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STATUTORY INSTRUMENTS

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**2004 No.3149**

**VALUE ADDED TAX**

**The Value Added Tax (Reverse Charge)  
(Gas and Electricity) Order 2004**

*Made* - - - - *30th November 2004*  
*Laid before the House of*  
*Commons* - - - - *2nd December 2004*  
*Coming into force* - - *1st January 2005*

The Treasury, in exercise of the powers conferred on them by section 8(5) of the Value Added Tax Act 1994(1), hereby make the following Order:

1. This Order may be cited as the Value Added Tax (Reverse Charge) (Gas and Electricity) Order 2004 and shall come into force on 1st January 2005 in relation to supplies made on or after that date.
2. Amend Schedule 5 (services supplied where received) to the Value Added Tax Act 1994(2) as follows.
3. After paragraph 5 insert—
  - “5A. The provision of access to, and of transport or transmission through, natural gas and electricity distribution systems and the provision of other directly linked services.”.

30th November 2004

*Jim Murphy*  
*Nick Ainger*  
Two of the Lords Commissioners of Her  
Majesty’s Treasury

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(1) 1994 c. 23.  
(2) Schedule 5 was amended by S.I.1995/1523, 2003/863.

**Status:** This is the original version (as it was originally made).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

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order, which comes into force on 1st January 2005, is part of the implementation of Council Directive [2003/92/EC](#) (OJ L260, 11.10.03 P.8). It forms part of a package of new measures which apply to supplies of natural gas and electricity. A transposition note in respect of this implementation is available at [www.hmce.gov.uk](http://www.hmce.gov.uk).

The Order amends Schedule 5 to the Value Added Tax Act 1994 by inserting a new paragraph 5A. Paragraph 5A adds a new category of services which are to be treated as being supplied where they are received. These are supplies of services connected with the operation of natural gas and electricity distribution systems.

A full regulatory impact assessment of the effect that this instrument will have on the costs of businesses is available at [www.hmce.gov.uk](http://www.hmce.gov.uk).