



Introduction

Companies (Submission of Information regarding Income Tax Return) General Order, 2019 ["Order"] has been issued vide S.R.O. 1048 (I)/2019 dated 11 September 2019. As per the order the CEO or an Authorized Person is required to certify that the Company is compliant with the requirement of filing of income tax return.

Following is the synopsis of this Order.

Applicability

This Order is applicable on companies mentioned in Schedule - I for the financial year ended/ending on or after June 30, 2019.

Summary

The companies are required to file a Compliance Certificate as specified in Schedule - II with the registrar with respect to filing of Income Tax return under Income Tax Ordinance, 2001 duly signed by Chief Executive Officer or by an Authorized Person.

Penalty

Penalty for any contravention of the requirements of this Order is as provided in section 238 (2) read with section 479 (2) of Companies Act, 2017 ["Act"] as mentioned below:

Level 3 Penalty

Limit of Penalty	If contravention continues
Upto Rs.100 million	Upto Rs.500,000 per day

Schedule - I

Company	Filing Requirement
1. A Single Member Company or a Private Company having paid up capital of not more than three million rupees where there is no change of particulars in the last annual return filed with the registrar and is not required to file annual return.	Compliance Certificate as per Schedule II within time specified in Section 130 of the Act i.e. within 30 days of AGM.
2. A company (other than a company mentioned at Serial No. 1 above) where there is no change of particulars in the last annual return filed with the registrar and is not required to file annual return.	Compliance Certificate as per Schedule II shall be filed along with Form C (Annual return of companies in case there is no change of particulars since last annual return filed with the registrar) i.e. within 30 days of AGM).
3. Companies required to file annual return i.e. where there is change of particulars in the last annual return filed with the registrar.	Compliance Certificate as per Schedule II shall be filed along with; Form A (Annual return of company having share capital) OR Form B (Annual return of company not having share capital) i.e. within 30 days of AGM.



Schedule-II

Compliance Certificate

(To be filed as per Clause 2 (1) of the Companies (Submission of Information regarding Income Tax Return) General Order, 2019)

This is to certify that M/s. [Insert the name of the Company](#) is compliant with the requirement of filing of income tax return under the Income Tax Ordinance, 2001 for the current tax year i.e. [Insert tax year](#)

Chief Executive

OR

Authorized Signatory to file Annual Return by Company

Name and Designation	Signatures

Date: _____

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Our Comments

The Compliance Certificate requires to fill-in the details of submission of tax return for current tax year.

In terms of section 118 of the Income Tax Ordinance, 2001, a Company whose tax year ends between 01 January and 30 June is required to file its tax return before 31 December. For instance, if a company's tax year ends on 31 March, in such case AGM is required to be convened latest by 29 July and Form A,B or C is required to be filed latest by 28 August, whereas, last date for submission of tax return is 31 December.

In view of the foregoing, Companies may be non-compliant in respect of filing of their latest tax return on the date of filing of Form A,B or C. Thus SECP clarification is required in this respect.

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