

## **MINISTRY OF COMMERCE**

Islamabad, the 2<sup>nd</sup> May, 1992

S.R.O. 327(I)/92- In exercise of the powers conferred by Section 18 of the National Tariff Commission Act 1990 (No.VI of 1990), the National Tariff Commission, with the prior approval of the Federal Government, is pleased to make following rules, namely:-

### **THE NATIONAL TARIFF COMMISSION RULES, 1990**

#### **1. Short Title and Commencement.**

- (1) These rules may be called the National Tariff Commission Rules, 1990.
- (2) They shall come into force at once.

#### **2. Definitions.**

- (1) In these rules, unless there is anything repugnant in the subject or context:-
  - (a) "Act" means the National Tariff Commission Act 1990 (VI 1990).
  - (b) "application" means an application submitted to the Commission under the Act or these rules in the form set out in Annex A or Annex B to these rules;
  - (c) "Commission" means the National Tariff Commission constituted under section 3(1) of the Act.
  - (d) "Company" means a company registered under the Companies Ordinance, 1984 (XLVII of 1984) or a body corporate set up under a Federal or Provincial Law; and
  - (e) "Member" means member of the Commission and includes the Chairman;

- (2) All other terms and expressions used but not defined in these rules shall have the same meanings as in the Act.

**3. Procedure of the Commission.-**

- (1) Subject to the provision of the Act and these rules, the Chairman shall have power to regulate-
- (a) the conduct of the business of the Commission; and
  - (b) the performance of exercise by one or more members of any function or power of the Commission relating to any proceeding or inquiry.
- (2) All sittings of the Commission shall be presided over by the Chairman and, in the absence of the Chairman, by a member authorized in this behalf by the Chairman.
- (3) In particular, and without prejudice to the generally of the foregoing provisions, the Commission shall have the power to determine the extent to which persons interested or claiming to be interested in the subject matter of any proceedings before it are allowed to be present, or to be heard, or otherwise to take part in the proceedings.

**4. Sittings of the Commission.-** The sittings of the Commission shall normally be held at its headquarters, but the Commission may sit at such other places in Pakistan as the Commission may from time to time decide.

**5. Mode of submission of applications etc.-**

- (1) An Application made by an industrial, trading or business undertaking shall be in the prescribed form accompanied by a \*fee as specified below in the form of Bank Draft or Pay Order payable to the Commission:-
- (i) Having paid up capital upto fifty million rupees Twenty thousand rupees.
  - (ii) Having paid up capital more than fifty million rupees Thirty thousand rupees .
- (2) A reference made to the Commission by the Federal Government shall have the approval of the Secretary or Additional Secretary Incharge of the Ministry concerned.

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\* As amended vide SRO. No.1338(1)/98- dated 5 December, 1998.

## **6. Manner of disposal of application etc.-**

- (1) On receipt of an application, the Commission shall unless it rejects or dismisses the same in limine or returns it for removal of any defect or shortcoming or otherwise disposes of the same, institute such inquiries of proceedings in respect of any matter as may, in the opinion of the Commission be necessary to obtain information or evidence respecting any matter concerning the applicant or any person interested in the matter.
- (2) In the institution of inquiries, the Commission shall, through direct correspondence or thorough direct correspondence or through the recognized trade bodies or chambers or by a notification in the official Gazette, inform all units engaged in economic activities similar to those being carried on by the applicant that such inquiry has been undertaken.

## **7. Appearance by authority representative.-**

- (1) Any person who is entitled or required to attend before the Commission in connection with any proceedings under the Act may, except when he is required to attend personally, be represented at such proceedings by a legal practitioner duly authorized in writing or in the case of a company, a director or an officer of the company.

## **8. Collection of information.-**

- (1) The importers, indentors or distributors of a product under investigation shall, when required to do so, furnish such information and in such form, as may be specified by the Commission.
- (2) Users of a product under investigation shall, when required to do so, furnish such particulars and in such form, as may be specified by the Commission.

## **9. Who may sign a document.-**

- (1) A document purporting to be signed by a firm of partners shall be signed by at least one of the partners, a document purporting to be signed by a company shall be signed by a director or by the Secretary or other principal officer of the company and a document purporting to be signed by any other association of persons shall be signed by the President, Chairman or Principal Secretary of the association or by any other person who appears to the Commission to be duly qualified

(2) The Capacity in which an individual signs a document on behalf of a firm of partners or a company or other association of persons shall be stated below his signature

**10. Seal of the Commission.**- There shall be an official seal of the Commission which shall be affixed on such documents an in such manner as may be specified by the Commission.