

No. 17**THE VALUE ADDED TAX ORDINANCE 2001**

(Ordinance 10 of 2001 as amended by Ordinances 16 of 2002 and 36
of 2002)

**REGULATIONS MADE BY THE ADMINISTRATOR UNDER
SECTIONS 8(3), 20(7) and 40.**

In exercise of the powers vested in him by sections 8(3), 20(7) and 40 of the Value Added Tax Ordinance 2001, the Administrator hereby makes the following Regulations:-

Citation.

1. These Regulations may be cited as the Value Added Tax (Special Provisions) (Amendment) Regulations 2003 and shall be read as one with the Value Added Tax (Special Provisions) Regulations 2002 (hereinafter referred to as “the principal Regulations”).

P.1.7/2002.

Amendment of regulation 3 of the principal Regulations.

2. Paragraph (3) of regulation 3 of the principal Regulations shall be amended by substituting for the words “subparagraphs (a) and (b)” the words “subparagraph (a)”.

Amendment of regulation 8 of the principal Regulations.

3. For paragraphs (1) and (2) respectively of regulation 8 of the principal Regulations there shall be substituted the following paragraphs –

“ (1) Without prejudice to regulation 9 below, and subject to –

(a) his complying with such conditions as the Commissioner may impose, including conditions relating to the keeping of records and accounts; and

(b) paragraph (4) below,

a taxable person who makes a supply of goods of a description falling within paragraph (2) below, of which he took possession in any of the circumstances described in paragraph (3) below, may opt to account for the VAT chargeable on the supply by reference to the profit margin on the supply instead of by reference to the value of the supply.

(2) The goods in relation to whose supply a person may opt under paragraph (1) above are goods of any of the following descriptions –

(a) works of art, antiques and collectors’ items, excluding precious metals and precious stones;

(b) second-hand goods.”.

Amendment of regulation 9 of the principal Regulations.

4. For paragraph (1) of regulation 9 of the principal Regulations there shall be substituted the following paragraph –

“ (1) Subject to his complying with such conditions as the Commissioner may impose, including conditions relating to the keeping of records and accounts, and subject to paragraph (2) below, a taxable person who has opted under regulation 8(1)

above may account for the VAT chargeable on the supplies that he makes in a prescribed accounting period, by reference to the global profit margin on all his supplies in relation to which the option applies, determined in accordance with paragraph (3) below, instead of by reference to the profit margin on each of those supplies.”.

Amendment of regulation 12 of the principal Regulations.

5. Paragraph (1) of regulation 12 of the principal Regulations shall be amended by substituting for the words “(2) to (5)” the words “(2) and (3)”.

Amendment of regulation 18 of the principal Regulations.

6. For paragraph (1) of regulation 18 of the principal Regulations there shall be substituted the following paragraph –

“ (1) Subject to his complying with such conditions as the Commissioner may impose, including conditions relating to the keeping of records and accounts, and subject to paragraph (3) below, a taxable person who supplies a used motor car in any of the circumstances described in paragraph (2) below, may opt to account for the VAT chargeable on the supply by reference to the profit margin on the supply instead of by reference to the value of the supply.”.

Dated this 18th day of February 2003.

By the Administrator's Command,
J.C.A. JARVIS CBE,
Chief Officer,
Sovereign Base Areas.

(119/8/2)
