

ACTS SUPPLEMENT

to The Uganda Gazette No. 54 Volume CII dated 6th November, 2009.

Printed by UPPC, Entebbe, by Order of the Government.

Act 12 *Value Added Tax (Amendment) Act* **2009**

THE VALUE ADDED TAX (AMENDMENT) ACT, 2009.

ARRANGEMENT OF SECTIONS

Section

1. Commencement.
2. Amendment of section 10 of Cap 349.
3. Amendment of section 18 of principal Act.
4. Amendment of Second Schedule to principal Act.
5. Amendment of Third Schedule to principal Act.

THE VALUE ADDED TAX (AMENDMENT) ACT, 2009

An Act to amend the Value Added Tax to provide for extension of application to own use to services; to add the supply of services and civil works related to donor funded projects, and to include brokerage services to the list of exempt supplies and to make other miscellaneous amendments to the Act; and for other related matters.

DATE OF ASSENT: 3RD NOVEMBER, 2009.

Date of Commencement: 1st July, 2009.

BE IT ENACTED by Parliament as follows:

1. Commencement.

This Act shall be deemed to have come into force on 1st July, 2009.

2. Amendment of section 10 of Cap. 349.

Section 10 of the Value Added Tax Act, in this Act referred to as the Principal Act is amended by substituting for subsection (1) the following—

“(1) Except as otherwise provided under this Act, a supply of goods means any arrangement under which the owner of the goods, parts or will part with possession of the goods, including a lease or an agreement of sale or purchase.”

3. Amendment of section 18 of principal Act.

Section 18 of the principal Act is amended by substituting for subsections (5), (5a) and (6) the following—

“(5) The application to own use by a taxable person of goods and services supplied to a person for the purposes of the person’s business activities shall be regarded as a supply of those goods and services for consideration as part of the person’s business activities.

(5a) For the purposes of subsection (5), a supply of business goods and services for no consideration is an application to own use.

(6) Where goods and services have been supplied to a taxable person for the purposes of the person’s business activities, the supply of those goods and services for reduced consideration shall be regarded as a supply for consideration unless the goods and services are supplied or used only as trade samples”.

4. Amendment of Second Schedule to the principal Act.

The Second Schedule to the principal Act is amended as follows—

(a) by substituting for paragraph 1(f) the following—

“(f) a supply by way of sale, leasing or letting of immovable property, other than—

(i) a sale, lease or letting of commercial premises;

(ii) a sale, lease or letting for parking or storing cars or other vehicles;

(iii) a sale, lease or letting of hotel or holiday accommodation;

(iv) a sale, lease or letting for periods not exceeding three months; or

(v) a sale, lease or letting of service apartments;”

(b) by substituting for paragraph 1(aa) the following —

“1(aa) the supply of specialized vehicles, plant and machinery, feasibility studies, engineering designs, consultancy services and civil works related to hydro-electric power, roads and bridges construction, public water works, agriculture, education and health sectors;”

(c) by substituting for paragraph 1(v) the following—

“(v) supply of new—

(i) computers;

(ii) desktop printers; and

(iii) computer parts and accessories;

(d) by inserting immediately after paragraph 1(gg) the following—

“(hh) supply of packing materials exclusively used by the milling industry for packing milled products;

(ii) supply of packing materials exclusively used by the dairy industry for packing milk;”

(e) by inserting immediately after paragraph 2 (e) the following—

“(f) insurance services include brokerage.”

5. Amendment of Third Schedule to the principal Act

The Third Schedule to the principal Act is amended by substituting for paragraph (j) the following—

“(j) the supply of sanitary towels and tampons and inputs for their manufacture.”