# Goods and Services Tax Act 1993 (No. 31 of 1993)

**Table of Contents** 

**Long Title** 

**Enacting Formula** 

## **Part I PRELIMINARY**

- 1 Short title and commencement
- 2 Interpretation
- 3 Meaning of "business", etc

# **Part II ADMINISTRATION**

- 4 Comptroller and other officers
- 5 Responsibility of Comptroller and delegation of powers
- **6 Official secrecy**

## Part III IMPOSITION AND EXTENT OF TAX

- 7 Goods and services tax
- 8 Scope of tax
- 9 Registration
- 10 Meaning of "supply"
- 11 Time of supply
- 12 Further provisions relating to time of supply

- 13 Place of supply
- 14 Reverse charge on supplies received from abroad
- 15 Place where supplier or recipient of services belongs
- 16 Rate of tax
- 17 Value of supply of goods or services
- 18 Value of imported goods

## Part IV CREDIT FOR INPUT TAX AGAINST OUTPUT TAX

- 19 Credit for input tax against output tax
- 20 Input tax allowable under section 19

#### **Part V RELIEFS**

- 21 Zero-rating for exports and international services
- 22 Exempt supply
- 23 Relief on supply of certain secondhand goods
- 24 Relief from tax on importation and supply of goods
- 25 Refund or remission of tax in certain cases
- 26 Application of Customs legislation
- 27 Importation of goods by taxable persons

#### Part VI SPECIAL CASES

- 28 Application to Government
- 29 Insurance indemnity payments

- 30 Persons treated as a group
- 31 Partnerships
- 32 Business carried on in divisions or by unincorporated bodies, personal representatives, etc
- 33 Agents
- 34 Transfers of going concerns
- 35 Betting, sweepstakes, lotteries and gaming
- 36 Commodity, futures or securities markets and exchanges
- 37 Goods subject to a warehousing regime
- 38 Customers to account for tax on certain supplies
- 39 Supplies spanning change of rate, etc
- 40 Adjustment of contracts on changes in tax

#### Part VII ACCOUNTING AND ASSESSMENTS

- 41 Accounting for and payment of tax
- **42** Computer service
- 43 Production of tax invoices by computer
- 44 Giving of receipts
- 45 Power of Comptroller to assess tax due
- 46 Duty to keep records
- 47 Comptroller may disregard certain transactions and dispositions

# 48 Assessment of penal tax

## **Part VIII BOARD OF REVIEW**

- 49 Application for review
- **50** Constitution of Board of Review
- 51 Right of appeal
- 52 Hearing and disposal of appeals
- 53 Hearing of appeal in absence of member of Board
- **54 Appeals to High Court**
- 55 Cases stated for High Court
- 56 Proceedings before Board of Review and Supreme Court
- 57 Decision to be final and conclusive

## Part IX OFFENCES AND PENALTIES

- 58 General penalties
- 59 Penalty for incorrect return
- 60 Penalty for failure to pay or make returns within prescribed period
- 61 Penalty for failure to register
- 62 Penalty provisions relating to fraud, etc.
- 63 Improperly obtaining refund
- 64 Offences in relation to goods and invoices

- 65 Penalties for offences by authorised and unauthorised persons
- 66 Penalty for obstructing Comptroller in carrying out his duties
- 67 Tax to be payable notwithstanding any proceedings for penalties and penalties not part of tax

## **Part X PROCEEDINGS**

- 68 Comptroller, etc., may direct prosecution
- **69 Sanction for prosecution**
- 70 Saving for criminal proceedings
- 71 Proceedings as to evidence in legal proceedings
- 72 Evidence by certificate, etc
- 73 Service of summons
- 74 Offences by bodies of persons and by agents and employees
- 75 Power to compound offences
- 76 Jurisdiction of District and Magistrate's Courts
- 77 Proceedings for offences and penalties under Customs Act

## Part XI COLLECTION AND ENFORCEMENT

- 78 Recovery of tax and penalty
- 79 Power to appoint agent for recovery of tax
- 80 Indemnification of agent
- 81 Power to require security and production of evidence