VERŻJONI ELETTRONIKA

L.N. 419 of 2012

VALUE ADDED TAX ACT
(CAP. 406)

Value Added Tax Act (Amendment of Fourth Schedule) Regulations, 2012

IN virtue of the powers conferred by articles 8 and 75 of the Value Added Tax Act, the Minister of Finance, the Economy and Investment has made the following regulations:-

Citation and commencement.

1. (1) The title of these regulations is the Value Added Tax Act (Amendment of Fourth Schedule) Regulations, 2012, and these regulations shall be read and construed as one with the Fourth Schedule to the Value Added Tax Act, which Fourth Schedule is hereinafter in these regulations referred to as "the Schedule".

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(2) These regulations bring into force the provisions of Council Directive 2010/45/EU of the 13th July 2010 amending Council Directive 2006/112/EC.

(3) These regulations shall come into force on the 1st January 2013.

Amends item 1 of the Schedule.

2. Immediately after paragraph (3) of item 1 of the Schedule, there shall be added the following new paragraph:

"(4) Notwithstanding the provisions of paragraphs (2) and (3), continuous supplies of goods over a period of more than one calendar month which are dispatched or transported to a Member State other than Malta and which are supplied VAT exempt or which are transferred VAT exempt to another Member State by a taxable person for the purposes of his business, in accordance with the conditions laid down in item 3, Part One, Fifth Schedule, shall be regarded as being completed on expiry of each calendar month until such time as the supply comes to an end.".

Amends item 4 of the Schedule.

3. In sub-paragraph (b) of item 4 of the Schedule, for the words "for that supply." there shall be substituted the words "for that supply:", and immediately thereafter there shall be added the following new proviso:

"Provided that, with respect to the supply of goods and the transfer of goods referred to in this item, the provision of paragraph (2) in item 1 and the occurrence of sub-paragraph (b) of item 3 shall not apply.".

Ippubblikat mid-Dipartiment tal-Informazzjoni (doi.gov.mt) — Valletta — ***Published by the Department of Information (doi.gov.mt) — Valletta***
Mitbugħ fl-Istamperija tal-Gvern fuq karta riċiklata — ***Printed at the Government Printing Press on recycled paper***

Prezz/*Price*
€0.09