

SCHEDULES

SCHEDULE 3

VALUE ADDED TAX: ABOLITION OF FISCAL FRONTIERS ETC.

PART I

AMENDMENTS OF THE VALUE ADDED TAX ACT 1983 (C. 55)

Refunds of tax

- 21 (1) In subsection (1) of section 20 (refund of tax to local authorities and similar bodies)—
- (a) the words “or on the importation of goods by” shall be omitted; and
 - (b) for “and the supply or importation” there shall be substituted “on the acquisition of any goods by such a body from another member State or on the importation of any goods by such a body from a place outside the member States and the supply, acquisition or importation”.
- (2) In subsection (2) of that section—
- (a) after the words “to or”, in the first and second places where they occur, there shall be inserted “acquired or”; and
 - (b) after those words, in the third place where they occur, there shall be inserted “acquisition or”.
- 22 After section 20 there shall be inserted the following section—

“20A Refunds in relation to new means of transport supplied to other member States

- (1) Subject to subsection (2) below, where a person who is not a taxable person makes such a supply of goods consisting in a new means of transport as involves the removal of the goods to another member State, the Commissioners shall, on a claim made in that behalf, refund to that person, as the case may be—
 - (a) the amount of any tax on the supply of that means of transport to that person; or
 - (b) the amount of any tax paid by that person on the acquisition of that means of transport from another member State or on its importation from a place outside the member States.
- (2) The amount of tax refunded under this section shall not exceed the amount that would have been payable on the supply involving the removal if it had been a taxable supply by a taxable person and had not been zero-rated.
- (3) The Commissioners shall not be entitled to entertain a claim for refund of tax under this section unless the claim—

Status: This is the original version (as it was originally enacted).

- (a) is made within such time and in such form and manner;
 - (b) contains such information; and
 - (c) is accompanied by such documents, whether by way of evidence or otherwise,as the Commissioners may by regulations prescribe.”
- 23 (1) In subsection (1) of section 21 (refund of tax to persons constructing buildings)—
 - (a) the words “or the importation of goods by” shall be omitted; and
 - (b) after “business” there shall be inserted “on the acquisition of goods by such a person from another member State or on the importation of goods by such a person from a place outside the member States”.
- (2) After subsection (2) of that section there shall be inserted the following subsection—
 - “(2A) This section shall have effect—
 - (a) as if the reference in subsection (1) above to the tax chargeable on the supply of any goods included a reference to value added tax chargeable on the supply in accordance with the law of another member State; and
 - (b) in relation to value added tax chargeable in accordance with the law of another member State, as if references to refunding tax to any person were references to paying that person an amount equal to the value added tax chargeable in accordance with the law of that member State;and the provisions of this Act and of any other enactment or subordinate legislation (whenever passed or made) so far as they relate to a refund under this section shall be construed accordingly.”