

---

STATUTORY INSTRUMENTS

---

**2018 No. 261**

**The Value Added Tax (Amendment) Regulations 2018**

**Amendment of the Value Added Tax Regulations 1995**

**6. After regulation 31 insert—**

**“31AA Preservation of records**

(1) Subject to paragraph (2) the electronic account required to be kept pursuant to regulation 31(1)(l) must be preserved using functional compatible software.

(2) The obligation under paragraph (1) does not apply to a person to whom the requirements of regulation 32A have ceased to apply.

(3) Subject to paragraph (1) the duty to preserve records required to be kept pursuant to regulations 31 and 31A may be discharged by—

(a) preserving them in any form or by any means; or

(b) preserving the information in them by any means,

subject to any conditions or exceptions specified in writing by the Commissioners.

(4) The functional compatible software must take a form approved by the Commissioners in a specific or general direction.

(5) A direction under paragraph (4) may also specify the circumstances in which functional compatible software may be used or not used.”