

# Value Added Tax Act 1983

# **CHAPTER 55**

# VALUE ADDED TAX ACT 1983

#### Imposition and extent of tax

- 1 Value added tax
- 2 Scope of tax

## Supply

- 3 Meaning of " supply ": alteration by Treasury order
- 4 Time of supply
- 5 Further provisions relating to time of supply
- 6 Place of supply
- 7 Reverse charge on supplies received from abroad
- 8 Place where supplier or recipient of services belongs

#### Rate of tax and determination of value

- 9 Rate of tax
- 10 Value of supply of goods or services
- 11 Value of imported goods
- 12 Value of certain goods
- 13 Gaming machines

## Credit for input tax against output tax

- 14 Credit for input tax against output tax
- 15 Input tax allowable under section 14

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16 Zero-rating

- 17 Exemptions
- 18 Relief on supply of certain second-hand goods
- 19 Relief from tax on importation of goods

# Refunds

- 20 Refund of tax in certain cases
- 21 Refund of tax to persons constructing new homes otherwise than in the course or furtherance of any business
- 22 Refund of tax in cases of bad debts

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23 Repayment of tax to those in business overseas

#### Further provisions as to importation of goods

- 24 Application of customs enactments
- 25 Importation of goods by taxable persons
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#### Special cases

- 27 Application to Crown
- 28 Local authorities
- 29 Groups of companies
- 30 Partnerships
- 31 Business carried on in divisions or by unincorporated bodies, personal representatives, etc.
- 32 Agents, etc.
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# General

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- 39 Offences and penalties
- 40 Appeals
- 41 Supplies spanning change of rate, etc.
- 42 Adjustment of contracts on changes in tax
- 43 Failure of resolution under Provisional Collection of Taxes Act 1968
- 44 Disclosure of information for statistical purposes

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- 45 Orders, rules and regulations
- 46 Service of notices
- 47 Meaning of " business ", etc.
- 48 Interpretation
- 49 Refund of tax to Government of Northern Ireland
- 50 Consequential, transitional and saving provisions and repeals
- 51 Short title, commencement and extent

# SCHEDULES

# SCHEDULE 1 — Registration

## Liability to be registered

- 1 A person who makes taxable supplies but is not registered...
- 2 A registered person who makes taxable supplies shall cease to...

#### Notification of liability and registration

- 3 A person who by virtue of paragraph 1(a) above is...
- 4 A person who by virtue of paragraph 1(b) above is...
- 5 (1) Where a person who satisfies the Commissioners that he...
- 6 Paragraphs 3 to 5 above apply to persons who were...

#### Notification of end of liability and cancellation of registration

- 7 A registered person who ceases to make taxable supplies shall...
- 8 Where by virtue of paragraph 2(a) above, a registered person...
- 9 Where a registered person requests the Commissioners to cancel his...
- 10 Where a registered person who has at any time ceased...

#### Discretionary registration or exemption from registration

- 11 (1) Notwithstanding the preceding provisions of this Schedule—
- 12 The Treasury may by order substitute for any of the...

#### Supplementary

- 13 The provisions of this Act relating to the determination of...
- 14 Any notification required under this Schedule shall be made in...
- 15 References in this Schedule to registration are references to registration...

SCHEDULE 2 — Matters to be Treated as Supply of Goods or Services

- 1 (1) Any transfer of the whole property in goods is...
- 2 Where a person produces goods by applying to another person's...
- 3 The supply of any form of power, heat, refrigeration or...
- 4 The granting, assignment or surrender of a major interest in...
- 5 (1) Subject to sub-paragraph (2) below, where goods forming part...
- 6 Where in the case of a business carried on by...
- 7 (1) Where a person ceases to be a taxable person,...

SCHEDULE 3 — Services Supplied Where Received

- 1 Transfers and assignments of copyright, patents, licences, trademarks and similar...
- 2 Advertising services.
- 3 Services of consultants, engineers, consultancy bureaux, lawyers, accountants and other...
- 4 Acceptance of any obligation to refrain from pursuing or exercising,...
- 5 Banking, financial and insurance services (including reinsurance, but not including...
- 6 The supply of staff.

7 The services rendered by one person to another in procuring...

SCHEDULE 4 — Valuation—Special Cases

- 1 (1) Where— (a) the value of a supply made by...
- 2 (1) Where— (a) goods are imported at a price in...
- 3 Where— (a) the whole or part of a business carried...
- 4 (1) Where goods or services are supplied for a consideration...
- 5 (1) Where goods are imported at a price in money...
- 6 Where a right to receive goods or services for an...
- 7 Where there is a supply of goods by virtue of—...
- 8 Where there is a supply of services by virtue of—...
- 9 Where a supply of services consists in the provision of...
- 10 (1) This paragraph applies to a supply of goods or...
- 11 (1) Where any sum relevant for determining value is expressed...
- 12 Regulations may require that in prescribed circumstances there is to...
- 13 A direction under paragraph 1, 2 or 3 above may...

SCHEDULE 5 — Zero-Rating

## GROUP 1-FOOD

General items Excepted items Items overriding the exceptions Notes :

#### GROUP 2—SEWERAGE SERVICES AND WATER

#### GROUP 3-BOOKS, ETC.

# GROUP 4—TALKING BOOKS FOR THE BLIND AND HANDICAPPED AND WIRELESS SETS FOR THE BLIND

#### **GROUP 5—NEWSPAPER ADVERTISEMENTS**

# GROUP G-NEWS SERVICES

# GROUP 7—FUEL AND POWER

## GROUP 8-CONSTRUCTION OF BUILDINGS, ETC.

#### **GROUP 9—INTERNATIONAL SERVICES**

## GROUP 10—TRANSPORT

# GROUP 11-CARAVANS AND HOUSEBOATS

# GROUP 12—GOLD

# GROUP 13—BANK NOTES

#### GROUP 14—DRUGS, MEDICINES, AIDS FOR THE HANDICAPPED, ETC.

#### GROUP 15—IMPORTS, EXPORTS, ETC.

## GROUP 16—CHARITIES, ETC.

# GROUP 17—CLOTHING AND FOOTWEAR

# SCHEDULE 6 — Exemptions

GROUP 1—LAND

# GROUP 2—INSURANCE

# **GROUP 3—POSTAL SERVICES**

# GROUP 4—BETTING, GAMING AND LOTTERIES

**GROUP 5—FINANCE** 

# GROUP 6—EDUCATION

# GROUP 7—HEALTH

# GROUP 8-BURIAL AND CREMATION

# GROUP 9-TRADE UNIONS AND PROFESSIONAL BODIES

# GROUP 10—COMPETITIONS

# GROUP 11-WORKS OF ART, ETC.

SCHEDULE 7 — Administration, Collection and Enforcement

# General

1 (1) The tax shall be under the care and management...

Accounting for and payment of tax

2 (1) Regulations under this paragraph may require the keeping of...

Production of tax invoices by computer

3 (1) For the purposes of any provision contained in or...

Power of Commissioners to assess tax due

4 (1) Where a person has failed to make any returns...

Power to require security and production of evidence

5 (1) The Commissioners may, as a condition of allowing or...

# Recovery of tax, etc.

6 (1) Tax due from any person shall be recoverable as...

## Duty to keep records

7 (1) Every taxable person shall keep such records as the...

#### Furnishing of information and production of documents

8 (1) The Commissioners may by regulations make provision for requiring...

#### Power to take samples

9 (1) An authorised person, if it appears to him necessary...

# Entry and search of premises and persons

10 (1) For the purpose of exercising any powers under this...

## Evidence by certificate, etc.

11 (1) A certificate of the Commissioners— (a) that a person...

## Priority of tax in bankruptcy, winding up, etc.

12 (1) There shall be included among the debts which—

SCHEDULE 8 — Constitution and Procedure of Value Added Tax Tribunals

#### Establishment of value added tax tribunals

1 There shall continue to be value added tax tribunals for...

## The President

- 2 (1) There shall continue to be a President of Value...
- 3 (1) The President may resign his office at any time...

#### Sittings of tribunals

4 Such number of value added tax tribunals shall be established...

#### Composition of tribunals

5 (1) A value added tax tribunal shall consist of a...

#### *Membership of tribunals*

- 6 For each sitting of a value added tax tribunal the...
- 7 (1) There shall be a panel of chairmen and a...

#### Exemption from jury service

8 No member of a value added tax tribunal shall be...

#### Rules of procedure

9 The Commissioners may make rules with respect to the procedure...

SCHEDULE 9 — Consequential Amendments

- 1 In section 1(1) of the Provisional Collection of Taxes Act...
- 2 In section 6(1) of the Vehicles (Excise) Act 1971 for...
- 3 In the Isle of Man Act 1979—

SCHEDULE 10 — Savings and Transitional Provisions

- 1 Where any period of time specified in an enactment repealed...
- 2 Any provision of this Act relating to anything done or...
- 3 Where an offence for the continuation of which a penalty...
- 4 (1) Tax shall not be charged on any supply or...
- 5 Notwithstanding the repeal by this Act of sections 5 and...
- 6 Where a vehicle in respect of which purchase tax was...
- 7 Sections 252 and 254 of the Local Government Act 1972...
- 8 The repeal by this Act of section 6(4) of the...
- 9 Where there were in force immediately before 21st April 1975...
- 10 Section 26 of this Act applies where goods are imported...
- 11 Section 17(2)(a) of the Interpretation Act 1978 shall apply in...
- 12 Anything begun before 1st January 1978 under any provision of...
- 13 Any reference in this Act to things done, suffered or...
- 14 Any Treasury order or Commissioners' regulations made before 1st January...
- 15 References in any documents to provisions of Part I of...
- 16 Section 22 of this Act does not apply where the...
- 17 Sub-paragraphs (2) and (3) of paragraph 4 of Schedule 7...
- 18 Nothing in paragraph 3 of Schedule 9 to this Act...

SCHEDULE 11 — Repeals