

L.N. 253 of 2019

**VALUE ADDED TAX ACT
(CAP. 406)**

**Value Added Tax Act (Amendment of Fifth Schedule No. 2)
Regulations, 2019**

IN EXERCISE of the powers conferred by articles 9 and 75 of the Value Added Tax Act, the Minister for Finance, has made the following regulations:-

Citation, scope and commencement.
Cap. 406.

1. (1) The title of these regulations is the Value Added Tax Act (Amendment of Fifth Schedule No. 2) Regulations, 2019 and these regulations shall be read and construed as one with the Fifth Schedule to the Value Added Tax Act, which Fifth Schedule is hereinafter in these regulations referred to as "the Fifth Schedule".

(2) These regulations shall bring into force the provisions of Article 1 of Council Directive (EU) 2018/1910 of the 4th December 2018 amending Directive 2006/112/EC as regards the harmonization and simplification of certain rules in the value added tax system for the taxation of trade between Member States.

(3) These regulations shall come into force, on the 1st January 2020.

Amends item 3 in Part One of the Fifth Schedule.

2. In paragraph (b) of sub-item (1) of item 3 in Part One of the Fifth Schedule, the words "Fourteenth Schedule." shall be substituted by the words "Fourteenth Schedule:" and immediately thereafter, there shall be added the following new proviso:

"Provided that, the exemption provided for under this sub-item shall not apply where the supplier has not complied with the obligation to submit a recapitulative statement in terms of article 30(3) or the recapitulative statement submitted by him does not set out the correct information concerning the supply as required in terms of the said article 30(3), unless the supplier can duly justify his shortcoming to the satisfaction of the Commissioner."