

1999 No. 3121
VALUE ADDED TAX

**The Value Added Tax (Input Tax) (Specified Supplies) Order
1999**

Made - - - *19th November 1999*
Laid before the House of Commons *22nd November 1999*
Coming into force *1st January 2000*

The Treasury, in exercise of the powers conferred on them by section 26(2)(c) of the Value Added Tax Act 1994(a) and of all other powers enabling them in that behalf, hereby make the following Order:

1. This Order may be cited as the Value Added Tax (Input Tax) (Specified Supplies) Order 1999 and shall come into force on 1st January 2000 and shall have effect in relation to supplies made on or after that date.

2. The supplies described in articles 3 and 4 below are hereby specified for the purposes of section 26(2)(c) of the Value Added Tax Act 1994.

3. Services—

- (a) which are supplied to a person who belongs outside the member States;
- (b) which are directly linked to the export of goods to a place outside the member States; or
- (c) which consist of the provision of intermediary services within the meaning of item 4 of Group 2, or item 5 of Group 5, of Schedule 9 to the Value Added Tax Act 1994 in relation to any transaction specified in paragraph (a) or (b) above,

provided the supply is exempt, or would have been exempt if made in the United Kingdom, by virtue of any item of Group 2, or any of items 1 to 6 and item 8 of Group 5, of Schedule 9 to the Value Added Tax Act 1994.

4. Supplies made either in or outside the United Kingdom which fall, or would fall, within item 1 or 2 of Group 15 of Schedule 9 to the Value Added Tax Act 1994 (investment gold).

5. The Value Added Tax (Input Tax) (Specified Supplies) Order 1992(b) is hereby revoked.

Bob Ainsworth
David Jamieson

19th November 1999

Two of the Lords Commissioners of Her Majesty's Treasury

(a) 1994 c. 23.

(b) S.I. 1992/3123.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which comes into force on 1st January 2000, replaces the Value Added Tax (Input Tax) (Specified Supplies) Order 1992 (S.I. 1992/3123). The Order is made under powers laid to the Treasury under Section 26(2)(c) of the Value Added Tax Act 1994. This 1999 Order updates the 1992 Order (which referred to the Value Added Tax Act 1983) and introduces new specified supplies in respect of investment gold.

The Order implements the right of deduction of input tax required by Article 17(3)(c) of Council Directive 77/388/EEC and the limited right of deduction required by Council Directive 98/80/EC, 12th October 1998—Special scheme for investment gold—amending Council Directive 77/388/EEC.

Article 2 specifies the supplies described in Articles 3 and 4 of the Order as supplies for which input tax credit is allowable for the purposes of Section 26(2)(c) of the Value Added Tax Act 1994.

Articles 3 and 4 set out the supplies to which the right to deduct input tax applies.

Article 3 covers supplies of services exempted under either Group 2 (Insurance) or items 1–6 and 8 of Group 5 (Finance) of Schedule 9 to the Value Added Tax Act 1994 when the supplies are made to persons belonging outside the member States or when they are directly linked to an export of goods to a place outside the member States.

Article 4 covers supplies falling within item 1 or 2 of Group 15 (investment gold) of Schedule 9 to the Value Added Tax Act 1994.

Article 5 revokes the Value Added Tax (Input Tax) (Specified Supplies) Order 1992 (S.I. 1992/3123).

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