



# Value Added Tax Act 1994

## 1994 CHAPTER 23

### PART I **U.K.**

#### THE CHARGE TO TAX

##### *Determination of value*

#### **21 Value of imported goods. **U.K.****

- (1) For the purposes of this Act, the value of goods imported from a place outside the member States shall (subject to subsections (2) [F<sup>1</sup> to (4)] below) be determined according to the rules applicable in the case of Community customs duties, whether or not the goods in question are subject to any such duties.
- (2) For the purposes of this Act the value of any goods imported from a place outside the member States shall be taken to include the following so far as they are not already included in that value in accordance with the rules mentioned in subsection (1) above, that is to say—
  - (a) all taxes, duties and other charges levied either outside or, by reason of importation, within the United Kingdom (except VAT); and
  - (b) all costs by way of commission, packing, transport and insurance up to the port or place of importation.
- (3) Subject to subsection (2) above, where—
  - (a) goods are imported from a place outside the member States for a consideration which is or includes a price in money payable as on the transfer of property;
  - (b) the terms on which those goods are so imported allow a discount for prompt payment of that price;
  - (c) those terms do not include provision for payment of that price by instalments; and
  - (d) payment of that price is made in accordance with those terms so that the discount falls to be allowed,

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*Status: Point in time view as at 01/05/1995. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Value Added Tax Act 1994, Section 21. (See end of Document for details)*

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the value of the goods shall be taken for the purposes of this Act to be reduced by the amount of the discount.

[<sup>F2</sup>(4) For the purposes of this Act, the value of any goods falling within subsection (5) below which are imported from a place outside the member States shall be taken to be an amount equal to 14.29 per cent. of the amount which, apart from this subsection, would be their value for those purposes.

(5) The goods which fall within this subsection are—

- (a) any work of art which was obtained by any person before 1st April 1973 otherwise than by his producing it himself or by succession on the death of the person who produced it;
- (b) any work of art which was—
  - (i) exported from the United Kingdom before 1st April 1973,
  - (ii) exported from the United Kingdom on or after that date and before 1st January 1993 by a person who, had he supplied it in the United Kingdom at the date when it was exported, would not have had to account for VAT on the full value of the supply, or
  - (iii) exported from the United Kingdom on or after 1st January 1993 by such a person to a place which, at the time, was outside the member States,

being, in each case, a work of art which has not been imported between the time when it was exported and the importation in question;

- (c) any antique more than one hundred years old, being neither a work of art nor pearls or loose gem stones; and
- (d) collectors' pieces of zoological, botanical, mineralogical, anatomical, historical, archaeological, paleontological or ethnographic interest.

(6) In this section “work of art” means goods falling within any of the following descriptions, that is to say—

- (a) paintings, drawings and pastels executed by hand but not comprised in manufactured articles that have been hand-painted or hand-decorated;
- (b) original engravings, lithographs and other prints;
- (c) original sculptures and statuary, in any material.

(7) An order under section 2(2) may contain provision making such alteration of the percentage for the time being specified in subsection (4) above as the Treasury consider appropriate in consequence of any increase or decrease by that order of the rate of VAT.]

#### Textual Amendments

- F1** Words in [s. 21\(1\)](#) substituted (1.5.1995 with effect as mentioned in [s. 22\(2\)](#) of the amending Act) by [1995 c. 4, s. 22\(1\)](#)
- F2** [S. 21\(4\)-\(7\)](#) inserted (1.5.1995 with effect as mentioned in [s. 22\(2\)](#) of the amending Act) by [1995 c. 4, s. 22\(1\)](#)

**Status:**

Point in time view as at 01/05/1995. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Value Added Tax Act 1994, Section 21.