

L.N. 228 of 2024

**VALUE ADDED TAX ACT
(CAP. 406)**

**Value Added Tax Act (Amendment of Fifth Schedule)
(Amendment No.2) Regulations, 2024**

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:-

1. (1) The title of these regulations is the Value Added Tax Act (Amendment of Fifth Schedule) (Amendment No. 2) Regulations, 2024 and these regulations shall be read and construed as one with the Fifth Schedule to the Value Added Tax Act, hereinafter referred to as the "Fifth Schedule".

Citation and scope.

Cap. 406.

(2) The purpose of these regulations is to define the psychotherapy and counselling professions as medical professions, in accordance with the requirement for Member States to define medical and paramedical professions in terms of Article 132(1)(c) of Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax, for the purpose of the application of the exemption contained in the said Article, as well as to carry out other relevant adjustments necessary for the correct interpretation of the relevant provisions contained in item 11 of Part Two of the Fifth Schedule, as well as amendments necessary to better reflect the provisions of the aforementioned Council Directive as regards exemptions related to health care.

2. Item 11 of Part Two of the Fifth Schedule shall be amended as follows:

Amends the Fifth Schedule.

(a) sub-item (1) thereof shall be substituted by the following new sub-item:

"Health and Welfare

11. (1) The provision of medical care by a person in the exercise of any profession regulated by the Health Care Professions Act (Cap. 464), the Psychology Profession Act (Cap. 471), the Counselling Profession Act (Cap. 538), the Psychotherapy Profession Act (Cap. 587), or any Act which may substitute them.";

(b) sub-item (2) thereof shall be substituted by the following new sub-item:

"(2) The provision of hospital and medical care undertaken by any government hospital or institution, or by any other hospital, institution or centre for medical treatment or diagnosis approved by the Minister for the purposes of this sub-item.";

(c) sub-item (3) thereof shall be substituted by the following new sub-item:

"(3) The supply of services by dental technicians in their professional capacity and the supply of dental prostheses by dentists and dental technicians.";

(d) sub-item (6) thereof shall be substituted by the following new sub-item:

"(6) The supply of human organs, blood and milk.";

(e) immediately after sub-item (6) thereof, as amended, there shall be added the following new sub-item:

"(7) The supply of goods and services by the same hospital, institution, centre or home, as the case may be, supplying the services referred to in sub-items (2) and (4), and which are connected with, and essential for the supply of those services, provided that this exemption is not likely to cause distortion of competition.".
