

S.I. 91 of 2018

VALUE ADDED TAX ACT, 2010

(Cap 244)

Value Added Tax (Refunds for persons engaged in farming, fishing and supporting activities) Regulations, 2018

In exercise of the powers conferred by section 52 of the Value Added Tax Act, 2010, the Vice-President acting as the Minister of Finance, Trade, Investment and Economic Planning, hereby makes the following Regulations —

1. These Regulations may be cited as the Value Added Tax (Refunds for persons engaged in farming, fishing and supporting activities) Regulations, 2018, and shall come into operation on the 1st January 2019.

Citation and commencement

2. For the purpose of these Regulations —

Interpretation

“Goods” exclude all motor vehicles except specialized motor vehicles as certified by the Ministry responsible for Agriculture and Fisheries.

“Supporting activities” include abattoir, animal feed factories, hatchery, agriculture and fisheries processors.

3.(1) VAT refunds shall be available for eligible persons engaged in farming, fishing or operating supporting activities directly related to fishing and farming.

Eligibility for refunds

(2) A person shall be eligible for a VAT refund where —

- (a) the person is registered with the Seychelles Agricultural Agency; or
- (b) the person is registered with the Seychelles Fishing Authority; and

- (c) the minimum amount of VAT refund being claimed shall be SCR1000.

Application
for refund

4. Subject to regulation 3, any eligible person may make an application to the Commissioner General for refund on any VAT paid on supplies of taxable goods bought by the eligible person.

Endorsement
of receipt

5.(1) An eligible person wishing to apply for a refund shall submit all receipts to the Seychelles Agricultural Agency or the Seychelles Fishing Authority as applicable, to be endorsed.

(2) An Authorised Officer of the Seychelles Agricultural Agency or Seychelles Fishing Authority as the case may be, shall take into consideration whilst endorsing an application and ensure that —

- (a) the goods appearing on the receipts are solely used for the purposes of fishing, farming or supporting activities; and
- (b) that the applicant is a registered person.

(3) The Authorised Officer of the Seychelles Agricultural Agency or the Seychelles Fisheries Authority may refuse to endorse an application if the goods appearing on the receipt does not satisfy the requirements of subregulation 5(2)(a).

Compliance
with conditions
by registered
businesses

6. Subject to regulation 5, a refund shall be granted by the Commissioner General of the Seychelles Revenue Commission.

MADE this 28th day of December, 2018.

VINCENT MERITON
VICE-PRESIDENT