

STATUTORY INSTRUMENTS

2003 No. 3092

**INSURANCE PREMIUM TAX
VALUE ADDED TAX**

The Mutual Assistance Provisions Order 2003

Made - - - - *1st December 2003*
Laid before the House of
Commons - - - - *1st December 2003*
Coming into force - - *1st January 2004*

The Treasury, in exercise of the powers conferred upon them by section 48(9) of the Value Added Tax Act 1994⁽¹⁾ and section 197(5) of the Finance Act 2003⁽²⁾, hereby make the following Order:

PROSPECTIVE

1. This Order may be cited as the Mutual Assistance Provisions Order 2003 and comes into force on 1st January 2004.

Commencement Information

I1 Art. 1 in force at 1.1.2004, see [art. 1](#)

2. In section 48(1B) of the Value Added Tax Act 1994, for paragraph (c) substitute—
“(c) Council Regulation [\(EC\) No. 1798/2003](#) of 7th October 2003 (on administrative cooperation in the field of value added tax).”

Commencement Information

I2 Art. 2 in force at 1.1.2004, see [art. 1](#)

3. In section 197(4) of the Finance Act 2003, in the definition of the “Mutual Assistance Directive” for “as amended by Council Directives [79/1070/EEC](#) and [92/12/EEC](#)” substitute “as amended by Council Directives [92/12/EEC](#) and [2003/93/EC](#)”.

(1) [1994 c. 23](#); section 48(9) was inserted by section 197(7)(b) of the Finance Act 2003 ([c. 14](#)).
(2) [2003 c. 14](#).

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Mutual Assistance Provisions Order 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

I3 Art. 3 in force at 1.1.2004, see [art. 1](#)

1st December 2003

Nick Ainger
Joan Ryan
Two of the Lords Commissioners of Her
Majesty's Treasury

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PROSPECTIVE

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the legislative references in section 48 of the Value Added Tax Act 1994 (section 48) and section 197 of the Finance Act 2003 (section 197) following changes to EC Mutual Assistance legislation.

The changes consist of the adoption of a new Council Directive which amends Directive [77/799/EEC](#) (Mutual Assistance) to remove Value Added Tax from the scope of that Directive and to include taxes on insurance premiums and of a new Council Regulation to replace Council Regulation [\(EEC\) No. 218/92](#) (VAT Administrative Co-operation).

Article 2 amends section 48(1B) (meaning of “the mutual assistance provisions”) by replacing paragraph (c) which contains a reference to the old Council Regulation with a new paragraph (c) which contains a reference to the new Council Regulation [\(EC\) No. 1798/2003](#).

Article 3 amends the definition of the “Mutual Assistance Directive” in section 197(4) to remove the reference to Council Directive [79/1070/EEC](#) which is now otiose and to insert a reference to the new amending Council Directive [2003/93/EC](#).

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Changes and effects yet to be applied to :

- art. 1 coming into force by [S.I. 2003/3092 art. 1](#)
- art. 2 coming into force by [S.I. 2003/3092 art. 1](#)
- art. 3 coming into force by [S.I. 2003/3092 art. 1](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Order revoked by [S.I. 2023/1143 Sch. 2 Pt. 1](#)