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THE FINANCE ACT, 1957

ACT NO. X OF 1957

[25th April, 1957]

***An Act to raise funds for augmentation of the revenues¹[* * *] and for continuance in force of certain taxes for the purpose of meeting expenditure on rehabilitation of refugees.**

WHEREAS it is expedient to raise funds for augmentation of the revenues²[* * *] and to continue in force certain taxes for the purpose of meeting expenditure on rehabilitation of refugees as hereinafter provided;

It is, therefore, enacted as follows:-

Short title and commencement

1. (1) This Act may be called the³[* * *] Finance Act, 1957.

(2) It shall be deemed to have come into force from the 1st day of April, 1957.

Levy and collection of tax on advertisement through daily newspapers

⁴[2. (1) There shall be levied and collected a tax on advertisement through daily newspapers excluding tender and employment notices, at the rate of ten per centum of the amount charged on such advertisement.

(2) The tax shall be collected and paid to the Government by the authority or management of the newspapers concerned.

(3) The National Board of Revenue may make rules regulating the procedure for collection and payment of the tax and any other matter incidental to its levy.]

* Throughout this Act, the words "Government" and "Tk." were substituted for the words "Provincial Government" and "Rs." Respectively by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

¹ The words "of the Province" were omitted by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

² The words "of the Province" were omitted by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

³ The words "East Pakistan" were omitted by Article 6 of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (President's Order No. 48 of 1972).

⁴ Section 2 was substituted by section 4 of the অর্থ আইন, ১৯৯২ (১৯৯২ সনের ২১ নং আইন)।

3. (1) There shall be levied and collected from the owner or management of any shop situated in any Municipal or Cantonment Area or in such other area or areas as may be notified in the *official Gazette* a tax of Tk. 3 *per annum*.

Levy and realisation of tax from owners, etc., of shops is certain areas

Explanation.- ‘Shop’ means any premises not being premises intended to be in the nature of a temporary structure, where the trade or business of selling goods by retail or wholesale is carried on by the owner or occupier, or where services are rendered by the owner or occupier to the customers, and includes offices, show-rooms, store-rooms, godowns or ware-houses, wherever situated, used in connection with the said trade or business.

(2) The Government may make rules regulating the procedure for collection and payment of the tax and any other matter incidental to its levy.

4. [*Amendment of Bengal Agricultural Income-Tax Act, 1944.- Omitted by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).*]

5. (1) Every owner or management of a hotel, restaurant, eating house or lodging-house shall apply for registration to such officer, in such manner and within such time as may be prescribed by the Government by rules on payment of registration fee at the scales specified below:-

Registration of hotels, restaurants, eating houses and lodging houses

Rates of registration fee for a year or portion thereof.		Tk.
(i)	First Class hotel or restaurant or eating-house or lodging-house.	1,000
(ii)	Second Class hotel or restaurant or eating-house or lodging-house.	500
(iii)	Third Class hotel or restaurant or eating-house or lodging-house.	200
(iv)	Fourth Class hotel or restaurant or eating-house or lodging-house.	100
(v)	Fifth Class hotel or restaurant or eating-house or lodging-house.	50

(2) The provision of sub-section (1) shall not apply to hotels, restaurant, eating houses or lodging houses the monthly net income of which is Tk. 500 or below.

Explanation.- Net income shall be determined by rules.

(3) Every registration under sub-section (1) shall remain valid for a year and shall be renewed every year within one month of the expiry of its validity.

(4) The Government may make rules for classification of the hotels, restaurants, eating houses and lodging houses and for regulating the procedure for collection and payment of the registration fee and any other matter incidental to its levy.

(5) If any owner or management of a hotel, restaurant, eating house or lodging house fails to apply within due time for registration of the hotel, restaurant, eating house or lodging-house, he shall be liable to pay one and one-eighth the rates specified in sub-section (1).

6. [*Imposition of tax on jute.- Omitted by section 2 of the Finance (Amendment) Act, 1975 (Act No. XXXI of 1975).*]

7. [*Amendment of the Bengal Motor Vehicles Tax Act, 1932 and the Assam Motor Vehicles Taxation Act, 1936.- Omitted by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).*]

8. [*Omitted by section 7 (4) of the East Pakistan Ordinance No. LXV of 1958 which was also repealed by section 8 of the East Pakistan Act XII of 1958.]*

9. [*Payment of tax by legal and Income-tax practitioners.- Omitted by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).*]

10. [*Payment of tax by Clearing Agents and Contractors.- Omitted by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).*]

11. [Toll on vessels plying in inland waters.- Omitted by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).]

12. [Toll on fares and freights on traffic by inland vessels.- Omitted by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).]

13. [Toll on freights on goods carried by road.- Omitted by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).]

14. [Amendment of Art. 53 of Schedule I of Act II of 1899.- Omitted by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).]

15. If the person on whom the tax is levied or who is responsible for the collection and payment of any tax or toll under this Act fails to pay the tax or toll as provided in this Act and the rules made thereunder, he shall be liable to a penalty not exceeding the amount of the tax or toll payable. Penalty

16. Any tax, toll or fee leviable under the provision of this Act or any penalty imposed thereunder shall be deemed to be public demand within the meaning of the ¹[* * *] Public Demands Recovery Act, 1913. Public demand

¹ The word "Bengal" was omitted by section 6 of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (President's Order No. 48 of 1972).