

---

STATUTORY INSTRUMENTS

---

**2020 No. 1545**

**The Value Added Tax (Miscellaneous Amendments,  
Northern Ireland Protocol and Savings and  
Transitional Provisions) (EU Exit) Regulations 2020**

**Part 4**

**Savings and transitional Provisions**

**Transitional provision in relation to acquisition VAT**

**111.**—(1) Paragraph (2) applies where—

- (a) the time that an acquisition in the United Kingdom of goods from a member State is treated as taking place, as determined by section 12 of VATA 1994 (as it had effect immediately before IP completion day), falls before IP completion day; and
- (b) the goods so acquired enter the territory of the United Kingdom on or after IP completion day.

(2) Where this paragraph applies—

- (a) the person who is liable for the acquisition VAT must account for it as if the Part 3 amendments and the secondary legislation amendments, insofar as they relate to acquisition VAT, had no effect;
- (b) in cases where the person mentioned in sub-paragraph (a) is also liable for import VAT on the importation of the same goods, that person must—
  - (i) account for the import VAT in the manner prescribed by regulation 4 of the accounting procedures Regulations, as if that provision required (rather than permitted) the person to account for import VAT in that manner, provided that the conditions in regulation 5 of those Regulations are met, and
  - (ii) when accounting for the import VAT—
    - (aa) reduce its amount by the amount of the acquisition VAT for which that person is also liable in relation to the same goods, or
    - (bb) if the liability for acquisition VAT is greater than the corresponding liability for import VAT, reduce the amount accounted for in respect of import VAT to nil; and
- (c) the person liable for the import VAT, if otherwise entitled to credit for input tax in respect of that charge under section 25 of VATA 1994<sup>(1)</sup>, is not entitled to such credit for any sum greater than the net amount of import VAT accounted for under sub-paragraph (b).

---

<sup>(1)</sup> Section 25 of VATA was amended by section 43 of, and paragraph 25 of Schedule 8 to, TCTA. The amendment is not yet in force.

---

**Status:** *This is the original version (as it was originally made).*

---