State Bank of Pakistan

GOP IJARA SUKUK

PROCEDURE RELATING TO ISSUE, MANAGEMENT, REPAYMENT etc

Financial Markets Strategy & Conduct Department September 12, 2008

PROCEDURE RELATING TO ISSUE, MANAGEMENT, REPAYMENT etc. GOP IJARA SUKUK (GIS)

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CHAPTER I

Government of Pakistan Ijara Sukuk Rules, 2008

- 1. Short title, commencement and application:-
 - 1) These rules may be called the Government of Pakistan Ijara Sukuk Rules, 2008.
 - 2) These rules shall come into force at once.
 - 3) These rules shall apply to Government of Pakistan Ijara Sukuk hereinafter referred to as the "Sukuk", issued by the Pakistan Domestic Sukuk Company Limited, hereinafter referred to as "the company" (a company hundred *per cent* owned by the Federal Government), from time to time.
- 2. **Maturity Period**: The maturity period of the first Sukuk issued by the company shall be three years from the date of issue. Later on the company may issue Sukuk having longer or shorter maturity periods but the shortest period shall not be less than one year as notified by the State Bank of Pakistan.
- 3. Denomination: The Sukuk shall be issued in multiple of one hundred thousand rupees. Each Sukuk shall represent an undivided ownership of the assets held on trust for the holder of the Sukuk pursuant to a Declaration of Trust in the name of the company.
- 4. **Profit**: The profit on the Sukuk shall be paid bi-annually on the basis of rental rate announced by the State Bank of Pakistan prior to start of each half year.
- 5. **Redemption**: The Sukuk shall not be redeemable before maturity.
- 6. **Sale**: The Sukuk shall be sold by auction to the primary dealers and Islamic Banks as determined by the State Bank of Pakistan for the purpose of Sukuk.
- 7. **Bidding**: Bidders shall be allowed to bid in the manner specified by the State Bank of Pakistan.
- 8. Who can hold the Sukuk: The Sukuk shall be held by individuals (subject to issuance of notification by the Government of Pakistan), institutions, trusts, funds of all types, bodies corporate including banks, non-banking finance companies and insurance and *takaful* companies irrespective of their residential status. The Investment by non-residents shall be in foreign exchange remitted through the official channels. Such investments shall be eligible for repatriation

- of the principal as well as periodic profit on the Sukuk but the exchange risk shall be that of the investor.
- 9. **Trade and Transfer**: The Sukuk shall be traded freely in the Pakistan's secondary markets and transferable through Subsidiary General Ledger Account.
- 10. **Registration**: The Sukuk shall be scripless and registered with the State Bank of Pakistan through Subsidiary General Ledger Account.
- 11. **Government Security**: The Sukuk shall be Government security for the purpose of the Public Debt Act, 1944 (XVIII of 1944) and the payments under the Sukuk shall represent the payment obligations of the Government of Pakistan on account of the payment of rentals in respect of assets held on trust by and leased from the company; and on account of payment of purchase price to the company for purchase of assets at the time of maturity.
- 12. **Approved Security**: The Federal Government shall declare the Sukuk as approved security for the purpose of sub-section (1) of section 29 of the Banking Companies Ordinance, 1962 (XVII of 1962).
- 13. **Statutory Liquidity Requirement (SLR) eligibility**: The Sukuk shall be Statutory Liquidity Requirement (SLR) eligible for Islamic as well as conventional banks.
- 14. **Acceptability as collateral**: The Sukuk shall be accepted by the banks and financial institutions as collateral for the purposes of financing.
- 15. **Tax Liability**: The profit earned on the Sukuk shall be liable to income tax in accordance with the laws of Pakistan. Withholding tax on the Sukuk shall be deducted at the rate of ten *per cent* at source.
- 16. **Deduction of Zakat**: There shall be no compulsory deduction of *Zakat* at source and a *sahib-e-nisab* may *Zakat* on his own according to *Shariah*.

CHAPTER II

PROCEDURE TO BE FOLLOWED FOR SALE OF THE GOP IJARA SUKUK

- 17. All commercial banks including Islamic Banks (and non-banks subjected to SLR and entitled to open current account with SBP) will be eligible to open subsidiary general ledger account (SGLA) with State Bank of Pakistan for GOP Ijara Sukuk. Commercial banks having Islamic branches will have to maintain separate SGLA's to clearly distinguish between the holding of the Islamic branch and its conventional counterpart. All eligible banks/non-banks may approach SBP BSC (Bank), Karachi for opening SGLA for GOP Ijara Sukuk.
- 18. A tender notice inviting sealed bids from the primary designated dealers would be broadcasted on SBP's Reuters page SBPK16/newspapers and will give the details of the auction program.
- 19. Bids may be placed with the Director, Domestic Markets & Monetary Management Department (DMMD), State Bank of Pakistan by designated Primary Dealers, in Form GIS-1 up to the prescribed time by SBP on the date on which bids will be opened.
- 20. DMMD will prepare the profile of bids in form GIS-2.
- 21. The auction result would be announced through SBP's Reuter page SBPK17.
- 22. After each auction details of the auction containing data on total volume/number of bids received, volume of accepted/rejected bids with names of the PD's will be communicated to the Finance Division GOP by DMMD.
- 23. Successful bidders would be required to duly execute, within one day of announcement of auction result, a certificate subscription undertaking through their authorized signatories at the premises of the SBP BSC, Karachi to subscribe to the Sukuk and deposit the requisite amount for settlement of the accepted bids on the settlement date of the auction.
- 24. The settlement date will be the date of issue of the Sukuk.
- 25. The Sukuk shall be issued as fully registered stocks in the form of un-certificated Sukuk; hence no paper security will be issued. The transactions shall be done through "Book Based Clearing and Settlement System" of accounting known as Subsidiary General Ledger Accounts (SGLA) which refer to the process of

- accomplishing settlement via an entry in a book representing the ownership of securities of an investor. Securities under this system are dematerialised and as such no physical movement of securities is required in case of change of ownership. The transfer of ownership from one owner to another is completed by debiting/crediting the respective accounts.
- 26. Apart from PDs all commercial banks and non-banks subjected to SLR and entitled to open current account with SBP-BSC are eligible to maintain SGLA for GOP Ijara Sukuk. The features of SGLA will be as under;
 - i. The SGLA holders shall be eligible to maintain with the SBP-BSC two SGL Accounts: one for their own position and another for their respective clients' position i.e. IPS (Investment Portfolio Securities) account. All the transactions between SBP-BSC and SGL Account holders and also those relating to inter dealer shall be recorded by SBP BSC and would be reflected in the two SGL Accounts separately under own or IPS accounts.
 - ii. In the similar way the SGLA holders at their end will also maintain SGLA's having their own position and client's position maintained separately.
 - iii. On acceptance of bids furnished by the PD's, they will settle their amount on the date pre-specified in the auction program and the amount will be credited in to respective head of Government Account by debiting PD's accounts maintained with SBP-BSC under advise to concerned authorities in form GIS-3.
 - iv. The credit in to respective SGLA will be carried at face value i.e. amount to be repaid at maturity of Sukuk, by passing internal credit voucher in form GIS-4 and duly recording the same in the day book in form PDO 101 (form GIS-5).
 - v. The particulars of issue with all the treatments as provided in Para 26(iii) will be recorded in the Issue Register in Form GIS-6.
 - vi. Separate identification codes for the instrument with date of issue, maturity and coupon's profile will be allotted to strictly monitor the movements of the Sukuk in the Secondary Market/pledging of the Sukuk.
- 27. All banks/NBFIs maintaining SGLA with SBP-BSC will be required to furnish to the SBP-BSC a reconciliation statement of their balances of GOP Ijara Sukuk held in the SGLA relating to their own holdings and holdings of their clients separately in Form GIS-10 as on each end month basis or as and when demanded by SBP BSC. The information relating to the self-holdings and of the clients will be furnished group wise as per income tax rules being imposed from time to time to facilitate the SBP BSC to deduct tax liabilities accurately.

28. The banks and NBFIs maintaining IPS will issue on half yearly basis or as and when requested for by their clients, a certificate in which GOP Ijara Sukuk held by the banks/NBFIs on behalf of the concerned client will be listed.

CHAPTER III TRANSFER FROM ONE SGL ACCOUNT TO ANOTHER SGL ACCOUNT (Secondary market trading)

- 29. In case of transfer between two different accounts holders Form PDO- 119 (GIS-7) accompanied by general from of transfer in Form PDO-118 (GIS-8) will be filled in and a fee of Rs. 1/- shall be charged per transfer from the seller. The application should also be accompanied by a cheque in favor of the transferor of the amount of Sukuk representing the cost of the amount of Sukuk desired to be transferred for debit/credit of their account for simultaneous transfer of the funds in opposite direction in current accounts of the transferor and transferee maintained at the SBP-BSC. The clearing and settlement will be done on a "same day" basis.
- 30. The fee amount will be credited in to Commission A/c PDO- Commission.
- 31. In case of transfer of Sukuk where payment is not involved as in case of own to IPS or IPS to IPS between two banks or IPS to own SGLA of another bank account or vice versa the State Bank shall act on transfer instructions received in writing from the SGLA holder/holders.
- 32. The application along with cheque and form of transfer will be acknowledged on the copy thereof.
- 33. The PDs and other Banks/NBFIs will report the trading of Sukuk to the DMMD in Form GIS-9 separate for each issue from the date of settlement of 1st auction on weekly basis.

CHAPTER IV

Procedure for registration of documents produced by an institution to deal in Government Securities

34. Registration of documents produced by an institution to establish a claim to deal in Govt. Securities will be done at PDO as provided in Para 76 to 88, chapter 6 of PDO Manual.

CHAPTER V

Procedure for Payment of Profit

- 35. The profit on the GOP Ijara Sukuk shall be paid semi-annually on the basis of rental rate announced by the SBP prior to start of each half year. DMMD will communicate the profit rate to PDO and who will communicate the rate to SGLA holders at the start of each half year in Form GIS-17.
- 36. Three days before each profit payment date in respect of SGLA of the pertinent issue, shut period will start and during the period any transfer transaction effected will not be accepted either for making payment of profit or discharged value of the Sukuk.
- 37. The balances of issue will be reconciled with Account holders by calling position in Form-PDO-124 (GIS-10).
- 38. In case the balances are reconciled amount of profit calculated at preannounced profit rate and after deducting withholding tax will be passed on to the account holders by affording credit in to their current accounts on the date of profit payment.
- 39. In case of holiday on profit payment date the payment will be made on next working day falling after holiday.

CHAPTER VI

Procedure of payment of principal and profit on maturity

- 40. Three days before maturity, shut period will start and during the period any transfer transaction effected will not be accepted for discharged value of the Sukuk.
- 41. SGLA holders will fill in Form of Receipt in form GIS-11 and furnish it to PDO at the start of shut period along with form in PDO-124 (GIS-10) for reconciliation of their balances maintained with SBP BSC.
- 42. In case the reconciliation is arrived at as on redemption date the amount of principal as well as profit after deducting withholding tax will be credited to current account of SGLA holders' maintained with SBP BSC on the said date by debiting Government head of A/c under advice to concerned authorities in Form GIS-12.
- 43. In case of holiday on maturity date the payment will be made on next working day falling after holiday.

CHAPTER VII

Government Head of Accounts for Management of Sukuk

i. Credit on account of Sale proceeds from PD's and Fee from PD's:

Major Object: E03 – Debt

Minor Object: E031 – Permanent Debt – Domestic

Detailed Object: E03109 - Sukuk

ii. Debit on account of principle amount on redemption of Sukuk

Major Object: A10 Principal Repayments of Loans

Minor Object: A101 Principal Repayments of Loans - Domestic

Detailed Object: A10114 Sukuk

iii. Debit on account of Profit:

Major Object: A07 Interest Payment
Minor Object: A071 Interest - Domestic

Detailed Object: A07107 Sukuk

CHAPTER VIII Monthly Statements (To be sent by PDO)

Sr. No	Statement	To be sent to
I.	Monthly Statement showing the Balances of Rupee Debt of Sukuk and the transactions effected during the month for Sukuk of 3 years maturity in Form GIS-13.	FSCD, SBP
II.	Monthly statement showing the ownership classification of Sukuk, Vouchers passed during the month in Form GIS-14.	FSCD, SBP
III.	Monthly statement showing the profit paid on Sukuk during the month in Form GIS-15.	FSCD, SBP
IV.	Summary of information received from SGLA holders at the end of month in Form GIS-10.	DMMD, SBP
V.	Monthly Statement showing balance position of SGLA own & IPS A/c of banks/NBFIs/Others etc. in respect of GOP Ijara Sukuk at the end of each month in Form GIS-16.	FSCD, SBP

CHAPTER IX

LIST OF FORMS

Sr. No.	Particulars	Form No.
1.	Tender Form	GIS-1
2.	Auction Report from DMMD	GIS-2
3.	Credit Advice after credit of Sale proceeds to the Govt.	GIS-3
4.	SGL Credit internal Voucher.	GIS-4
5.	Day Book	GIS-5
6.	Issue Register (General Ledger)	GIS-6
7.	Request letter to PDO for transfer from one SGLA to another.	GIS-7
8.	Undertaking of seller and buyer in case of transfer from one SGLA to another.	GIS-8
9.	Weekly report on secondary market trading of GIS	GIS-9
10.	Statement showing balance of SGL A/c	GIS-10
11.	Form of receipt for Repayment amount.	GIS-11
12.	Debit advice on Repayment of GIS to concerned authorities	GIS-12
13.	Monthly statement showing the rupee Debit position Sukuk.	GIS-13
14.	Monthly Statement showing the ownership of classification of Sukuk.	GIS-14
15.	Monthly statement showing the profit paid on Sukuk.	GIS-15
16.	Monthly Statement showing balance position of SGL own & IPS A/c of banks/NBFIs/Others	GIS-16
17.	Letter to SGLA Holders to convey profit rate for next half year	GIS-17

TENDER FORM

The	Direc	tor,										Γ	D ated	l:_				
Don	nestic	Ma	kets	& Mor	netary													
	_		-	artment	,													
	e Banl	k of	Paki	istan,														
Kara	achi.																	
Dea	r Sir,																	
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á	accord	lanc	e wit	th the p	rovisions	of FS	CD C	ircula	r No.	13	dat	ted S	eptei	mb	er 6	, 20	08.	
2.	Amou	nt F			in figures s) Rupee													
3.]	Rental	Inc	ome	(Margi	n over o	r unde	r benc	hmarl	k) <u>TBi</u>	ill ±	<u>± bp</u>	s(Up	to tw	'O C	lecim	ıal po	oints)	<u>!</u>
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FORM GIS-2

STATE BANK OF PAKISTAN DOMESTIC MARKETS & MONETARY MANAGEMENT DEPARTMENT $\underline{ KARAHI}$

Ye	ars GOP Ijara Sukuk Auction No	_ held on				
Sr. No	Name of the Primary Dealer	Amount	Cumulative	Margin over/under the Benchmark Rate		

p. Chief Manager

STATE BANK OF PAKISTAN PUBLIC DEBT OFFICE KARACHI

The Director Finance Department State Bank of Pakistan Central Government Accounts Section Karachi

Dear Sir,

ISSUANCE OF GOP IJARA SUKUK FOI	R 3 YEARS
We advise having credited today theGovern	nment Deposit Account
Central -1 (Non Food)with a sum of R	s
(only) being the	e amount of GOP Ijara
Sukuk issued on Auction Nodetailed	as under;
	3 Years
 Amount received over the counter of the Office towards the captioned Sukuk. 	Rs.
Total	Rs.
	Yours faithfully,
	p. Chief Manager
Endt: No.	
 The Director, DMMD SBP, Karachi The Secretary Government of Pakistan, Finance Divis Islamabad. 	
· · · · · · · · · · · · · · · · · · ·	

4. The Accountant General Pakistan, Revenue, Islamabad

FORM GIS-4

STATE BANK OF PAKISTAN PUBLIC DEBT OFFICE KARACHI

SGL CREDIT INTERNAL VOUCHER

Auction NoIssue Date	Voucher No Date
DEBIT	CREDIT
Security:	Security:
Amount:	Amount:
Value Date:	Value Date:
SGL A/c:	SGL A/c:
	p. Chief Manager

FORM GIS-5

STATE BANK OF PAKISTAN PUBLIC DEBT OFFICE KARACHI

DAY BOOK

Sr. No	Reference No	Security ID	Value Date	A/c Dr	A/c CR	Cheque Amount	Nominal Amount	Remarks

STATE BANK OF PAKISTAN PUBLIC DEBT OFFICE KARACHI

(40213) Form B-8 (Para 12)

General Ledger of Issue of GOP Ijara Sukuk of ____ Years Maturity (Auction No.....,% Margin) at the SBP, BSC, Karachi

Sr. No	Date of Issue	Name of PD	Name & address of the Purchaser	Price Rs.	Amount Realized Rs	Initial of the Officer	Amount Due on Maturity (face value) Rs.	Date of Repayment	Name & address of the payee	Remarks

The Chief Manager PDO, SBP BSC (Bank) Karachi

Subsidiary General Ledger Account

Re: Transfer between any two accounts held by t	wo different holders in the same Public
Debt office in Pakistan.	
Dear Sir,	
Please transfer the sum of Rs out of the amount standing at my. Nosecurity code of maturity issued onto 2. The duly completed form of transfer is 3. The usual fee of Rs 1/- is remitted here	our credit in my/our accountGOP Ijara Sukuk ofyearsAccount No
	Yours faithfully,
Authorised Signatory	Authorised Signatory

FORM GIS-8

Form PDO 118	TORM GIS-0
I/We	do hereby assign and transfer
my/our interest or share in the Subsidiary Ledger Accou	nt NoSecurity
Code the GOP Ijara Sukuk of	years maturity issued on
amounting to Rs (Rupee	es)
being the entire balance/portion outstanding at the cre-	dit of the aforesaid Account as
registered in the books of the SBP BSC (Bank), Public	c Debt Office, Karachi together
with the profit thereon unto	his/their administrators or
assigns and I/we	do freely accept the
above amount transferred to me/us.	
As witness our hand theday of	
Signed by the above named	
Transferor in the presence of*	Seller
Signed by the above named	
Transferee in the presence of*	Buyer

FOR THE USE IN THE PUBLIC DEBT ODFFICE

p. Chief Manager STATE BANK OF PAKISTAN PUBLIC DEBT OFFICE

*Signature Occupation Address of Witness.

		Name of the Bank/NBFI_			
		WEEKLY REPORT ON SECO From	ONDARY MARKET TRAD	ING OF GOP IJARA SUKUK	
A. Opening Balan B. Sales	ce of Bank's Holdin	ngs (Face Value) amounted to RS		(Auction numb	er to be mentioned by PD)
	Non 1	Banks		Banks	
Group W	ise Details	Amount of Outright	Name of the Banks	Amount of Outright	(Total Sales) Non Banks & Banks (2+4)
(1	1)	(2)	(3)	(4)	(5)
Non Residents a. Corporate B b. Other Institu C. Purchases	ntions	Banks		Banks	
	INOIL I	Danks		Danks	(Total Sales)
Group Wise Details		Amount of Outright	Name of the Bank	Amount of Outright	Non Banks & Banks (2+4)
(1) Residents		(2)	(3)	(4)	(5)
a. Corporate Bodi b. Other Institution Non Residents a. Corporate B. b. Other Institu	odies itions	kuk (Face Value) amounted to Rs_			
				Authorized Signature	Authorized Signature

Name of the Bank/NBFI		
	A COOLINE HELD DIV (DDC) (E	T 7

STATEMENT SHOWING THE BALANCES OF S.G.L. ACCOUNT HELD BY (PDO) (Face Value) GOP IJARA SUKUK DATE OF ISSUE _____AUCTION NO ____

Date	SGL Account	grouned senarately		As on	Balance in SGL Account	Remarks
	No	Own	Client		GOP Ijara Sukuk of years maturity	

NAME OF THE BANK/N	NBFI

FORM OF RECEIPT					
Received the principal	amount with profit due on years GOP Ijara Sukuk				
(Auction no) of the nominal value of Rs				
(Rupees)				
held in the Subsidiary	General Account No Issue				
dated	of the Public Debt Office, Karachi at the credit of				
	·				
It is certified that the rour books.	ominal amount stated above agrees with that registered in				
	Signature of the Account Holder with stamp Account No.				
Dated					

STATE BANK OF PAKISTAN PUBLIC DEBT OFFICE KARACHI

No.	Date
The Director Finance Department State Bank of Pakistan Central Government Accounts Section Karachi	
Dear Sir,	
REPAYMENT OF GOP IJARA SUKUK	
We advise having debited today the Deposit Account Central – I Non food	
on account of Repayment of GOP Ijara Sukuk, with Rs	
under:-	
No. and Name of Holder Type of Securities Issue Date Type	Amount
Yours fai	thfully,
p. Chief I Endt: No Copy forwarded for information to:-	Manager
 The Director, DMMD SBP, Karachi The Secretary Government of Pakistan, Finance Division, Budget Islamabad. The Accountant General Pakistan Revenue, Camp Office, Karach The Accountant General Pakistan, Revenue, Islamabad 	
p. Chief I	Manager

MONTHLY STATEMENT SHOWING THE BALANCES OF RUPEE DEBT OF GOP IJARA SUKUK AND THE TRANSACTIONS AFFECTED DURING THE MONTH OF ______ FOR THE GOP IJARA SUKUK

Sr. No	Particulars	Opening Balance	New Issue	Repayment	Closing Balance
	Total				

No. PDO _	Dated

Forwarded to FSCD, SBP, Karachi

p. Chief Manager

STATE BANK OF PAKISTAN PDO KARACHI

MONTHLY STATEMENT SHOWING THE OWNERSHIP CLASSIFCATION OF GOP IJARA SUKUK, VOUCHERS PASSED DURING THE MONTH OF

	New Issue				Repayment		
Sr. No	Particulars	Banks	NBFIs	Others	Banks	NBFIs	Others
	GOP Ijara Sukuk 3 Years						

No. PDO	Dated	
Forwarded to FSCD, SBP, Karachi		
		p. Chief Manager

STATE BANK OF PAKISTAN PDO KARACHI

p. Chief Manager

MONTHLY STATEMENT SHOWING THE PROFIT PAID ON GOP IJARA SUKUK DURING THE MONTH OF_____

Sr. No	Amount of Profit					Previous	Progressive
	Particulars	Banks	NBFIs	Others	Total	Total	Total
	GOP Ijara Sukuk 3 Years						

No. PDO	Dated
Forwarded to FSCD, SBP, Karachi	

STATE BANK OF PAKISTAN PDO KARACHI

MONTHLY STATEMENT SHOWING BALANCE POSITION OF SGL OWN & IPS A/C OF BANKS/NBFIs/OTHERS IN RESPECT OF GIS AT THE MONTH ENDED ON _____

Sr. No	Name of the Institution	GOP Ijara Sukuk ofYears maturity
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Banks:

Non-Banks:

- 1. Insurance Companies
- 2. Funds
- 3. Others

Total

Grand Total

STATE BANK OF PAKISTAN PUBLIC DEBT OFFICE KARACHI

M/s	Dated:
Dear Sir,	
<u>PROFIT RATE I</u>	FOR NEXT HALF YEAR
-	years GOP Ijara Sukuk of the issue dated) for next half year (starting
) will be as follows:
Benchmark Rate ± Margin	= Profit Rate (p.a.)
	Yours faithfully,
	p. Chief Manager