

GUYANA

BILL No. 27 of 2016

VALUE ADDED TAX (AMENDMENT) BILL 2016

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement.
2. Amendment of the Principal Act.

**A BILL
Intituled**

AN ACT to amend the Value Added Tax Act.

A.D. 2016

Enacted by Parliament of Guyana:-

Short title and
commencement.

Cap 81:05

Amendment of the
Principal Act

1. This Act, which amends the Value Added Tax Act, may be cited as the Value Added Tax (Amendment) Act 2016 and shall come into operation on the 1st of January 2017.
2. The provisions of the Principal Act specified in column one of the Table are amended in the manner specified in the corresponding entries in column two -

TABLE

SECTION	AMENDMENT
Section 33	<p>(a) in subsection (4) (b), by substituting for the words“three years” the words“five years”;</p> <p>(b) in subsection (7),by substituting for the words“three years” the words “five years”;</p> <p>(c) in subsection (10),by substituting for the words“three years” the words “five years”.</p>
Section 35	in subsection (11) by substituting for the words “three years” the words “five years”.
Section 37	<p>(a) in subsection (1) by deleting paragraph“(d)”;</p> <p>(b) in subsection (2) by deleting the words “and (d)”.</p>
Section 42	by deleting subsections(3) and(4).
Section 45(1)	by deleting the proviso and substituting for the colon a full stop.
Section 51	<p>by insertingthe following subsection -</p> <p>“(6)Where judgment is granted against a taxpayer, in favour of the Revenue Authority and the taxpayer is a customer with a bank, trust company, credit union or other financial institution, the Commissioner shall by demand or notice, require the bank, trust company, credit union or other financial institution to remit the amount payable to the Revenue Authority as a debt owed to the State.”.</p>
Section 65	<p>(a) in paragraph (a), by substituting for the words“three years” the words“five years”;</p> <p>(b) in paragraph (b), by substituting for the words“three years” the words“five years”;</p> <p>(c) in paragraph (c), by substituting for the words“one year” the</p>

	words “five years”.
Section 73	<p>(a) by substituting for the words “twenty-five thousand dollars” the words “two hundred thousand dollars or five percent of the tax assessed, whichever is greater”;</p> <p>(b) by renumbering section 73 as section 73(1); and</p> <p>(c) by inserting immediately subsection (1) as so renumbered the following subsection-</p> <p>“(2) Any person, including a non-resident company, who knowingly or recklessly fails to present books and records when requested by the Commissioner commits an offence and is liable –</p> <p style="padding-left: 40px;">(a) in the case of the person, to a fine of twenty five thousand dollars; and</p> <p style="padding-left: 40px;">(b) in the case of a non-resident company, to a fine of one million dollars.”.</p>

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Value Added Tax Act, Cap 81:05.

The amendment increases the limitation period under the Act from three years to five years.

The Bill increases penalties for offences under the Act.

Hon. Winston Jordan, MP
Minister of Finance