
 STATUTORY INSTRUMENTS

1985 No. 886

VALUE ADDED TAX

The Value Added Tax (General) Regulations 1985

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The Commissioners of Customs and Excise, in exercise of the powers conferred on them by sections 5(9), 7(4), 14(1), (6), (7), (8) and (9), 15, 16(7) and (8), 19(2) and (3), 24(1) and (4), 25, 31(2) and (4), 33(2) and (3), 35(3), 41 and 48 of, and paragraphs 5, 11(1)(b), and 14 of Schedule 1, and paragraphs 2(1), (2), (3), (4), (5) and (6), 6(4), 8(1) and 12(1) of Schedule 7 to, the Value Added Tax Act 1983(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Value Added Tax (General) Regulations 1985 and shall come into operation on 1st September 1985.

Interpretation

2.— (1) In these Regulations—

“the Act” means the Value Added Tax Act 1983 and any reference to a

(a) 1983 c.55; paragraphs 5 and 11 of Schedule 1 and paragraph 6 of Schedule 7 were amended by sections 12 and 16 of the Finance Act 1984 (c.43).

Schedule to the Act includes a reference to a Schedule as amended from time to time by Order of the Treasury;

“Building” means a new building, a protected building which has been substantially reconstructed, and, in the case of property development or any similar activity, a number of buildings;

“Controller” means the Controller, Customs and Excise, Value Added Tax Central Unit;

“continental shelf” means a designated area within the meaning of the Continental Shelf Act 1964(a);

“the Community” means the European Economic Community;

“Collector” includes Deputy Collector and Assistant Collector;

“datapost packet” means a postal packet containing goods which is posted in the United Kingdom as a datapost packet for transmission to a place outside the United Kingdom in accordance with the terms of a contract entered into between the Post Office and the sender of the packet; or which is received at a post office in the United Kingdom from a place outside the United Kingdom for transmission and delivery in the United Kingdom as if it were a datapost packet;

“prescribed accounting period” means a period as referred to in regulation 58 of these Regulations;

“proper officer” means the person appointed or authorised by the Commissioners to act in respect of any matter in the course of his duties;

“registered person” means a person registered by the Commissioners under Schedule 1 to the Act and “registered taxable person” means such a person while he is also a taxable person;

“registration number” means the number allocated by the Commissioners to a taxable person in the certificate of registration issued to him;

“relevant date” has the same meaning as in paragraph 12(2) of Schedule 7 to the Act;

“specified date” means the date specified in a person’s application for registration for the purpose of Value Added Tax as that on which he expects to make his first taxable supply.

(2) In these Regulations any reference to a form prescribed in the Schedule to these Regulations shall include a reference to a form to the like effect which has been approved by the Commissioners.

Revocation and savings

3.— (1) The Value Added Tax (General) Regulations 1980(b), The Value Added Tax (General) (Amendment) Regulations 1981(c), Regulation 3 of the Value Added Tax (General and Bad Debt Relief) (Amendment) Regulations 1981(d), The Value Added Tax (General) (Amendment) (No. 2) Regulations

(a) 1964 c.29.
(c) S.I. 1981/663.

(b) S.I. 1980/1536.
(d) S.I. 1981/1080.

1981(a), The Value Added Tax (General) (Amendment) Regulations 1982(b), The Value Added Tax (General) (Amendment) (No. 2) Regulations 1982(c), The Value Added Tax (General) (Amendment) Regulations 1983(d), The Value Added Tax (General) (Amendment) (No. 2) Regulations 1983(e), The Value Added Tax (General) (Amendment) Regulations 1984(f), The Value Added Tax (General) (Amendment) (No. 2) Regulations 1984(g), The Value Added Tax (General) (Amendment) (No. 3) Regulations 1984(h), The Value Added Tax (General) (Amendment) Regulations 1985(i) and the Value Added Tax (General) (Amendment) (No. 2) Regulations 1985(j) are hereby revoked.

(2) Anything begun under or for the purpose of any Regulations revoked by these Regulations may be continued under or, as the case may be, for the purpose of the corresponding provision of these Regulations.

(3) Where any document used or required for the purpose of the tax refers to a provision of a regulation revoked by these Regulations, such reference shall, unless the contrary intention appears, be construed as referring to the corresponding provision of these Regulations.

PART II

REGISTRATION, DISCRETIONARY REGISTRATION AND PROVISIONS FOR SPECIAL CASES

Registration and notification and transfer of a going concern

4.—(1) Any person who is required under paragraph 3 or 4 of Schedule 1 to the Act to notify the Commissioners of his liability to be registered or who requests to be registered under paragraph 5 or 11(1)(b) of the said Schedule shall do so on the form numbered 1 in the Schedule to these Regulations.

(2) Where the notification referred to in this regulation is made by a partnership it shall include, on the form numbered 2 in the Schedule to these Regulations, the name, address and signature of each partner.

(3) Every registered person except one to whom paragraph 7, 8, 9 or 10 of Schedule 1 to the Act applies shall, within 21 days after any change has been made in the name, constitution or ownership of his business, or after any other event has occurred which may necessitate the variation of the register or cancellation of his registration, notify the Commissioners in writing of such change or event and furnish them with full particulars thereof.

(4) Any notification by a registered person under paragraph 7 or 8 of Schedule 1 to the Act shall be made in writing to the Commissioners and, if

(a) S.I. 1981/1530.
 (c) S.I. 1982/1471.
 (e) S.I. 1983/475.
 (g) S.I. 1984/929.
 (i) S.I. 1985/105.

(b) S.I. 1982/1088.
 (d) S.I. 1983/295.
 (f) S.I. 1984/155.
 (h) S.I. 1984/1376.
 (j) S.I. 1985/693.

under paragraph 7, shall state the date upon which he ceased to make taxable supplies.

(5) Where—

- (a) a business is transferred as a going concern,
- (b) the registration of the transferor has not already been cancelled,
- (c) on the transfer of the business the registration of the transferor is to be cancelled and either the transferee becomes liable to be registered or the Commissioners agree to register him under paragraph 5 of Schedule 1 to the Act or treat him as liable to be registered under paragraph 11(1)(b) of that Schedule, and
- (d) an application is made on the form numbered 3 in the Schedule to these Regulations by or on behalf of both the transferor and the transferee of that business,

the Commissioners may as from the date of the said transfer cancel the registration of the transferor and register the transferee with the registration number previously allocated to the transferor.

(6) An application under paragraph (5) of this regulation shall constitute notification or as the case may be a request by the transferor under paragraph 7, 8, 9 or 10 of Schedule 1 to the Act.

(7) Where the transferee of a business has under paragraph (5) of this regulation been registered with the registration number of and in substitution for the transferor of that business—

- (a) any liability of the transferor existing at the date of the transfer to furnish a return or to account for or pay tax under regulation 58 or 60 shall become the liability of the transferee,
- (b) any right of the transferor, whether or not existing at the date of the transfer, to credit for or to repayment of input tax shall become the right of the transferee, and
- (c) any right of either the transferor, whether or not existing at the date of the transfer, or the transferee to payment by the Commissioners under section 14(5) of the Act shall be satisfied by payment to either of them.

(8) In addition to the provisions set out in paragraph (7) of this regulation, where the transferee of a business has been registered with the registration number of and in substitution for the transferor during a prescribed accounting period subsequent to that in which the transfer of the business took place but with effect from the date of the transfer of the business, and any—

- (a) return has been furnished,
- (b) tax has been accounted for and paid, or
- (c) right to credit for input tax has been claimed,

either by or in the name of the transferee or the transferor, it shall be treated as having been done by the transferee.

Discretionary Registration

5. Save as the Commissioners may otherwise allow or direct, where a person

is registered under paragraph 5 or 11(1)(b) of Schedule 1 to the Act and his business does not include the granting of a major interest in, or in any part of a building or its site, the conditions upon which he is registered shall be as follows:

- (1) He shall be allowed credit under sections 14 and 15 of the Act only for such of his input tax as is wholly attributable to his intended taxable supplies.
- (2) He shall repay to the Commissioners at their request—
 - (a) any payment or credit allowed to him under section 14(5) of the Act which is not wholly attributable to a taxable supply, or
 - (b) any payment made to him under section 14(5) of the Act, if—
 - (i) before he has made a taxable supply the Commissioners cease to be satisfied that he will make any such supply; or
 - (ii) in the case of a person registered under paragraph 5, he has made no significant taxable supplies by the specified date or his supplies by such date do not render him liable to be registered; or
 - (iii) in the case of a person registered under paragraph 11(1)(b), he has made no taxable supplies within 1 year of his registration or, where a written application for an extension of time in which to make such taxable supplies is refused by the Commissioners, within 1 month of such refusal having been notified to him.
- (3) He shall keep and preserve for a period of 3 years all tax invoices in respect of claims which he makes for credit for input tax.

6. Save as the Commissioners may otherwise allow or direct, where a person is registered under paragraph 5 or 11(1)(b) of Schedule 1 to the Act and his business includes the granting of a major interest in, or in any part of, a building or its site, the conditions upon which he is registered shall be as follows:

- (1) Upon completion of each building or its site he shall keep and preserve for a period of 3 years records identifying, and showing, for that building or its site—
 - (a) details of the related purchases on which value added tax was charged,
 - (b) the amount of the tax charged,
 - (c) the amount of such tax which is wholly attributable to the intended taxable supplies,
 - (d) the date of completion of that building or its site or if a supply is made of any part of that building or its site before the whole is completed, the date of completion of that part, and
 - (e) the date and value of any exempt supplies.
- (2) He shall be allowed credit under sections 14 and 15 of the Act only for such of his input tax as is wholly attributable to his intended taxable supplies.
- (3) He shall repay to the Commissioners at their request any payment or credit allowed to him under section 14(5) of the Act which is not wholly attributable to a taxable supply.

(4) He shall repay to the Commissioners at their request any payment or credit allowed to him under section 14(5) of the Act if the building or its site is not disposed of as a taxable supply within 1 year of its completion or, where a written application for an extension of time in which to make such supply is refused by the Commissioners, within 1 month of such refusal having been notified to him.

Discretionary Registration—Housing Associations

7. Save as the Commissioners may otherwise allow or direct, where a housing association, which has contractual arrangements with its members to rent newly completed dwellings to them for periods exceeding 1 year before making to them taxable supplies of those dwellings, is registered under paragraph 5 of Schedule 1 to the Act, the conditions of registration shall be as follows:

(1) Upon completion of the dwellings for the construction of which the housing association was formed it shall keep and preserve for a period of 3 years records identifying and showing for each dwelling—

- (a) details of the related purchases on which tax was charged,
- (b) the amount of the tax charged,
- (c) the date of completion, and
- (d) details of each and every taxable and exempt supply made by the association during the construction including the date and value of such supply.

(2) It shall be allowed credit under sections 14 and 15 of the Act for only such of its input tax as is both attributable to its intended taxable supplies and is fair and reasonable when related to the costs incurred in respect of the housing project as a whole.

(3) It shall repay to the Commissioners at their request any payment or credit allowed to it and which is attributable to an exempt supply or is unreasonable in relation to the costs incurred in respect of the taxable supplies made in the housing project as a whole.

(4) It shall repay to the Commissioners at their request any payment or credit it was allowed under section 14(5) of the Act if it has made no taxable supplies under the terms of the arrangement with its members or the Commissioners cease to be satisfied that it will make such supplies.

Discretionary Registration—Cessation of business

8. A person registered under paragraph 5 or 11(1)(b) of Schedule 1 to the Act shall notify the Commissioners immediately if he no longer intends to make taxable supplies in the course or furtherance of his business.

Notice by partnership

9.—(1) Where any notice is required to be given for the purposes of the Act or these Regulations by a partnership it shall be the joint and several liability of all the partners to give such notice, provided that if a notice is given by one partner this shall be a sufficient compliance with any such requirement.

(2) Where, in Scotland, a body of persons carrying on a business which includes the making of taxable supplies is a partnership required to be registered, any notice shall be given and signed in the manner indicated in section 6 of the Partnership Act 1890(a).

Representation of club, association or organisation

10. Where anything is required to be done by or under the Act or these Regulations by or on behalf of a club, association or organisation, the affairs of which are managed by its members or a committee or committees of its members, it shall be the joint and several responsibility of—

- (a) every member holding office as president, chairman, treasurer, secretary or any similar office; or in default of any thereof,
- (b) every member holding office as a member of a committee; or in default of any thereof,
- (c) every member;

provided that if it is done by any official, committee member or member referred to above, that shall be sufficient compliance with any such requirement.

Death, bankruptcy or incapacity of taxable persons

11.— (1) If a taxable person dies or becomes bankrupt or incapacitated, the Commissioners may, from the date on which he died or became bankrupt or incapacitated until some other person is registered in respect of the taxable supplies made or intended to be made by that taxable person in the course or furtherance of his business or the incapacity ceases, as the case may be, treat as a taxable person any person carrying on that business; and the provisions of the Act and of any Regulations made thereunder shall apply to any person so treated as though he were a registered person.

(2) Any person carrying on such business as aforesaid shall, within 21 days of commencing to do so, inform the Commissioners in writing of that fact and of the date of the death or of the nature of the incapacity and the date on which it began.

PART III

TAX INVOICES

Obligation to provide a tax invoice

12.— (1) Save as otherwise provided in these Regulations, or as the Commissioners may otherwise allow, a registered taxable person making a taxable supply to a taxable person shall provide him with a tax invoice.

(2) The particulars of the tax chargeable on a supply of goods described in paragraph 6 of Schedule 2 to the Act shall be provided, on a sale by auction, by the auctioneer, and, where the sale is otherwise than by auction, by the person

(a) 1890 c.39.

selling the goods, on a document containing the particulars prescribed in regulation 13(1); and such a document issued to the buyer shall be treated for the purposes of paragraph (1) of this regulation as a tax invoice provided by the person by whom the goods are deemed to be supplied in accordance with the said paragraph 6.

(3) Where a registered taxable person provides a document to himself which purports to be a tax invoice in respect of a supply of goods or services to him by another registered taxable person, that document may, with the approval of the Commissioners, be treated as the tax invoice required to be provided by the supplier under paragraph (1) of this regulation.

(4) Where the person who makes a supply to which regulation 26 relates gives an authenticated receipt containing the particulars required under regulation 13(1) to be contained in a tax invoice in respect of it, that document shall be treated as the tax invoice required to be provided under paragraph (1) of this regulation on condition that no tax invoice or similar document which was intended to be or could be construed as being a tax invoice for the supply to which the receipt relates is issued.

(5) The documents specified in paragraphs (1), (2), (3) and (4) of this regulation shall be provided within 30 days after the time when the supply is treated as taking place under sections 4 and 5 of the Act, or within such longer period after that time as the Commissioners may allow in general or special directions.

Contents of tax invoice

13.— (1) Subject to regulation 15 and save as the Commissioners may otherwise allow, a registered taxable person providing a tax invoice in accordance with regulation 12 shall state thereon the following particulars:

- (a) an identifying number;
- (b) the date of the supply;
- (c) the name, address and registration number of the supplier;
- (d) the name and address of the person to whom the goods or services are supplied;
- (e) the type of supply by reference to the following categories—
 - (i) a supply by sale,
 - (ii) a supply on hire purchase or any similar transaction,
 - (iii) a supply by loan,
 - (iv) a supply by way of exchange,
 - (v) a supply on hire, lease or rental,
 - (vi) a supply of goods made from customers' materials,
 - (vii) a supply by sale on commission,
 - (viii) a supply on sale or return or similar terms, or
 - (ix) any other type of supply which the Commissioners may at any time by notice specify;
- (f) a description sufficient to identify the goods or services supplied;

- (g) for each description, the quantity of the goods or the extent of the services, the rate of tax and the amount payable, excluding tax, expressed in sterling;
- (h) the gross total amount payable, excluding tax, expressed in sterling;
- (i) the rate of any cash discount offered;
- (j) the amount of tax chargeable at each rate, with the rate to which it relates, expressed in sterling; and
- (k) the total amount of tax chargeable, expressed in sterling.

(2) Where a taxable supply takes place as described in section 4(2)(c) or section 5(2) of the Act, any consignment or delivery note or similar document or any copy thereof issued by the supplier before the time of supply shall not, notwithstanding that it may contain all the particulars set out in paragraph (1) of this regulation, be treated as a tax invoice provided it is so endorsed.

(3) Where a registered taxable person provides an invoice containing the particulars prescribed in paragraphs (1) and (2) of this regulation and specifies thereon any goods or services which are the subject of an exempt or zero-rated supply, he shall distinguish on the invoice between the goods or services which are the subject of an exempt, zero-rated or other supply and state separately the gross total amount payable in respect of each.

Change of rate, credit notes

14. Where there is a change in the rate of value added tax in force under section 9 of the Act, or in the descriptions of exempt or zero-rated supplies and a tax invoice which relates to a supply in respect of which an election is made under section 41 of the Act was issued before the election was made, the person making the supply shall within 14 days after any such change, provide the person to whom the supply was made with a credit note so headed and containing the following particulars—

- (a) the identifying number and date of issue of the credit note;
- (b) the name, address and registration number of the supplier;
- (c) the name and address of the person to whom the supply is made;
- (d) the identifying number and date of issue of the tax invoice;
- (e) a description sufficient to identify the goods or services supplied; and
- (f) the amount being credited in respect of tax.

Retailers' invoices

15.— (1) Subject to paragraph (2) of this regulation, a registered taxable person who is a retailer shall not be required to provide a tax invoice, except that he shall provide such an invoice at the request of a customer who is a taxable person in respect of any supply to him; but, in that event, if, but only if, the value of the supply, including tax, does not exceed £50, the tax invoice need contain only the following particulars:

- (a) the name, address and registration number of the retailer;
- (b) the date of the supply;

- (c) a description sufficient to identify the goods or services supplied;
- (d) the total amount payable including tax; and
- (e) the rate of tax in force at the time of the supply.

(2) Save as the Commissioners may otherwise allow, where a registered taxable person provides an invoice in accordance with this regulation, the invoice shall include only particulars of supplies which are subject to the same rate of tax and shall not contain any reference to any zero-rated or exempt supply.

General

16. Regulations 12, 13, 14 and 15 shall not apply to—

- (a) any zero-rated supply;
- (b) any supply to which an order made under section 14(10) of the Act applies;
- (c) any supply on which tax is charged although it is not made for consideration;
- (d) any supply to which an order made under section 18 of the Act applies.

PART IV

TIME OF SUPPLY

Goods for private use and free supplies of services

17.— (1) Where the services referred to in paragraph 5(3) of Schedule 2 to the Act are supplied for any period, they shall be treated as being supplied on the last day of the supplier's prescribed accounting period, or of each such accounting period, in which the goods are made available or used.

(2) Where services specified in an order made by the Treasury under section 3(4) of the Act are supplied for any period, they shall be treated as being supplied on the last day of the supplier's prescribed accounting period, or of each such accounting period, in which the services are performed.

Services from outside the United Kingdom

18. Services which are treated as made by a taxable person under section 7(1) of the Act shall be treated as being supplied when the supplies are paid for or, if the consideration is not in money, on the last day of the prescribed accounting period in which the services are performed.

Leases treated as supplies of goods

19. Where, pursuant to the provisions of paragraph 4 of Schedule 2 to the Act, the granting of a tenancy or, in Scotland, the lessee's interest under a lease, is treated as a supply of goods and payments with respect thereto are to be made periodically or from time to time, that supply shall be treated as taking

place when each payment is received, or a tax invoice relating thereto is issued by the supplier, whichever is the earlier.

Supplies of any form of power, heat, refrigeration or ventilation

20. Supplies such as are described in paragraph 3 of Schedule 2 to the Act shall be treated as taking place whenever a payment is received, or a tax invoice relating to the supply is issued by the supplier, whichever is the earlier.

Supplier's goods in possession of buyer

21.— (1) Where goods are supplied under an agreement whereby the supplier retains the property therein until the goods or part of them are appropriated under the agreement by the buyer and in circumstances where the whole or part of the consideration is determined at that time, a supply of any of the goods shall be treated as taking place at the earliest of the following dates:

- (a) the date of such appropriation by the buyer;
- (b) the date when a tax invoice is issued by the supplier; or
- (c) the date when a payment is received by the supplier.

(2) If, within 14 days after such appropriation of the goods or part of them by the buyer as is mentioned in paragraph (1) of this regulation, the supplier issues a tax invoice in respect of goods appropriated, the provisions of section 5(2) of the Act shall apply to that supply.

(3) Paragraph (1) of this regulation shall not apply to a supply such as is mentioned in section 4(2)(c) of the Act.

Retention payments

22. Where any contract for the supply of goods or services after 1st April 1973 provides for the retention of any part of the consideration by one party pending full and satisfactory performance of the contract, or any part of it, by the other party, a supply shall be treated as taking place whenever a payment is received in respect of it, or a tax invoice is issued by the supplier, whichever is the earlier.

Continuous supplies of services

23.— (1) Subject to paragraph (2) of this regulation, where services are supplied for any period for a consideration the whole or part of which is determined or payable periodically or from time to time, they shall be treated as being successively supplied for successive parts of the period, and each of the successive supplies shall be treated as taking place when a payment is received, or a tax invoice relating to the supply is issued by the supplier, whichever is the earlier.

(2) Where such services are supplied under an agreement which provides for successive payments and the supplier, at or about the beginning of any period not exceeding 1 year, issues a tax invoice containing the following additional particulars:

- (a) the date on which each payment is to become due in the period;
- (b) the amount payable (excluding tax) on each date; and
- (c) the rate of tax in force at the time of the issue of the tax invoice and the amount of tax chargeable in accordance with that rate on each payment,

they shall be treated as being successively supplied for successive parts of the period of the agreement, and each of the successive supplies shall be treated as taking place when a payment becomes due or is received, whichever is the earlier.

(3) Where, on or before any of the dates of payment specified on an invoice issued as described in paragraph (2) of this regulation, there is a change in the tax charged on the supply to which the invoice relates, that invoice shall cease to be treated as a tax invoice in respect of any payment due after the change.

Royalties and similar payments

24. Where the whole amount of the consideration for a supply of services was not ascertainable at the time when the services were performed and subsequently the use of the benefit of those services by a person other than the supplier gives rise to any payment of consideration for that supply which is—

- (a) in whole or in part determined or payable periodically or from time to time or at the end of any period,
- (b) additional to the amount, if any, already payable for the supply, and
- (c) not a payment to which regulation 23 applies,

a further supply shall be treated as taking place each time when a payment in respect of the use of the benefit of those services is received, or a tax invoice is issued by the supplier, whichever is the earlier.

Supplies of services by barristers and advocates

25. Services supplied by a barrister, or in Scotland, by an advocate, acting in that capacity, shall be treated as taking place at whichever is the earliest of the following times:

- (a) when the fee in respect of those services is received by the barrister or advocate;
- (b) when the barrister or advocate issues a tax invoice in respect of them;
or
- (c) the day when the barrister or advocate ceases to practise as such.

Supplies in the construction industry

26. Where services, or services together with goods, are supplied in the course of the construction, alteration, demolition, repair or maintenance of a building or of any civil engineering work under a contract which provides for payments for such supplies to be made periodically or from time to time, a supply shall be treated as taking place at the earlier of the following times:

- (a) when a payment is received by the supplier where the consideration for the contract is wholly in money; or

(b) when the supplier issues a tax invoice.

General

27. Where under this Part of these Regulations a supply is treated as taking place when a tax invoice is issued by the supplier or when any payment is received, tax on that supply shall be chargeable only to the extent covered by the invoice or payment.

Supplies spanning change of rate etc.

28. Section 41 of the Act shall apply as if the references in subsection (2) of that section to section 5(1), (2), (3) and (5) of the Act included references to regulations 17 to 26 of these Regulations.

PART V

PARTIAL EXEMPTION AND INPUT TAX

Interpretation and longer periods

29.— (1) In this Part of these Regulations—

- (a) “method” means any method which is referred to in regulation 30 and “special method” means a method the use of which may be allowed or directed by the Commissioners pursuant to paragraph (2) of that regulation;
- (b) the “tax year” of a taxable person means a period of 12 calendar months commencing on the first day of his first prescribed accounting period beginning on or after the 1st April in any year, or on such other date as the Commissioners may approve or direct;
- (c) “treated as members of a group” means so treated under the provisions of section 29 of the Act; and
- (d) premises subject to a lease are tied premises if they are tied premises within the meaning of section 140(2) of the Income and Corporation Taxes Act 1970(a) in relation to the lessor and to a trade carried on by him.

(2) The provisions of paragraphs (3), (4) and (5) of this regulation shall be used for determining the longer period applicable to taxable persons under this Part.

(3) A taxable person who makes an exempt supply during a tax year shall have applied to him a longer period which shall correspond with his tax year unless he did not make an exempt supply during his immediately preceding tax year, in which case his longer period shall—

- (a) begin on the first day of the first prescribed accounting period in which he makes an exempt supply; and
- (b) end upon the last day of his tax year,

(a) 1970 c.10.

except where his only exempt supplies are in the last prescribed accounting period of his tax year, in which case no longer period shall be applied to him in respect of that tax year.

(4) In the case of a taxable person ceasing to be taxable during a longer period applicable to him, that longer period shall end on the day when he ceases to be taxable.

(5) The Commissioners may approve different provisions for different circumstances and in particular may approve, in the case of a taxable person who makes an exempt supply, or of a class of such persons, that a longer period shall apply which need not correspond with a tax year.

Attribution of input tax by a person making exempt supplies

30.— (1) Subject to paragraph (2) of this regulation, the amount of input tax to be provisionally attributed to taxable supplies by any taxable person who makes exempt supplies shall be determined in any prescribed accounting period by the following method, that is to say:

Subject to regulation 32 he may deduct such part of his input tax as bears the same ratio to his total input tax as the value of taxable supplies by him bears to the value of all supplies by him.

(2) The Commissioners may allow or direct the use of a method other than that specified in paragraph (1) of this regulation.

31. A taxable person may attribute to taxable supplies input tax of his charged in respect of goods or services used for the purpose of supplies comprised in Group 2 or Group 5 of Schedule 6 to the Act made by a branch of his in a country other than the United Kingdom to a person outside the member states of the Community.

32. There shall be excluded from any calculation made by any taxable person for the purpose of using a method—

- (a) all capital sums receivable by him in respect of an exempt supply of the grant, assignment or surrender of an interest in land which he has habitually occupied in the course of carrying on a business;
- (b) input tax on supplies to him or paid by him on imported goods which is excluded from credit in any order made by the Treasury under section 14(10) of the Act;
- (c) that part of the value of any supply of goods on which output tax is not chargeable by virtue of any order made by the Treasury under section 14(10) of the Act unless he acquired or imported the goods for the purpose of selling them;
- (d) subject to regulation 33(1), any sum receivable by him as consideration for an exempt supply comprised in item 6 of Group 5 of Schedule 6 to the Act and any sum receivable by him as consideration for a zero-rated supply which is of services of a description specified in that item and is comprised in item 6 of Group 9 of Schedule 5 to the Act where, in either case, the supply is incidental to one or more of his business activities;

- (e) any sum receivable by him as consideration for any exempt supply of the assignment of a debt;
- (f) subject to regulation 33(2), any sum receivable by him as consideration for an exempt supply comprised in item 2, 3 or 4 of Group 5 of Schedule 6 to the Act and any sum receivable by him as consideration for a zero-rated supply which is of services of a description specified in those items and is comprised in item 6 of Group 9 of Schedule 5 to the Act where, in either case, the supply is incidental to one or more of his business activities;
- (g) any sum receivable by him as consideration for the issue, transfer or receipt of or any dealing with any certificate or deposit or treasury bill or, in the case of a body corporate, the issue, transfer or receipt of or any dealing with any stock or shares in itself or in another body corporate where the bodies are eligible to be treated as members of a group;
- (h) in the case of a body corporate, any sum receivable by it as consideration for the making of an advance, or the granting of credit, to another body corporate where the bodies are eligible to be treated as members of a group;
- (i) any sum receivable by him in respect of an exempt supply of the grant, assignment or surrender of any interest in or right over land or of any licence to occupy land where such grant, assignment or surrender is in respect of premises used and occupied as tied premises;
- (j) any sum receivable by him as consideration for the grant of a licence to occupy land where the land comprises floor-space within a retail store belonging to the licensor and the purpose of the arrangement is to enable and permit the licensee to make supplies by retail within the store of his own goods or services whilst enjoying the general trading facilities of the licensor's retail business.

33.— (1) Without prejudice to the generality of regulation 32(d) a supply shall not be treated as being incidental for the purpose of that sub-paragraph where it is made by a person who carries on the business of, or a business similar to, any of the following:

- (a) a bank or licensed deposit taker;
- (b) an accepting house;
- (c) an insurance company, agent or broker;
- (d) an investment trust or unit trust;
- (e) an investment company, unless acting on behalf of a company which does not carry on a business specified by this paragraph and where the companies are eligible to be treated as members of a group;
- (f) a stockbroker, stock jobber or share dealing company;
- (g) a trustee of a pension fund;
- (h) a unit trust management company;
- (i) a building society;
- (j) a discount house;
- (k) a finance house;
- (l) a friendly society.

(2) Without prejudice to the generality of regulation 32(f) a supply shall not be treated as being incidental for the purpose of that sub-paragraph where it is made by a person who carries on the business of, or a business similar to, any of the following:

- (a) any of the businesses specified in sub-paragraphs (a) to (l) of paragraph (1) of this regulation;
- (b) (i) a money lender or money broker;
(ii) a mortgage broker;
(iii) a pawnbroker.

Adjustment of attribution

34.— (1) Where, in one or more prescribed accounting periods occurring in a longer period, a taxable person has provisionally attributed an amount of input tax to taxable supplies in accordance with a method, and where all his supplies in that longer period cannot be treated as taxable supplies under paragraph (2) or (3) of regulation 35, and save as the Commissioners, in the case of a taxable person using a special method, may dispense with the following requirement to adjust, he shall:

- (a) determine for the longer period the amount of input tax which is attributable to taxable supplies according to the method used in the prescribed accounting periods; and
- (b) ascertain (subject to paragraph (2) of this regulation) whether there has been, overall, an over-deduction or an under-deduction of input tax, having regard to the above mentioned determination and to the sum of the amounts of input tax, if any, which were deducted in the returns for the prescribed accounting periods; and
- (c) include any such amount of over-deduction or under-deduction as an adjustment in a return for the first prescribed accounting period next following the longer period, except where the Commissioners allow another return to be used for this purpose.

(2) Where, in one or more prescribed accounting periods occurring in a longer period, a taxable person has attributed an amount of input tax to taxable supplies in accordance with a method, and where all his supplies in that longer period can be treated as taxable supplies under paragraph (2) or (3) of regulation 35, he shall:

- (a) calculate the difference between the total amount of his input tax for that longer period and the sum of the amounts of input tax deducted in the returns for the prescribed accounting periods; and
- (b) include that difference as an adjustment in a return for the first prescribed accounting period next following the longer period, except where the Commissioners allow another return to be used for this purpose.

Treatment of all supplies as taxable

35.— (1) Where, in any prescribed accounting period or in any longer

period, a taxable person's only exempt supplies are of a description within any of sub-paragraphs (a), (d), (e), (f), (g), (h), (i) and (j) of regulation 32 and in respect of which a sum mentioned therein is to be excluded by the taxable person under that regulation, all his supplies in that period shall be treated as taxable supplies.

(2) Where, in any prescribed accounting period or in any longer period, the value of a taxable person's exempt supplies amounts to less than any of the following:

- (a) £200 per month on average; or
- (b) both £8,000 per month on average and 50 per cent of the value of all his supplies; or
- (c) both £16,000 per month on average and 25 per cent of the value of all his supplies; or
- (d) 1 per cent of the value of all his supplies;

all his supplies in that period shall be treated as taxable supplies; and, for the purpose of a longer period, "exempt supplies" includes any exempt supplies which may have been treated as taxable supplies in any prescribed accounting period.

(3) Where, in any prescribed accounting period or in any longer period, the amount of a taxable person's input tax attributable to exempt supplies is less than 5 per cent of the whole of his input tax and does not exceed £200 per month on average, all his supplies in that period shall, if the Commissioners see fit, be treated as taxable supplies, but, save as the Commissioners may otherwise allow, this paragraph shall apply only to taxable persons using a special method; and, for the purpose of a longer period, "exempt supplies" includes any exempt supplies which may have been treated as taxable supplies in any prescribed accounting period.

(4) For the purpose of any calculation made under paragraph (2) or (3) of this regulation there is to be disregarded as the case may require—

- (a) any sum mentioned in sub-paragraphs (a), (d), (e), (f), (g), (h), (i) and (j) of regulation 32 which is to be excluded by the taxable person under that regulation, and any amount of input tax attributable to the supply referable to that sum; and
- (b) that part of the value of a supply of goods comprised in sub-paragraph (c) of regulation 32.

Duration of use of a method

36. Save as the Commissioners may otherwise allow or direct a taxable person using any method shall use it for at least 2 tax years.

Exceptional claims for tax relief

37.— (1) Subject to paragraphs (2) and (4) of this regulation, on a claim made in accordance with paragraph (3) of this regulation, the Commissioners may authorise a taxable person to treat as if it were input tax—

- (a) tax on the supply of goods or services to the taxable person before the date with effect from which he was, or was required to be, registered,

or paid by him on imported goods before that date, for the purpose of a business which either was carried on or was to be carried on by him at the time of such supply or payment; and

- (b) in the case of a body corporate, tax on the supply or importation of goods acquired for it before its incorporation, or on the supply of services before that time for its benefit or in connection with its incorporation, provided that the person to whom the supply was made or who paid tax on the importation—
- (i) became a member, officer or employee of the body and was reimbursed, or has received an undertaking to be reimbursed, by the body for the whole amount of the price paid for the goods or services,
 - (ii) was not at the time of the supply or importation a taxable person, and
 - (iii) acquired the goods or services for the purpose of a business to be carried on by the body and has not used them for any purpose other than such business.

(2) No tax may be treated as input tax under paragraph (1) of this regulation—

- (a) in respect of goods or services which had been supplied, or, in respect of goods, save as the Commissioners may otherwise allow, consumed—
- (i) by the taxable person, or
 - (ii) in the case of paragraph (1)(b) of this regulation, by the person who acquired the goods or services,
- before the date with effect from which the taxable person was, or was required to be, registered; or
- (b) in respect of services performed upon goods to which sub-paragraph (a) above applies; or
- (c) in respect of services which had been supplied—
- (i) to the taxable person, or
 - (ii) in the case of paragraph (1)(b) of this regulation, to the person who acquired the services,
- more than 6 months before the date of the taxable person's registration; or
- (d) otherwise than is prescribed in this Part of these Regulations.

(3) A claim under paragraph (1) of this regulation shall, save as the Commissioners may otherwise allow, be made on the first return the taxable person furnishes pursuant to regulation 58(1) and, as the Commissioners may require, be supported by invoices and other evidence.

(4) A taxable person making a claim under paragraph (1) of this regulation shall compile and preserve for such period as the Commissioners may require—

- (a) in respect of goods, a stock account showing separately quantities purchased, quantities used in the making of other goods, date of

purchase and date and manner of subsequent disposals of both such quantities; and

(b) in respect of services, a list showing their description, date of purchase and date of disposal, if any.

(5) If a person who has been, but is no longer, a taxable person makes a claim in such manner and supported by such evidence as the Commissioners may require, they may pay to him the amount of any tax on the supply of services to him after the date with effect from which he ceased to be or to be required to be registered and which was for the purpose of any business carried on by him when he was or was required to be registered.

PART VI

IMPORTATION, EXPORTATION AND REMOVAL FROM WAREHOUSE

Interpretation

38.— (1) In regulation 49 “approved inland clearance depot” means any inland premises approved by the Commissioners for the clearance of goods for customs and excise purposes.

(2) In this Part of these Regulations “Community traveller” means a person whose domicile, habitual residence or usual place of business is in a member state of the Community other than the United Kingdom.

(3) For the purposes of regulation 50 “container” means an article of transport equipment (lift-van, moveable tank or other similar structure):

- (a) fully or partially enclosed to constitute a compartment intended for containing goods;
- (b) of a permanent character and accordingly strong enough to be suitable for repeated use;
- (c) specially designed to facilitate the carriage of goods, by one or more modes of transport, without intermediate reloading;
- (d) designed for ready handling, particularly when being transferred from one mode of transport to another;
- (e) designed to be easy to fill and to empty; and
- (f) having an internal volume of 1 cubic metre or more.

The term “container” shall include the accessories and equipment of the container, appropriate for the type concerned, provided that such accessories and equipment are carried with the container. The term “container” shall not include vehicles, accessories or spare parts of vehicles, or packaging.

(4) In this Part of these Regulations “domicile or habitual residence” means the place so named in a person’s passport, or identity card, or lacking these, any other identity document recognised as valid in the United Kingdom.

(5) In regulation 49 “export house” means any registered person who in the course of his business in the United Kingdom arranges or finances the export of goods from the United Kingdom.

(6) In regulation 51 “goods” does not include a motor car, motor cycle, motor scooter or motor caravan which has been registered under the Vehicle (Excise) Act 1971(a) or any corresponding enactment for the time being in force of the Parliament of Northern Ireland or of Tynwald respectively and in regulations 52, 53, 54 and 55 “goods” does not include—

- (a) a motor vehicle; or
- (b) a boat intended to be exported under its own power;

and for the purposes of regulations 53 and 55 “goods” means any article or group of articles normally supplied as a set.

(7) In regulations 56 and 57 “manufacturer” means a person who manufactures motor vehicles in the United Kingdom and includes the person nominated by a manufacturer of motor vehicles abroad as his sole agent for the United Kingdom for the purposes of tax-free sales under these Regulations.

(8) In paragraph (6) of this regulation and in regulation 47 “motor car” means any motor vehicle of a kind normally used on public roads which has three or more wheels and either—

- (a) is constructed or adapted solely or mainly for the carriage of passengers; or
- (b) has to the rear of the driver’s seat roofed accommodation which is fitted with side windows or which is constructed or adapted for the fitting of side windows.

(9) The following are not included in the definition of “motor car”:

- (a) vehicles capable of accommodating only one person or suitable for carrying 12 or more persons;
- (b) vehicles of not less than 3 tonnes unladen weight;
- (c) caravans, ambulances and prison vans;
- (d) vehicles of a type approved by the Assistant Commissioner of Police of the Metropolis as conforming to the conditions of fitness for the time being laid down by him for the purposes of the London Cab Order 1934(b);
- (e) vehicles constructed for a special purpose other than the carriage of persons and having no other accommodation for carrying persons than such as is incidental to that purpose.

(10) For the purposes of regulation 51 “overseas authority” means any country other than the United Kingdom or any part of or place in such a country or the government of any such country, part or place.

(11) In this Part of these Regulations “overseas visitor” means a person who, during the 2 years immediately preceding the date of the supply mentioned in regulations 52 and 54 or the date of the application mentioned in regulation 56, has not been in the United Kingdom for more than 365 days; or, who, for the purposes of regulation 56, during the 6 years immediately preceding the

(a) 1971 c.10.

(b) S.R. & O. 1934/1346.

date of the application has not been in the United Kingdom for more than 1,095 days.

(12) In regulations 52, 53, 54 and 55 “ship” includes a hovercraft within the meaning of the Hovercraft Act 1968(a).

(13) In regulation 47 the expression “work of art” applies to any of the following goods:

- (a) paintings, drawings and pastels, executed by hand, other than hand-painted or hand-decorated manufactured articles;
- (b) original engravings, prints and lithographs;
- (c) original sculptures and statuary, in any material.

(14) Regulation 42 shall not apply when the goods which are imported are eligible for relief from payment of tax under any enactment applied by section 24(1) of the Act unless the Commissioners otherwise approve or direct.

Enactments excepted

39. The following provisions, that is to say—

- (a) the Alcoholic Liquor Duties Act 1979(b)—
 - (i) section 7 (exemption from duty on spirits in articles used for medical purposes),
 - (ii) section 8 (repayment of duty on spirits for medical or scientific purposes),
 - (iii) section 9 (remission of duty on spirits for methylation),
 - (iv) section 10 (remission of duty on spirits for use in art or manufacture),
 - (v) section 22(4) (drawback on exportation of tinctures or spirits of wine), and
 - (vi) sections 42 and 43 (drawback on exportation and warehousing of beer);
- (b) the Hydrocarbon Oil Duties Act 1979(c)—
 - (i) section 9 (relief for certain industrial uses),
 - (ii) section 15 (drawback on exportation etc. of certain goods),
 - (iii) section 16 (drawback on exportation etc. of power methylated spirits),
 - (iv) section 17 (repayment of duty on heavy oil used by horticultural producers),
 - (v) section 18 (repayment of duty on fuel for ships in home waters),
 - (vi) section 19 (repayment of duty on fuel used in fishing boats etc.), and

(a) 1968 c.59.
(c) 1979 c.5.

(b) 1979 c.4.

- (vii) section 20 (relief from duty on oil contaminated or accidentally mixed in warehouse);
 - (c) the Matches and Mechanical Lighters Duties Act 1979(a)
 - section 6(3) (relief from duty on domestic and industrial gas lighters); and
 - (d) the Tobacco Products Duty Act 1979(b)
 - section 2(2) (drawback on tobacco),
- shall be excepted from the enactments which are to have effect as mentioned in section 24(1) of the Act.

Regulations excepted

40. There shall be excepted from the enactments which are to have effect as mentioned in section 24(1) of the Act—

- (a) the following Regulations made under section 40 of the Customs and Excise Act 1952(c):
 - (i) the Temporary Importation (Equipment on Hire or Loan) Regulations 1970(d), and
 - (ii) the Temporary Importation (Magnetic Tapes) Regulations 1971(e); and
- (b) the following Regulations made under section 93 of the Customs and Excise Management Act 1979:
 - (i) Regulation 13(7) of the Customs Warehousing Regulations 1979(f), and
 - (ii) Regulation 13(6) and (7) of the Excise Warehousing (Etc.) Regulations 1982(g); and
- (c) Regulation 4(1) of The Inward Processing Relief Regulations 1977(h) made under section 5(6) of the European Communities Act 1972(i).

Postal importations

41. Goods imported by post, other than by datapost packet, not exceeding £1,300 in value, or such greater sum as is determined for the time being by the Commissioners, by a registered taxable person in the course of a business carried on by him may, with the authority of the proper officer, be delivered without payment of tax if—

- (a) the registered taxable person has given such security as the Commissioners may require; and
- (b) his registration number is shown on the customs declaration attached to or accompanying the package;

(a) 1979 c.6. (b) 1979 c.7.
 (c) 1952 c.44; section 40 was repealed and re-enacted by the Customs and Excise Management Act 1979 (c.2).
 (d) S.I. 1970/423. (e) S.I. 1971/1356.
 (f) S.I. 1979/207. (g) S.I. 1982/612.
 (h) S.I. 1977/910, amended by S.I. 1983/877. (i) 1972 c.68.

and save as the Commissioners may otherwise allow he shall account for tax chargeable on the goods on their importation together with any tax chargeable on the supply of goods or services by him in a return furnished by him in accordance with these Regulations for the prescribed accounting period during which the goods were imported.

Temporary importations

42.— (1) The Commissioners, having regard to the tax chargeable on the supply of like goods in the United Kingdom, may permit any goods imported otherwise than on hire or loan to be delivered without payment of tax if they are satisfied—

- (a) that it is intended to re-export the imported goods or goods incorporating them or manufactured or produced from them; and
- (b) that the provisions of this regulation and such conditions as may be imposed by the Commissioners are complied with,

and tax shall not be payable so long as they continue to be so satisfied.

(2) The importer shall at the time of importation—

- (a) produce the goods for examination to the proper officer if so required; and
- (b) deposit such sum of money or give such other security as the proper officer may require to ensure compliance with this regulation and any conditions imposed thereunder.

(3) Save as the Commissioners may otherwise allow, the goods shall not be used by or supplied to any person in the United Kingdom.

(4) The proper officer may require the goods or any goods incorporating them or manufactured or produced from them to be produced to him at any time.

(5) The importer or other person having charge of the goods shall—

- (a) keep such records relating to the goods as the proper officer may require; and
- (b) on demand produce those records to the proper officer and furnish him with such information relating to the goods as he may require.

(6) The goods shall be exported within 6 months of the date of importation or within such longer period as the Commissioners may allow.

(7) The importer or other person having charge of the goods shall produce to the proper officer such evidence of exportation as he may require.

(8) Save as the Commissioners may otherwise allow, this regulation shall apply only to an importer who is not a taxable person.

Goods imported on hire or loan

43. Where goods are imported, and

- (a) the Commissioners are satisfied that the goods are on hire or loan to the importer from an overseas supplier; and
- (b) the proper officer is satisfied that the goods are to be re-exported; and
- (c) such conditions as the Commissioners may impose are complied with,

the Commissioners may remit such amount of tax as represents the difference between the tax ordinarily payable on importation and such tax as would have been payable had the charge made for the hire or loan been the value of the goods, and may further remit any amount of value added tax that is shown to their satisfaction to have been charged in another member state of the Community in respect of the hiring or loan and not to be eligible for refund in that state: provided that if in their opinion such charge is less than would normally be made or if no charge is made, the Commissioners may assess that value having regard to charges made for the hiring of similar goods for a similar period in the United Kingdom.

Importation of certain goods for re-exportation

44.— (1) Subject to such conditions as the Commissioners may impose, tax chargeable on the importation of goods which are for subsequent re-exportation shall not be payable if the Commissioners are satisfied that—

- (a) the goods are imported solely for the purpose of repair, renovation, modification or treatment;
- (b) the ownership in the goods is not transferred to a person in the United Kingdom at importation; and
- (c) the goods are to be re-exported.

(2) The relief afforded by paragraph (1) of this regulation shall continue to apply provided that—

- (a) upon re-exportation the goods are identifiable as the imported goods;
- (b) the ownership in the goods is not transferred to a person in the United Kingdom during such time as they remain within the United Kingdom; and
- (c) the goods are re-exported within 6 months of the date of importation or within such longer period as the Commissioners may allow.

Re-importation of certain goods by non-taxable persons

45. Subject to such conditions as the Commissioners may impose, the tax chargeable on the importation of goods which have been previously exported from the United Kingdom shall not be payable if the Commissioners are satisfied that—

- (a) the importer is not a taxable person or, if he is, the goods are imported otherwise than in the course of his business;
- (b) the goods were last exported by him or on his behalf;
- (c) (i) the goods were supplied in or imported into the United Kingdom before their export, and any purchase tax or tax due on that

supply or importation was paid and neither has been, nor will be, refunded, or

- (ii) the goods are imported by the person who made them;
- (d) the goods were not exported free of tax by reason of the zero-rating provisions of the Act or Regulations made thereunder or free of purchase tax;
- (e) the goods have not been subject to process or repair abroad other than necessary running repairs which did not result in any increase in the value of the goods; and
- (f) the goods—
 - (i) were at the time of exportation intended to be reimported, or
 - (ii) have been returned for repair or replacement or after rejection by an overseas customer or because it was not possible to deliver them to an overseas customer, or
 - (iii) were in private use and possession in the United Kingdom before they were exported.

Re-importation of certain goods by taxable persons

46. Subject to such conditions as the Commissioners may impose, the tax chargeable on the importation of goods which have been previously exported from the United Kingdom shall not be payable if the Commissioners are satisfied that—

- (a) the importer is a taxable person;
- (b) the goods were last exported by him or on his behalf;
- (c) the goods have not been subject to process or repair abroad other than necessary running repairs which did not result in any increase in the value of the goods; and
- (d) the goods were owned by him at the time of exportation and have remained his property or are goods returned from the continental shelf.

Re-importation of motor cars and works of art

47.— (1) Subject to paragraph (2) of this regulation and to such conditions as the Commissioners may impose, the tax chargeable on the importation of motor cars and works of art which have been previously exported from the United Kingdom shall not be payable if the Commissioners are satisfied that—

- (a) in the case of a motor car, it was supplied in or imported into the United Kingdom before its export, and any purchase tax or tax due on that supply or importation was paid and neither has been, nor will be, refunded or deducted;
- (b) in the case of a work of art,
 - (i) it was exported before 1st April 1973, or
 - (ii) it was exported after 31st March 1973 by a person who, had he supplied it in the United Kingdom at the date when it was

exported, would not have had to account for tax on the full value of such supply.

(2) Where such motor car or work of art has undergone any process or repair abroad it shall be chargeable with tax on re-importation as if the amount of any increase in its value, since its exportation, attributable to the process or repair were its whole value.

Re-importation of goods exported for treatment or process

48. Subject to such conditions as the Commissioners may impose, tax chargeable on the importation of goods which have been temporarily exported and are re-imported after having undergone repair, process or adaptation abroad, or after having been made up or reworked abroad, shall be payable as if such treatment or process had been carried out in the United Kingdom, if the Commissioners are satisfied that—

- (a) at the time of exportation the goods were intended to be re-imported after completion of the treatment or process abroad; and
- (b) the ownership in the goods was not transferred to a person outside the United Kingdom at exportation or during the time they were abroad.

Supplies to export houses

49. Where goods are supplied to an export house but are not at any time delivered to the export house in the United Kingdom and—

- (a) the goods are delivered by the supplier direct to a port, customs and excise airport or approved inland clearance depot for immediate shipment or to an export packer for delivery direct to a port, customs and excise airport or approved inland clearance depot for immediate shipment to the order of the export house; and
- (b) the goods are exported,

the supply, subject to such conditions as the Commissioners may impose, shall be zero-rated.

Export of freight containers

50. Where the Commissioners are satisfied that a container is to be exported, its supply, subject to such conditions as they may impose, shall be zero-rated.

Supplies to overseas persons

51.— (1) Where the Commissioners are satisfied that—

- (a) goods intended for export have been supplied, otherwise than to a taxable person, to—
 - (i) a person not resident in the United Kingdom,

(ii) a trader who has no business establishment in the United Kingdom from which taxable supplies are made, or
 (iii) an overseas authority; and
 (b) the goods were exported,
 the supply, subject to such conditions as they may impose, shall be zero-rated.

(2) This regulation shall not apply in the case of a supply to any person who is a member of the crew of any ship or aircraft departing from the United Kingdom or the Isle of Man.

Supplies to persons departing from the United Kingdom

52. Where the Commissioners are satisfied that—

(a) goods have been supplied to, and delivered direct to a ship or aircraft on behalf of,
 (i) a member, being an overseas visitor other than a Community traveller, of the crew of any ship or aircraft departing from the United Kingdom or the Isle of Man, or;
 (ii) a person who is a resident of the United Kingdom and who at the time of the supply intended to depart from and remain outside the Community area for a period of at least 12 months; and
 (b) save as they may allow, the goods were produced to the proper officer on exportation; and
 (c) the goods were exported in that ship or aircraft or in such other ship or aircraft as the Commissioners may allow,
 the supply, subject to such conditions as they may impose, shall be zero-rated.

53. Where the Commissioners are satisfied that—

(a) goods have been supplied to, and delivered direct to a ship or aircraft on behalf of,
 (i) a member, being a Community traveller, of the crew of any ship or aircraft departing from the United Kingdom or the Isle of Man, or
 (ii) a resident of the United Kingdom who at the time of the supply intended to depart from the United Kingdom for a period of at least 12 months and that the final destination of the goods should be a member state of the Community; and
 (b) where the final destination was to be—
 (i) the Republic of Ireland, the value of the goods together with tax exceeded £45,
 (ii) Greece, the value of the goods together with tax exceeded £145, or
 (iii) any other member state of the Community, the value of the goods together with tax exceeded £163; and
 (c) the goods were exported,
 the supply, subject to such conditions as they may impose, shall be zero-rated.

54.— (1) Where the Commissioners are satisfied that—

(a) goods have been supplied to a person who—

- (i) is an overseas visitor other than a Community traveller, or is a Community traveller who at the time of the supply intended to depart from and remain outside the Community area for a period of at least 12 months, and
- (ii) at the time of the supply intended to depart from the United Kingdom within 3 months from that date and that the goods should accompany him;

(b) save as they may allow, the goods were produced to the proper officer on exportation; and

(c) the goods were exported,

the supply, subject to such conditions as they may impose, shall be zero-rated.

(2) This regulation shall not apply in the case of a supply to any person who is a member of the crew of any ship or aircraft departing from the United Kingdom.

55.— (1) Where the Commissioners are satisfied that—

(a) goods have been supplied to a Community traveller who, at the time of the supply, intended to depart from the United Kingdom within 3 months from that date, that the goods should accompany him and that the final destination of the goods should be a member state of the Community; and

(b) where the final destination was to be—

- (i) the Republic of Ireland, the value of the goods together with tax exceeded £45.
- (ii) Greece, the value of the goods together with tax exceeded £145, or
- (iii) any other member state of the Community, the value of the goods together with tax exceeded £163; and

(c) the goods were exported,

the supply, subject to such conditions as they may impose, shall be zero-rated.

(2) This regulation shall not apply in the case of a supply to any person who is a member of the crew of any ship or aircraft departing from the United Kingdom.

56. The Commissioners may, on application by an overseas visitor who intends to depart from the United Kingdom within 15 months and remain outside the United Kingdom for a period of at least 6 months, permit him within 12 months of his intended departure to acquire, from a manufacturer, a new motor vehicle without payment of tax, for subsequent export, and its supply, subject to such conditions as they may impose, shall be zero-rated.

57. The Commissioners may, on application by any person who intends to depart from the United Kingdom within 9 months and remain outside the United Kingdom for a period of at least 6 months, permit him within 6 months of his intended departure to acquire, from a manufacturer, a new motor vehicle without payment of tax, for subsequent export, and its supply, subject to such conditions as they may impose, shall be zero-rated.

PART VII

ACCOUNTING AND PAYMENT

Furnishing of returns

58.— (1) Save as the Commissioners may otherwise allow, every person who is registered or was or is required to be registered shall, in respect of every period of a quarter or in the case of a person who is registered every period of 3 months ending on the dates notified either in the certificate of registration issued to him or otherwise, furnish the Controller, not later than the last day of the month next following the end of the period to which it relates, with a return on the form numbered 4 in the Schedule to these Regulations showing the amount of tax payable by or to him and containing full information in respect of the other matters specified in the form and a declaration that the return is true and complete;

provided that—

- (a) the Commissioners may allow or direct a person to furnish returns in respect of periods of 1 month and to furnish those returns within 1 month of the periods to which they relate;
 - (b) the first return shall be for the period in which occurs the effective date determined in accordance with Schedule 1 to the Act upon which the person was or should have been registered, and the said period shall begin on that date;
 - (c) where the Commissioners consider it necessary in the circumstances of any particular case to vary the length of any period or the date on which any period begins or ends or by which any return shall be furnished, they may allow or direct any person to furnish returns accordingly, whether or not the period so varied has ended; and
 - (d) where the Commissioners consider it necessary in the circumstances of any particular case, they may allow or direct a person to furnish returns to a specified address.
- (2) Any person to whom the Commissioners give any direction in pursuance of the proviso to paragraph (1) of this regulation shall comply therewith.
- (3) Save as the Commissioners shall otherwise direct, where under any of the enactments mentioned in paragraph 12(1) of Schedule 7 to the Act, control of the assets of any registered person passes to another person, being a trustee in bankruptcy, receiver, liquidator, or person otherwise acting in a representative capacity, the period in respect of which the registered person is currently making supplies shall end on the day previous to the relevant date, the

registered person shall furnish a return in respect of that period not later than the last day of the month next following the end of that period and his next period shall commence on the relevant date and it shall end, and all subsequent periods shall commence and end, on the dates already determined under these Regulations.

- (4) Any person who—
- (a) ceases to be liable to be registered; or
 - (b) if he is registered under paragraph 5 of Schedule 1 to the Act, ceases to be a taxable person; or
 - (c) being registered pursuant to a request made under paragraph 11(1)(b) of Schedule 1 to the Act ceases to be treated as being liable to be registered because his request is withdrawn or the Commissioners decide no longer to act upon it,

shall, unless another person has been registered with the registration number of and in substitution for him under regulation 4(5), furnish to the Controller a final return on the form numbered 5 in the Schedule to these Regulations and, unless the Commissioners in any case otherwise allow or direct, any such return shall contain full information in respect of the matters specified in the form and a declaration that the return is true and complete and shall be furnished, in the case of a person who was or is registered, within 1 month of the effective date for cancellation of his registration, and in the case of any other person within 1 month of the date upon which he ceases to be liable to be registered, and in either case shall be in respect of the final period ending on the date aforementioned and be in substitution for the return for the period in which such date occurs.

- (5) The Commissioners may allow tax chargeable in any period to be treated as being chargeable in such later period as they may specify.

Supplies under Schedule 2, paragraph 6

59. Where goods are deemed to be supplied by a taxable person by virtue of paragraph 6 of Schedule 2 to the Act, the auctioneer on a sale by auction or, where the sale is otherwise than by auction, the person selling the goods, shall, whether or not registered under the Act, within 21 days of the sale—

- (a) furnish to the Controller a statement showing—
 - (i) his name and address and, if registered, his registration number,
 - (ii) the name, address and registration number of the person whose goods were sold,
 - (iii) the date of the sale,
 - (iv) the description and quantity of goods sold at each rate of tax, and
 - (v) the amount for which they were sold and the amount of tax charged at each rate;
- (b) pay the amount of tax due; and
- (c) send to the person whose goods were sold a copy of the statement referred to in (a) above,

and the auctioneer or person selling the goods, as the case may be, and the person whose goods were sold shall exclude from any return furnished under these Regulations the tax chargeable on that supply of those goods.

Tax to be accounted for on returns and payment of tax

60. Save as the Commissioners may otherwise allow or direct—

- (a) any person furnishing a return of tax required by these Regulations shall account therein for all his output tax and all tax for which he is accountable by virtue of Part VI of these Regulations in respect of the period to which the return relates;
- (b) any person required to furnish a return of tax in accordance with these Regulations shall pay to the Controller such amount of tax as is payable by him in respect of the period to which the return relates not later than the last day on which he is required by these Regulations to make that return.

Estimation of output tax

61. The Commissioners may allow a person to estimate a part of his output tax for any period in cases where they are satisfied that he is not able to account for the exact amount of output tax chargeable in that period, provided that any such estimated amount shall be adjusted and exactly accounted for as tax chargeable in the next period thereafter or in such later period as the Commissioners may allow.

Claims for input tax

62.— (1) Save as the Commissioners may otherwise allow or direct either generally or in particular cases or classes of cases, a person claiming deduction of input tax under section 14(2) of the Act shall do so on the return furnished by him for the prescribed accounting period in which the tax became chargeable and, before so doing, shall, if the claim is in respect of—

- (a) a supply from another registered person, hold the document which is required to be provided under regulation 12;
- (b) a supply under section 7(1) of the Act, hold the relative invoice from the supplier;
- (c) an importation of goods, hold a document showing the claimant as importer, consignee or owner and showing the amount of tax due on the goods and authenticated or issued by the proper officer; or
- (d) goods which have been removed from warehouse, hold a document authenticated or issued by the proper officer showing the claimant's particulars and the amount of tax due on the goods.

(2) The Commissioners may allow a person to estimate a part of his deductible input tax for any period in cases where they are satisfied that he is not able to claim the exact amount to be deducted by him for that period, provided that any such estimated amount shall be adjusted and exactly accounted for as tax deductible in the next period thereafter or in such later period as the Commissioners may allow.

Persons acting in a representative capacity

63. Where any person subject to any requirements under this Part of these Regulations dies or becomes incapacitated and control of his assets passes to another person, being a personal representative, trustee in bankruptcy, receiver, liquidator, or person otherwise acting in a representative capacity, that other person shall, if the Commissioners so require and so long as he has such control, comply with those requirements:

provided that any requirement to pay tax shall only apply to that other person to the extent of the assets of the deceased or incapacitated person over which he has control; and save to the extent aforesaid this Part of these Regulations shall apply to such person, so acting, as if he were the deceased or incapacitated person.

Correction of errors

64. If a person makes an error in accounting for tax or in any return furnished under these Regulations he shall correct it in such manner and within such time as the Commissioners may require.

PART VIII

DISTRESS AND DILIGENCE

Distress

65.— (1) If upon demand made by an authorised person, being a Collector of Customs and Excise or an officer of rank not below that of Higher Executive Officer, a person neglects or refuses to pay tax which he is required to pay under the Act or any regulation made thereunder, a Collector may distrain on the goods and chattels of that person and by warrant signed by him direct any authorised person to levy such distress, provided that where an amount of tax is due under Schedule 7(4) to the Act no distress shall be levied until 30 days after that amount became due.

(2) For the purpose of levying any such distress an authorised person may after obtaining a warrant for the purpose signed by a Collector of Customs and Excise break open, in the daytime, any house or premises.

(3) A levy or warrant to break open shall be executed by or under the direction of, and in the presence of, the authorised person.

(4) A distress levied by the authorised person shall be kept for 5 days, at the costs and charges of the person neglecting or refusing to pay.

(5) If the person aforesaid does not pay the sum due, together with the costs and charges, within the said 5 days, the distress shall be independently appraised and shall be sold by public auction by the authorised person for payment of the sums due and all costs and charges; and costs and charges of taking, keeping and selling the distress shall be retained by the authorised person, and any surplus remaining after the deduction of the costs and charges and of the sum due shall be restored to the owner of the goods distrained.

Diligence

66. In Scotland, the following provisions shall have effect:

- (a) Upon certificate made to him by a Collector of Customs and Excise that any tax is due under the Act or under any regulation made thereunder and has not been paid, the sheriff shall issue a warrant for the recovery of the said tax by pointing the goods and effects of any person entered in the certificate as being a defaulter;
- (b) The warrant shall be executed by the sheriff officers of the sheriffdom;
- (c) The goods and effects so pointed shall be detained and kept on the ground, or at the house where the same were pointed, or in such other place of which the owner shall have notice, near to the said ground or house, as the officer so pointing the same shall think proper, for the space of 5 days, during which time the said goods and effects shall remain in the custody of the said officer, and liable to the payment of the whole tax in arrear and to the costs to be paid to the officer who pointed the same as hereinafter directed, unless the owner from whom the same were pointed shall redeem the same, within the said space of 5 days, by payment to the officer of the said tax in arrear and costs, to be settled in the same manner as if the said goods and effects had been sold as hereinafter directed;
- (d) The goods and effects so pointed shall, after the expiration of the said 5 days, be valued and appraised by any 2 persons to be appointed by the officer and shall be sold and disposed of, at a sum not less than the value, by the officer who does point the same;
- (e) The value shall be applied, in the first place, to the satisfaction and payment of the tax owing by the person whose goods are so pointed, and, in the second place, to the payment for the trouble of the officer so pointing, at the rate of 10 pence per pound of the tax for which the goods shall be so pointed unless the owner from whom the same were pointed shall redeem the same by payment of the appraised value, within the space of 5 days after the valuation, to the officer who pointed the same;
- (f) In case any surplus remains of the price or value, after payment of the said tax, and after payment of what is allowed to be retained by the officer in manner herein directed, such surplus shall be returned to the owner from whom the goods were pointed;
- (g) In case no purchaser appears at the said sale, then the said goods and effects, so pointed, shall be consigned and lodged in the hands of the sheriff and if not redeemed by the owner within the space of 5 days after the consignment in the hands of the said sheriff, the same shall be roupied, sold, and disposed of by order of the sheriff, in such manner, and at such time and place, as he shall appoint, he always being liable to the payment of the tax to the authorised person, and to payment to the officer who shall have pointed the same, for his trouble and expense, as before stated and to the fees due to the officer, and being, in the third place, entitled to 5 pence per pound of the value of the goods so disposed of, for his own pains and trouble, after preference and allowance of the said tax, and of what is appointed to be paid to the officer for his trouble;
- (h) There shall also be allowed, to the officer so pointing, the expense of maintaining or preserving the said goods and effects from the time of

pointing the same, during the period allowed to the owner to redeem them, and also the expense of the sale; and in the like manner the expense shall be allowed to the sheriff for maintaining or preserving the goods pointed, during the period that the owner is allowed to redeem, after consignment in his hands, and until the sale thereof, and also the expense of the sale;

- (i) Every auctioneer, or seller by commission, selling by auction, in Scotland, any goods or effects whatsoever by any mode of sale at auction shall, at least 3 days before he begins any sale by way of auction, deliver or cause to be delivered to the authorised person a notice in writing, signed by such auctioneer or seller by auction, specifying therein the particular day when such sale is to begin, and the name and surname of the person whose goods and effects are to be sold, with his place of residence.
- (j) Where, in the exercise of any power granted to or duty imposed by this regulation, a sheriff or a sheriff officer makes a supply of services on which tax is chargeable, any amount allowed to that sheriff or sheriff officer for that supply under the provisions of this regulation shall be increased by the amount of tax chargeable.

PART IX

MISCELLANEOUS

Requirement, direction, demand or permission

67. Any requirement, direction, demand or permission by the Commissioners, under or for the purposes of these Regulations, may be made or given by a notice in writing, or otherwise.

P. Jefferson Smith,
Commissioner of Customs and Excise.

10th June 1985.
King's Beam House,
Mark Lane,
London EC3R 7HE.

8 Payment position
 Do you expect the VAT you can reclaim on your purchases and expenses (input tax) to exceed regularly the VAT on the goods /services you supply (output tax)?
 YES
 NO
 Tick appropriate box

9 Status
 Tick appropriate box

Sole proprietor
 Partnership (ALSO COMPLETE VAT 2)
 Company
 Other (specify)

10 Computer Users
 Are your VAT records or accounts to be prepared by computer?
 YES
 PARTLY
 NO
 Tick appropriate box

11 Business transferred as a going concern
 If you are taking over an existing business or changing the legal status of your current business, e.g. sole proprietor to partnership, state —

(i) the date of change of ownership or status _____
 (ii) if known, the previous VAT Registration Number _____
 (iii) are you applying for the previous VAT Registration Number to be reallocated to you?
 YES
 NO

12 Exemption from Registration
 You do not need to be registered if your supplies (sales etc) are mainly zero-rated and, if registered you would never be liable to pay VAT to H M Customs and Excise See paragraph 7 of "Should I be Registered for VAT?"

If you are in this position and do not wish to be registered
 (i) Tick box
 AND (ii) give an estimate of your zero-rated turnover in the next twelve months £ _____

13 Voluntary and Intending Trader Registrations
 See paragraph 8 and 9 of "Should I be Registered for VAT?" IF VOLUNTARY REGISTRATION is required.

(i) Tick box
 AND (ii) give full details of the business need _____

If **INTENDING TRADER REGISTRATION** is required
 (i) Tick box
 AND (ii) enclose written evidence of your intent to trade _____

14. DECLARATION

I _____ (Full name in BLOCK LETTERS) declare that the particulars and statements in this form and any accompanying documents are true and complete

Signature: _____ Date _____
*Proprietor partner director, company secretary, trustee(s), responsible officer, authorised official, authorised agent

**Delete as necessary*

FOR OFFICIAL USE			
Scrutinised and coded		Voluntary registration allowed	
Request for further information sent		VAT 7 sent	
Registration approved/refused		Exemption allowed	
Registration not required VAT 6 sent		VAT 8 sent	
		Photocopy	

Form No. 2.

Regulation 4(2)



Value Added Tax

NOTIFICATION OF LIABILITY TO BE REGISTERED FOR VALUE ADDED TAX

For Official Use

Registration No

Registration number input box

If the notification on Form VAT 1 is for a partnership, please list below, in BLOCK LETTERS, the full names of all the partners and their addresses.

This form must be signed by each partner in the space provided and forwarded together with Form VAT 1 to the Customs and Excise VAT office.

Any changes in the composition of the partnership must be notified to your local VAT office immediately.

Full name
Address including postcode

Signature Date

Full name
Address including postcode

Signature Date

Full name
Address including postcode

Signature Date

Full name
Address including postcode

Signature Date

Full name
Address including postcode

Signature Date

Form No. 3.

Regulation 4(5)



Value Added Tax
Transfer of a Business as a Going Concern
Application for Re-allocation
of a VAT Registration Number

Please read the notes overleaf before completing this form

PART A. To be completed by the Transferee (see note 1b)

On [Day] [Month] [Year] */we took over a business as a going concern from

..... (transferor)

*/we *enclose/have previously submitted form VAT 1 and apply to use the VAT Registration Number previously used by the transferor.

If the application is granted */we accept that:

- (i) */we will send to the Commissioners of Customs and Excise, with */my/our first tax return, payment for all tax due for the whole of the period covered by the return;
(ii) */we will furnish any returns due from, but not furnished by, the transferor;
(iii) */we will pay on demand to the Commissioners any tax due in respect of supplies made by the transferor before the transfer of the business;
(iv) any return furnished in the name of the transferor for any period after the date of the transfer will be regarded as having been furnished by */me/us;
(v) any payment made by the Commissioners to the transferor before the re-allocation to */me/us of the registration number will satisfy any liability of the Commissioners to pay */me/us.

Signature(s) of transferee (Proprietor, Partners, Director, Company Secretary, Executor - see note 2c)

..... Date

..... Date

PART B. To be completed by the Transferor (see note 1c)

On [Day] [Month] [Year] */we transferred a business as a going concern to

..... (transferee)

With effect from that date */we ceased to be liable or eligible to be registered under Part 1 of the Finance Act 1972, or */we withdraw */my/our request to be treated exceptionally as liable to be registered. */we agree to the VAT Registration Number previously allocated to */me/us being allocated to and used by the transferee.

If the application is granted */we accept that:

- (i) */my/our outstanding right to credit for input tax will become a right of the transferee;
(ii) any payment made by the Commissioners to the transferee will satisfy any liability of the Commissioners to pay */me/us.

Signature(s) of transferor (Proprietor, Partners, Director, Company Secretary - see note 2c)

..... Date

..... Date

* Delete as necessary

Form No. 4.

Regulation 58(1)



Return of Value Added Tax

For the period
to

To be returned not later than
These dates must not be altered without the agreement of
Customs and Excise

For Official Use

Registration No Period

Please complete the whole of this form. The notes on the back and *Filing in your VAT return* will help you to do this. Return it, with any VAT due, in the enclosed envelope to the Controller, VAT Central Unit, H.M. Customs and Excise, 21 Victoria Avenue, SOUTHBEND-ON-SEA X

Complete all boxes (writing "none" where necessary) If an exact amount of pounds is to be entered write "00" in the pence column. Do not put a dash or leave the column blank

		£	p
FOR OFFICIAL USE	VAT DUE in this period on OUTPUTS (sales, etc), certain postal imports and services received from abroad	1	
	Underdeclarations of VAT made on previous returns (but not those notified in writing by Customs and Excise)	2	
	TOTAL VAT DUE (box 1 + box 2)	3	
	VAT DEDUCTIBLE in this period on INPUTS (purchases, etc)	4	
	Overdeclarations of VAT made on previous returns (but not those notified in writing by Customs and Excise)	5	
	TOTAL VAT DEDUCTIBLE (box 4 + box 5)	6	
	NET VAT PAYABLE OR REPAYABLE (Difference between boxes 3 and 6)	7	

Please tick only ONE of these boxes:
 box 3 greater than box 6 payment by credit transfer
 box 6 greater than box 3 repayment due
 payment enclosed

How to pay the VAT due
 Cross all cheques and postal orders "A/C Payee only" and make them payable to "H.M. Customs and Excise". Make credit transfers through account 3078027 at National Girobank or 10-70-50 52055000 for Bank Giro. You can get pre-printed booklets of credit transfer slips from your local VAT office. In your own interest do not send notes, coins, or uncrossed postal orders through the post.
Please write your VAT registration number on the back of all cheques and credit transfer slips.

Value of Outputs (excluding any VAT) 8 **00**

Value of Inputs (excluding any VAT) 9 **00**

Please tick box(es) if the statement(s) apply:
 box 5 includes bad debt relief box 8 includes exempt outputs box 8 includes exports

Retail schemes: If you have used any of the schemes in the period covered by this return please tick the box(es) to show all the schemes used
 A B C D E F G H J

Failure to make a complete return or to pay the full amount of VAT payable by the due date is an offence.
 DECLARATION by the signatory to be completed by or on behalf of the person named above

I, _____ (full name of signatory in BLOCK LETTERS) declare that the information given in this return is true and complete

Signed _____ Date _____ 19____
 (Proprietor partner director secretary responsible officer member of club or association duly authorised person) Delete as necessary

FOR OFFICIAL USE

Form No. 5.

Regulation 58(3)



Final Return of Value Added Tax

For the period
to
These dates must not be altered without the agreement
of Customs and Excise

For Official Use

LVO	Registration No	Period
		9999

The person named here must complete the whole of this form in accordance with the Notes overleaf and return it in the enclosed envelope to the Controller, VAT Central Unit, HM Customs and Excise, 21 Victoria Ave., SOUTHEND-ON-SEA, SS99 1AT

not later than

The tax payable must be paid by the same date by remittance enclosed with this form or by National Girobank or Bank Giro.

WARNING

A return which is incomplete or qualified in any way (e.g. marked "Provisional") does not satisfy the legal requirements. Failure to make a return or to pay the full amount of tax payable by the due date is an offence.

All boxes must be completed (writing "none" where appropriate). If an exact amount of pounds is to be entered, write "00" in the pence column. DO NOT put a dash or leave the column blank.

Fold here

Fold here

Account of tax payable or repayable

		£	p
FOR OFFICIAL USE	TAX DUE in this period on OUTPUTS (sales, etc.) including tax on stocks and assets — see declaration below	1	
	Tax due on imported goods, certain goods removed from bonded warehouses and certain services received from abroad	2	
	Underdeclarations of tax made on previous returns (except those notified in writing by Customs and Excise)	3	
	(Total of boxes 1, 2 and 3) TOTAL TAX DUE	4	
FOR OFFICIAL USE	TAX DEDUCTIBLE being the credit claimed in this period for input tax allowable (on purchases, etc.)	5	
	Overdeclarations of tax made on previous returns (except those notified in writing by Customs and Excise)	6	
	(Total of boxes 5 and 6) TOTAL TAX DEDUCTIBLE	7	
NET TAX PAYABLE OR REPAYABLE (Difference between boxes 4 and 7)		8	

Fold here

Fold here

Please tick the following boxes if "YES" is appropriate.

Box 6 includes bad debt relief

Box 9 includes exempt outputs

Box 9 includes exports

Special schemes for Retailers (Notice No. 727)

If you have used any of the schemes in the period covered by this return, please tick the appropriate box(es) to show all the scheme(s) used.

A	B	C	D	E	F	G	H	J
---	---	---	---	---	---	---	---	---

Value of Outputs (sales, etc.) (excluding any Value Added Tax)

Value of Inputs (purchases, etc.) (excluding any Value Added Tax)

Please tick ONE only of the following boxes.

If box 4 is greater than box 7: Payment by Giro Payment enclosed

If box 7 is greater than box 4: Repayment due

Cheques and postal orders should be crossed and made payable to HM Customs and Excise. Your VAT registration number should be written on the back.

Declaration by the signatory to be completed by or on behalf of the person named above.

I, (full name of signatory in BLOCK LETTERS) declare that the information given in this return is true and complete. The total tax due on all goods in stock or forming part of the assets of the business (including capital goods) at the close of business on amounting to £..... has been included on *this/previous returns.

Signed, Date:

*(Proprietor, partner, director, secretary, responsible officer, member of club or association, duly authorised person) Delete as necessary

FOR OFFICIAL USE

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EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations consolidate, with certain amendments, the Value Added Tax (General) Regulations 1980, regulation 3 of the Value Added Tax (General and Bad Debt Relief) (Amendment) Regulations 1981, the Value Added Tax (General) (Amendment) (No. 2) Regulations 1981, the Value Added Tax (General) (Amendment) Regulations 1982, the Value Added Tax (General) (Amendment) (No. 2) Regulations 1982, the Value Added Tax (General) (Amendment) Regulations 1983, the Value Added Tax (General) (Amendment) (No. 2) Regulations 1983, the Value Added Tax (General) (Amendment) Regulations 1984, the Value Added Tax (General) (Amendment) (No. 2) Regulations 1984, the Value Added Tax (General) (Amendment) Regulations 1985 and the Value Added Tax (General) (Amendment) (No. 2) Regulations 1985, which are revoked. Regulation 3(3) provides that references in tax documents to provisions in the revoked Regulations shall, unless the contrary intention appears, be construed as referring to the corresponding provisions of these Regulations.

The new regulations 5 to 8 set out common conditions to be imposed upon those traders granted discretionary registration by the Commissioners by virtue of paragraphs 5 and 11(1)(b) of Schedule 1 to the Value Added Tax Act 1983.

Minor amendments have been made to regulations 13(1), 38(13) and 39(c) for greater clarity or for consistency with other statutory provisions.

Regulation 58 has been amended to enable the Commissioners to direct or allow the sending of VAT returns to an address other than that of the Controller of the Value Added Tax Central Unit.

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