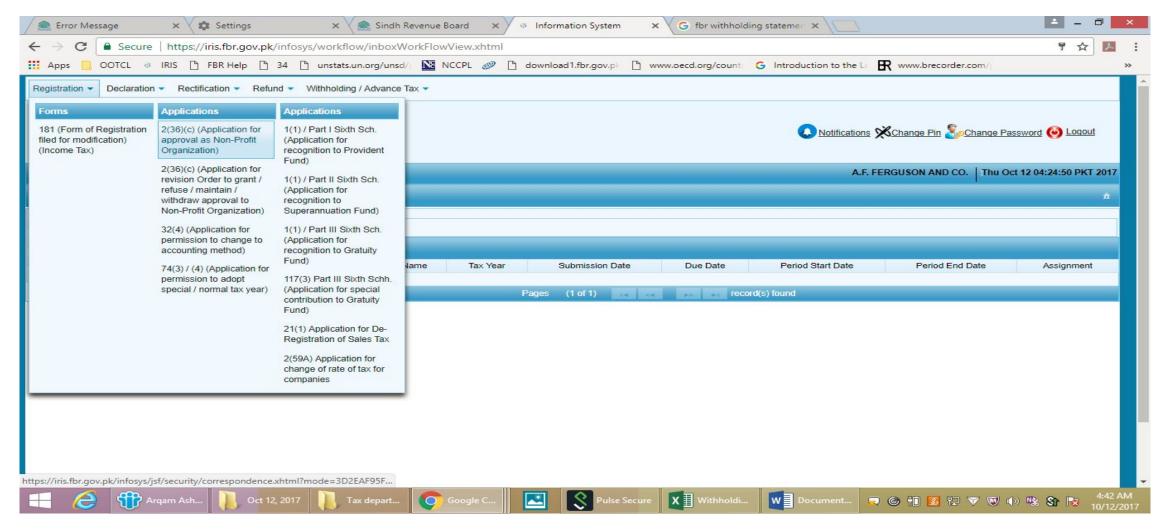


.....contd.

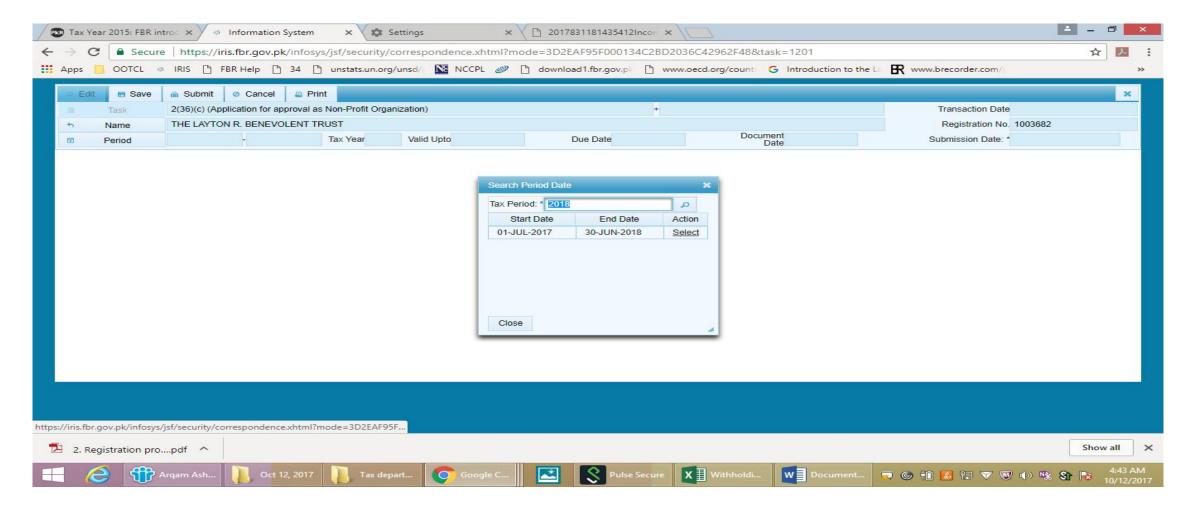


, 7

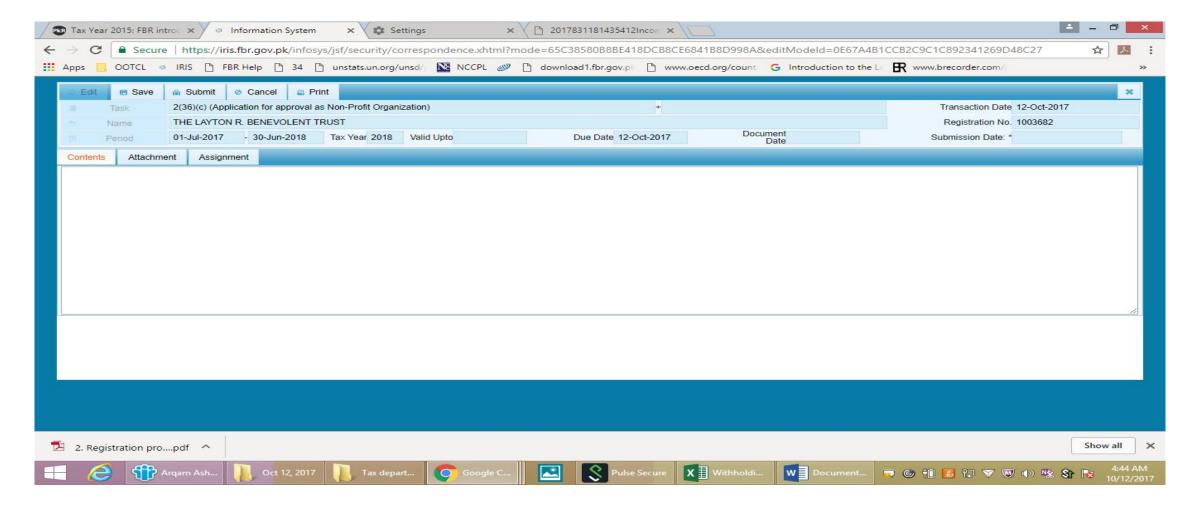
Procedure on IRIS Portal for filing request for approval of an NPO

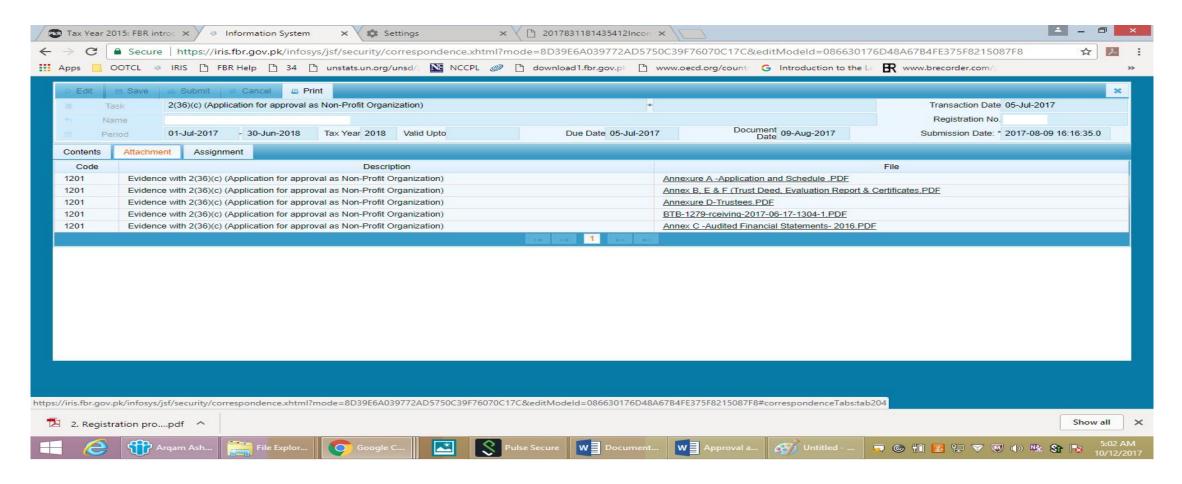












.....contd.

APPLICATION FOR RENEWAL OF APPROVAL FOR THE PURPOSES OF CLAUSE (36) OF SECTION 2 OF THE INCOME TAX ORDINANCE, 2001

To.

The Commissioner Inland Revenue Zone I Corporate Regional Tax Office

Karachi.

Dear Sir,

With reference to clause (36) of section 2 of the Income Tax Ordinance, 2001 (XLIX of 2001), I the undersigned, hereby apply, on behalf of _______ for its renewal of approval for the purposes of the said clause for three years.

- 2) Necessary particulars are set out below, and in the schedule to this application
- The following documents are required under sub-rule (2) of rule 211 of the Income Tax Rules, 2002 are enclosed.
 - a) Duly attested copy of the Trust Deed specifying the aims and objects of is enclosed as Annexure B.
 - b) Latest available audited financial statements(for the year ended June 30, 2016) are enclosed as Annexure C.
 - c) A list showing names, addresses, CNICs etc. of the Trustees, Chairman, Vice Chairman, Secretary, Legal Advisor and Treasurer of LRBT is enclosed as Annexure D.
 - d) A copy of the detailed Evaluation Report on the activities of issued by 'Pakistan Centre for Philanthropy' along with the certificate dated June 16, 2015 as required under the Rule 211 (2) (g) of the Income Tax Rules, 2002 is enclosed as Annexure E.

.....contd.

SCHEDULE

- 1. NAME:
- 2. REGISTERED ADDRESS:
- 3. DATE OF REGISTRATION:
- 4. The has been operating as a Charitable Trust for over three decades and its principal activities include to help alleviate distress and poverty on a long-term basis throughout Pakistan. is operating hospitals at various locations where free eye care facilities and treatments are provided.
- The is registered under the Voluntary Social Welfare Agencies Registration and Control Ordinance, 1961 by the four provinces of Pakistan as per the registration certificates issued to the LRBT as under (Annexure F).
 - a) Certificate of registration No. DSW(K)/163 of 1987 dated June 20, 1987 issued by Directorate of Social Welfare, Government of Sindh.
 - b) Certificate of registration No. DDSW-LD/88-209 of 1988 dated April 23, 1988 issued by Directorate of Social Welfare, Government of the Punjab.
 - c) Certificate of registration No. DSW-1177 dated May 17, 2002 issued by Directorate of Social Welfare, Government of Balochistan.
 - d) Certificate of registration No. DSW/NWFP/1345 dated March 30, 1998 issued by Directorate of Social Welfare, Government of N.W.F.P.
- The provisions of the Trust Deed of the 213.
 Conforms to the provisions of sub-rule (1) of rule
- The benefits provided by the is available to the general public and not specific to a particular community or class of persons.
- 8. Number of trustees as of today is twenty (27).
- Accounting year of the commences on July 1 and ends on June 30.
- For the recording of accounting transactions, the includes all heads of accounts.

 has maintained general ledger which
- (i) Bank account number:
 - (ii) Name of the Bank:
 - (iii) Branch:



