

Value Added Tax Bill

CONTENTS

- 1 Registration thresholds
- 2 Goods and services exempt from liability to VAT
- 3 Consequential amendments
- 4 Interpretation and regulations
- 5 Extent, commencement and short title

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TO

Enable the maximum turnover threshold for exemption from the requirement to register for VAT to be raised; to make provision for the exemption of certain goods and services from liability to VAT; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Registration thresholds

- (1) The Value Added Tax Act 1994 is amended as follows.
- (2) In Schedule 1 (registration in respect of taxable supplies: UK establishment) —
 - (a) in sub-paragraphs (1)(a), (1)(b), (2)(a) and (2)(b) of paragraph 1, for “£85,000” substitute “£104,000”; 5
 - (b) in paragraph 1(3), for “£83,000” substitute “£100,000”; and
 - (c) sub-paragraphs (1) and (2) of paragraph 4, for “£83,000” substitute “£100,000”.

2 Goods and services exempt from liability to VAT

- (1) The Value Added Tax Act 1994 is amended as follows. 10
- (2) In Schedule 9 (exemptions), in Part 1 (index) at the appropriate places insert —
 - (a) “Domestic fuel or power.....Group 17”;
 - (b) “Fitness.....Group 18”
 - (c) “Goods subject to excise duties.....Group 19”;
 - (d) “Insulating materials for home improvement.....Group 20”; 15
 - (e) “Repairs and improvements to historic buildings.....Group 21”;
 - (f) “Women’s sanitary products.....Group 22”.

- (3) In Schedule 9 in Part 2 (the Groups), after Group 16 insert —

“GROUP 17- DOMESTIC FUEL OR POWER

Item No.

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- 1 Supplies for qualifying use of –
- (a) coal, coke or other solid substances held out for sale solely as fuel;
 - (b) coal gas, water gas, producer gases or similar gases;
 - (c) petroleum gases, or other gaseous hydrocarbons, whether in a gaseous or liquid state; 5
 - (d) fuel oil, gas oil or kerosene; or
 - (e) electricity, heat or air-conditioning.
- NOTES
- 1 Matters included or not included in the supplies 10
- (1) Item 1(a) shall be deemed to include combustible materials put up for sale for kindling fires but shall not include matches.
 - (2) Item 1(b) and (c) shall not include any road fuel gas (within the meaning of the Hydrocarbon Oil Duties Act 1979) on which a duty of excise has been charged or is chargeable. 15
 - (3) Item 1(d) shall not include hydrocarbon oil on which a duty of excise has been or is to be charged without relief from, or rebate of, such duty by virtue of the provisions of the Hydrocarbon Oil Duties Act 1979, unless the oil is –
 - (a) kerosene in respect of which a relevant declaration has been made under section 13AC(3) of that Act (use of rebated kerosene for private pleasure-flying) 3; or 20
 - (b) oil in respect of which a relevant declaration has been made under section 14E(3) of that Act (use of rebated heavy oil for private pleasure craft) 4. 25
- 2 Meaning of “fuel oil”, “gas oil” and “kerosene”
- (1) In this Group “fuel oil” means heavy oil which contains in solution an amount of asphaltenes of not less than 0.5 per cent. or which contains less than 0.5 per cent. but not less than 0.1 per cent. of asphaltenes and has a closed flash point not exceeding 150°C. 30
 - (2) In this Group “gas oil” means heavy oil of which not more than 50 per cent. by volume distils at a temperature not exceeding 240°C and of which more than 50 per cent. by volume distils at a temperature not exceeding 340°C.
 - (3) In this Group “kerosene” means heavy oil of which more than 50 per cent. by volume distils at a temperature not exceeding 240°C. 35
 - (4) In this paragraph “heavy oil” has the same meaning as in the Hydrocarbon Oil Duties Act 1979.
- 3 Meaning of “qualifying use”
In this Group “qualifying use” means – 40
- (a) domestic use; or
 - (b) use by a charity otherwise than in the course or furtherance of a business.
- 4 Supplies only partly for qualifying use

- For the purposes of this Group, where there is a supply of goods partly for qualifying use and partly not –
- (a) if at least 60 per cent. of the goods are supplied for qualifying use, the whole supply shall be treated as a supply for qualifying use; and 5
 - (b) in any other case, an apportionment shall be made to determine the extent to which the supply is a supply for qualifying use.
- 5 Supplies deemed to be for domestic use
- For the purposes of this Group the following supplies are always for domestic use– 10
- (a) a supply of not more than one tonne of coal or coke held out for sale as domestic fuel;
 - (b) a supply of wood, peat or charcoal not intended for sale by the recipient; 15
 - (c) a supply to a person at any premises of piped gas (that is, gas within item 1(b), or petroleum gas in a gaseous state, provided through pipes) where the gas (together with any other piped gas provided to him at the premises by the same supplier) was not provided at a rate exceeding 150 therms a month or, if the supplier charges for the gas by reference to the number of kilowatt hours supplied, 4397 kilowatt hours a month; 20
 - (d) a supply of petroleum gas in a liquid state where the gas is supplied in cylinders the net weight of each of which is less than 50 kilogrammes and either the number of cylinders supplied is 20 or fewer or the gas is not intended for sale by the recipient; 25
 - (e) a supply of petroleum gas in a liquid state, otherwise than in cylinders, to a person at any premises at which he is not able to store more than two tonnes of such gas; 30
 - (f) a supply of not more than 2,300 litres of fuel oil, gas oil or kerosene;
 - (g) a supply of electricity to a person at any premises where the electricity (together with any other electricity provided to him at the premises by the same supplier) was not provided at a rate exceeding 1000 kilowatt hours a month. 35
- 6 Other supplies that are for domestic use
- For the purposes of this Group supplies not within paragraph 5 are for domestic use if and only if the goods supplied are for use in – 40
- (a) a building, or part of a building, that consists of a dwelling or number of dwellings;
 - (b) a building, or part of a building, used for a relevant residential purpose;
 - (c) self-catering holiday accommodation; 45
 - (d) a caravan; or
 - (e) a houseboat.
- 7 Interpretation of paragraph 6
- (1) For the purposes of this Group “use for a relevant residential purpose” means use as – 50

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| (a) | a home or other institution providing residential accommodation for children, | |
| (b) | a home or other institution providing residential accommodation with personal care for persons in need of personal care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder, | 5 |
| (c) | a hospice, | |
| (d) | residential accommodation for students or school pupils, | |
| (e) | residential accommodation for members of any of the armed forces | 10 |
| (f) | a monastery, nunnery or similar establishment, or | |
| (g) | an institution which is the sole or main residence of at least 90 per cent. of its residents, | |
| | except use as a hospital, a prison or similar institution or an hotel or inn or similar establishment | 15 |
| (2) | For the purposes of this Group “self-catering holiday accommodation” includes any accommodation advertised or held out as such. | |
| (3) | In paragraph 6 “houseboat” means a boat or other floating decked structure designed or adapted for use solely as a place of permanent habitation and not having means of, or capable of being readily adapted for, self-propulsion. | 20 |

GROUP 18 - FITNESS

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| | Item No. | 25 |
| 1 | The supply of fitness equipment. | |
| 2 | The supply of fitness services. | |

GROUP 19 - GOODS SUBJECT TO EXCISE DUTIES

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| | Item No. | |
| 1 | Supply of dutiable commodities for the purposes of section 1 of the Hydrocarbon Oil Duties Act 1979. | 30 |
| 2 | Supply of alcoholic liquors dutiable under section 1 of the Alcoholic Liquor Duties Act 1979. | |
| 3 | Tobacco products for the purposes of section 1 of the Tobacco Products Duty Act 1979. | 35 |

GROUP 20 - REPAIRS AND IMPROVEMENTS TO HISTORIC BUILDINGS

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|---|---|--|
| | Item No. | |
| 1 | The supply of goods and services for the repair or improvement of historic buildings. | |

GROUP 21 - INSULATING MATERIALS FOR HOME IMPROVEMENT 40

Item No.

- 1 The supply of insulating materials for the purposes of home improvement.

GROUP 22 -WOMEN’S SANITARY PRODUCTS

Item No.

- 1 The supply of women’s sanitary products. 5

NOTES

- (1) In this Group “women’s sanitary products” means women’s sanitary products of any of the following descriptions –
- (a) subject to Note (2), products that are designed, and marketed, as being solely for use for absorbing, or otherwise collecting, lochia or menstrual flow; 10
 - (b) panty liners, other than panty liners that are designed as being primarily for use as incontinence products;
 - (c) sanitary belts.
- (2) Note (1)(a) does not include protective briefs or any other form of clothing.” 15

3 Consequential amendments

- (1) It shall be the duty of the Treasury to exercise its power under section 29A(3) of the Value Added Tax 1994 (power to amend or vary Schedule 7A in respect of reduced rate) in consequence of the changes made by sections 2(2) and (3). 20
- (2) Section 126 of the Finance Act 2016 is repealed from the date on which sections 2(2) and (3) have effect with regards to women’s sanitary products.

4 Interpretation and regulations

- (1) The Treasury may by regulations define –
- “fitness equipment”; 25
 - “fitness services”;
 - “goods and services for the repair or improvement of historic buildings”;
 - “insulating materials for the purposes of home improvement”.
- (2) A power to make regulations under this section –
- (a) is exercisable by statutory instrument; 30
 - (b) includes power to make different provision for different purposes;
 - (c) includes power to make supplementary, incidental, transitional, transitory and saving provision.
- (3) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of the House of Commons. 35

5 Extent, commencement and short title

- (1) This Act extends to England and Wales, Scotland and Northern Ireland.
- (2) This Act comes into force on 1 April 2020.
- (3) This Act may be cited as the Value Added Tax Act 2019.

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To enable the maximum turnover threshold for exemption from the requirement to register for VAT to be raised; to make provision for the exemption of certain goods and services from liability to VAT; and for connected purposes.

*Presented by Mr Christopher Chope
supported by
Mr Peter Bone, Philip Davies,
and Sir Edward Leigh.*

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