
STATUTORY INSTRUMENTS

1993 No. 2328

VALUE ADDED TAX

The Value Added Tax (Reverse Charge) Order 1993

Made - - - - *22nd September*
Laid before the House of *1993*
Commons - - - - *29th September 1993*
Coming into force - - *1st November 1993*

The Treasury, in exercise of the powers conferred on them by section 7(5) and 7(6) of the Value Added Tax Act 1983⁽¹⁾ and of all other powers enabling them in that behalf, hereby make the following Order:

1. This Order may be cited as the Value Added Tax (Reverse Charge) Order 1993 and shall come into force on 1st November 1993.

2. In this Order—

“the Act” means the Value Added Tax Act 1983.

3. For paragraph 8 of Schedule 3 to the Act⁽²⁾ there shall be substituted the following—

“8. Any services not of a description specified in paragraphs 1 to 7 above when supplied to a recipient who is registered under this Act.”.

4. Subsection (1) of section 7 of the Act shall have effect in relation to any services—

(a) which are of a description specified in paragraph 8 of Schedule 3 to the Act; and

(b) whose place of supply is determined by an order under section 6(6) of the Act to be the United Kingdom,

as if the recipient belonged in the United Kingdom for the purposes of paragraph (b) of that subsection.

5. The Value Added Tax (Reverse Charge) Order 1992⁽³⁾ is hereby revoked.

⁽¹⁾ 1983 c. 55; section 7(6) was added by section 14(2) of, and paragraph 8 of Schedule 3 to, the Finance (No. 2) Act 1992 (c. 48).

⁽²⁾ Paragraph 8 of Schedule 3 was added by S.I.1992/3128.

⁽³⁾ S.I. 1992/3128.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

22nd September 1993

Tim Wood
Nicholas Baker
Two of the Lords Commissioners of Her
Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

This Order varies, with effect from 1st November 1993, Schedule 3 to the Value Added Tax Act 1983. Article 3 substitutes a new paragraph 8 of that Schedule extending the application of the reverse charge provisions of section 7 of that Act to all supplies (which are treated as made in the United Kingdom) of services not previously covered where the customer is registered in the United Kingdom. The services specified in the existing paragraph 8 are subsumed in the new provision, so the 1992 Order of the same title (which added that paragraph) becomes spent and is revoked accordingly by Article 5. Article 4 provides that section 7 of the Act will apply to these services even if the recipient would not “belong” in the United Kingdom if the rules in section 8 of the Act were applied.

This Order, in conjunction with section 7 of the Act, represents the partial exercise of the option given to member States by Article 21(1)(a) of EC Directive [77/388/EEC](#) (OJ L145, 13.6.77, p. 1), as amended by EC Directive [91/680/EEC](#) (OJ L376, 31.12.91, p. 1) to make the customer liable for tax in the place of an overseas supplier.