

Seventh Schedule: SECP unveils revised fee structure for different companies

The Securities and Exchange Commission of Pakistan (SECP) will charge a registration fee of Rs 10,000, irrespective of the amount of share capital, on formation of a company wholly-owned by the government and notified in the official gazette. The SECP has issued revised fee structure for different companies under Seventh Schedule of the Companies Act 2017, updated as on July 15, 2019. According to the SECP, where a company to be formed has been notified by the federal government in the official gazette to be wholly-owned by it, a fee of Rs 10,000 shall be charged irrespective of amount of share capital.

According to the revised fee structure issued by the SECP, the SECP will charge fee of Rs 1,000 for submission of documents electronically and Rs 2,000 for submission of documents in physical form for registration of a company whose nominal share capital does not exceed Rs 100,000. The SECP has specified separate fee structure for a company established outside Pakistan which has a place of business in Pakistan.

For filing, registering or recording a document containing charter/statute/memorandum and articles, etc, for registration by a foreign company under the Act required or authorized to be filed, registered or recorded a fee of Rs 10,000 for submission of documents electronically and Rs 20,000 for submission of documents in physical form. For filing, registering or recording any document notifying particulars relating to a mortgage or charge or pledge or other interest created by a company, or any modification therein or satisfaction thereof, a fee of Rs 5,000 for submission of documents electronically and Rs 7,500 for submission of documents in physical form.

For filing, registering or recording the particulars relating to satisfaction of mortgage or charge or pledge beyond the period prescribed under section 109 but not exceeding one year, a fee of Rs 10,000 for submission of documents electronically and Rs 15,000 for submission of documents in physical form.

For filing, registering or recording the particulars relating to satisfaction of mortgage or charge or pledge beyond one year of the period prescribed under section 109, a fee of Rs 15,000 for submission of documents electronically and Rs 22,500 for submission of documents in physical form.

For registration of a company whose nominal share capital exceeds Rs 100,000, the additional fee to be determined according to the amount of nominal share capital as follows:

For every Rs 100,000 of nominal share capital or part of Rs 100,000, up to Rs 10,000,000, a fee of Rs 500 for submission of documents electronically and Rs 1000 for submission of documents in physical form. For every Rs 100,000 of nominal share capital of Rs 100,000, after the first Rs 10,000,000, up to Rs 5,000,000,000 a fee of Rs 400 for submission of documents electronically and Rs 750 for submission of documents in physical form.

For every Rs 100,000 of nominal share capital or part of Rs 100,000 after the first Rs 5,000,000,000, up to any amount of fee of a fee of Rs 150 for submission of documents electronically and Rs 250 for submission of documents in physical form.

Provided further that the fee payable at the time of registration of company shall not exceed forty million rupees in case of electronic submission and fifty million rupees in case of physical submission. For registration of an increase in the share capital made after the first registration of the company, an amount equal to the difference between the amount which would have been payable on registration of the company by reference to its capital as increased and the amount which would have been payable by reference to its capital immediately before the increase, calculated at the rates given. Provided that no such fee shall be applicable on registration of an increase in authorized share capital of a transferee company after merger consequent to sanction of application for compromises, arrangements or reconstruction for merger of companies by the Commission pursuant to Section 279 to 282 or section 284 of the Act, to the extent of aggregate of authorized capital of the transferor and transferee companies.

For the purpose of calculation of fee for registration of an increase in the share capital of the company which has shifted from physical mode of filing to electronic mode of filing, the difference of fee shall be calculated on the basis of the rates applicable for electronic submission on the amount of capital before and after such increase: Provided further that where a company to be formed has been notified by the Federal Government in the official Gazette to be wholly owned by it, a fee of Rs 10,000/- shall be charged irrespective of amount of share capital.

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