

[AS PASSED BY THE SENATE]

**A  
Bill**

*further to amend the Anti-Dumping Duties Act, 2015*

**WHEREAS**, it is expedient further to amend the Anti-Dumping Duties Act, 2015 (XIV of 2015) in the manner and for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement.-** (1) This Act shall be called the Anti-Dumping Duties (Amendment) Act, 2022.

(2) It shall come into force at once.

**2. Amendment of section 2, Act XIV of 2015.-** In the Anti-Dumping Duties Act, 2015 (XIV of 2015), hereinafter called as the said Act, in section 2, after clause (h), the following new clause shall be inserted, namely:-

"(ha) "foreign grant-in-aid projects" means grants made to the Government of Pakistan under section 7 of the Public Finance Management Act, 2019;"

**3. Amendment of section 51, Act XIV of 2015. -** In the said Act, in section 51, in sub-section (1),-

- (a) in clause (c), in the proviso, for full stop at the end, a semi colon shall be substituted;
- (b) in clause (d), for full stop at the end, a semi colon and the word "or" shall be substituted; and
- (c) after the omitted Clause (e), the following new clause shall be added, namely:-

"(ea) not be levied on imports that are to be used as inputs in products destined solely for export or for use in the foreign grant-in-aid projects and are covered under any scheme exempting customs duties for exports or foreign grant-in-aid projects under the Customs Act, 1969 (IV of 1969)."

**STATEMENT OF OBJECTS AND REASONS**

National Tariff Commission received a request, on November 30, 2021, from Beijing Urban Construction Group Co. Ltd. and China Railway Beijing Engineering Group Co. Ltd. through China Pakistan Economic Corridor Authority (CPECA), Ministry of Planning, Development and Special Initiatives to issue Certificate of Exemption in relation to payment of anti-dumping duty for product i.e. Deformed Concrete Reinforcing Steel Bars imported by the afore-mentioned companies to use in construction of New Gwadar International Airport project.

2. The National Tariff Commission could not issue the requested Certificate of Exemption as there is no provision in the Anti-Dumping Duties Act 2015 which allows exemption of anti-dumping duty in such cases. The issue was discussed in the 4<sup>th</sup> Meeting of the Pak-China Relations Steering Committee held on December 15, 2021. The Committee directed Ministry of Commerce and National Tariff Commission (NTC) to amend the law to facilitate grant-in-aid projects.

3. In this connection, a summary for the amendment in law was moved to the Ministry of Commerce in December 2021. Containing the proposal that Section 51 (1) e of the Act, which reads as follows:

".... will not be levied on imports that are to be used as inputs in products destined solely for export and are covered under any scheme exempting Customs Duty for exports under the Customs Act, 1969."

The proposed amended as follows:

"(ea) will not be levied on imports that are to be used as inputs in products destined solely for export or for use in the foreign grant-in-aid projects and are covered under any scheme exempting Customs Duties for exports or foreign grant-in-aid projects under the Customs Act, 1969."

4. In order to facilitate grant-in-aid projects, legal mechanism is necessary to put in place. Therefore, draft amendment in "Anti-Dumping Duties Act, 2015 to Exempt Anti-Dumping Duty on Products Imported on Grant-in-Aid Basis" is being placed before the Parliament for its consideration /approval.

**MINISTER-INCHARGE**