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L.N. 140 of 2022

VALUE ADDED TAX ACT
(CAP. 406)

Value Added Tax Act (Amendment of Second Schedule) Regulations, 2022

IN EXERCISE of the powers conferred by article 75 of the Value Added Tax Act, the Minister responsible for finance has made the following regulations:-

Citation, scope and commencement.

Cap. 406.

1. (1) The title of these regulations is the Value Added Tax Act (Amendment of Second Schedule) Regulations, 2022 and these regulations shall be read and construed as one with the Second Schedule to the Value Added Tax Act, hereinafter in these regulations referred to as "the Second Schedule".

(2) The scope of these regulations is to transpose article 1(1) of Council Directive (EU) 2019/2235 of 16 December 2019 amending Directive 2006/112/EC on the common system of value added tax and Directive 2008/118/EC concerning the general arrangements for excise duty as regards defence efforts within the Union framework.

(3) These regulations shall come into force on the 1st July 2022.

Amends the Second Schedule.

2. Immediately after paragraph (c) of item 18(1) of the Second Schedule, there shall be added the following new paragraph:

"(d) The application by the armed forces of a Member State taking part in a defence effort carried out for the implementation of a European Union activity under the common security and defence policy, for their use or for the use of the civilian staff accompanying them, of goods which they have not purchased subject to the general rules governing taxation on the domestic market of an EU Member State shall be treated as an intra-Community acquisition of goods for consideration, where the importation of those goods would not be eligible for the exemption provided for in paragraph (b) of item 9 of Part Four of the Fifth Schedule.".