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STATUTORY INSTRUMENTS

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**2022 No. 1277**

**The Finance Act 2009, Finance (No. 3) Act  
2010 and Finance Act 2021 (Value Added Tax)  
(Interest) (Appointed Days) Regulations 2022**

**Effect**

**3.—(1) Regulation 2(2) has effect—**

- (a) in respect of amounts of value added tax payable by reference to prescribed accounting periods, in relation to prescribed accounting periods beginning on or after 1st January 2023;
- (b) in respect of amounts assessed under sections 80(4A) and 80B(1) of the Value Added Tax Act 1994 (recovery of excess credit), in relation to assessments which relate to value added tax payable by reference to prescribed accounting periods beginning on or after 1st January 2023;
- (c) in respect of amounts recoverable under paragraph 5(2) of Schedule 11 to the Value Added Tax Act 1994 (amounts shown on invoices as VAT), in relation to amounts shown on invoices issued on or after 1st January 2023;
- (d) in respect of amounts of penalties assessed in respect of value added tax payable by reference to prescribed accounting periods, including those relating to a VAT return, in relation to prescribed accounting periods beginning on or after 1st January 2023;
- (e) in respect of amounts of penalties payable under section 62 of the Value Added Tax Act 1994(2) (incorrect certificates as to zero-rating), in relation to penalties which relate to certificates given on or after 1st January 2023;
- (f) in respect of amounts of penalties payable under section 69(1) of the Value Added Tax Act 1994(3) (breaches of regulatory requirements), in relation to penalties which relate to requirements that arise on or after 1st January 2023;
- (g) in respect of amounts of penalties payable under section 69(2) of the Value Added Tax Act 1994(4) (failure to preserve records), in relation to penalties assessed on or after 1st January 2023;
- (h) in respect of amounts of penalties payable under paragraph 1 of Schedule 41 to the Finance Act 2008(5) (failure to notify HMRC of liability or change in supplies), in relation to penalties for failures that occur on or after 1st January 2023;

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- (1) Section 80(4A) was inserted by section 47(6) of the Finance Act 1997 (c. 16) and substituted by section 3(9) of the Finance (No. 2) Act 2005 (c. 22). Section 80B was inserted by section 46(2) of Finance Act 1997 and amended by section 4(4) of the Finance (No. 2) Act 2005.
  - (2) Section 62 was amended by paragraph 8 of Schedule 3 to the Finance Act 1996 (c. 8), section 17 of the Finance Act 1999 (c. 16), paragraph 3 of Schedule 31 to the Finance Act 2001 (c. 9), paragraph 3 of Schedule 7 to the Finance Act 2017 (c. 10) and paragraph 58 of Schedule 8 to the Taxation (Cross-border Trade) Act 2018 (c. 22).
  - (3) Section 69(1) was amended by section 19(5) of, and paragraph 9 of Schedule 3 to, the Finance Act 2006 (c. 25), paragraph 7 of Schedule 28 to the Finance Act 2012 (c. 14), section 38(2) of the Finance Act 2018 (c. 3), paragraph 61 of Schedule 8 to the Taxation (Cross-border Trade) Act 2018 and section 80(3)(a) of the Finance Act 2020 (c. 14).
  - (4) Section 69(2) was amended by paragraph 7(2) of Schedule 2 to the Taxation (Post-transition Period) Act 2020.
  - (5) 2008 c. 9. Paragraph 1 was amended by paragraph 18 of Schedule 28 to the Finance Act 2012 and paragraph 114(2) of Schedule 8 to the Taxation (Cross-border Trade) Act 2018.

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**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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- (i) in respect of amounts of penalties payable under paragraph 2 of Schedule 41 to the Finance Act 2008 (issue of invoice showing VAT by unauthorised person), in relation to penalties that relate to unauthorised invoices issued on or after 1st January 2023;
  - (j) in respect of any other amount, in relation to amounts in respect of which the liability arises on or after 1st January 2023.
- (2) In this regulation—
- “prescribed accounting periods” has the same meaning as in the Value Added Tax Act 1994<sup>(6)</sup>;
  - “VAT return” means a return required to be made by regulations under the Value Added Tax Act 1994.

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<sup>(6)</sup> See section 25(1) of the Value Added Tax Act 1994.