

# ORDER

Made under  
THE VALUE-ADDED TAX ACT  
(Cap. 81:05)

IN EXERCISE OF THE POWER CONFERRED UPON ME BY SECTION 98 (1) OF THE VALUE-ADDED TAX ACT, I MAKE THE FOLLOWING ORDER:-

**Citation and commencement.** 1. This Order, which amends Schedules I and II to the Value-Added Tax Act, may be cited as the Value-Added Tax Act (Amendment of Schedules I and II) Order 2021 and shall come into operation on the 1st of March, 2021.

**Amendment of Schedules I and II to the Act.** 2. The Act is amended by the substitution for Schedules I and II of the following –

## SCHEDULE I

### Zero-rated Supplies for Purposes of Section 17

1. In this schedule–

“export country” means any country other than Guyana and includes a place which is not situated in Guyana, but does not include a specific country or territory that the President by proclamation in the Gazette designates as one that is not an export country;

“exported from Guyana”, in relation to any movable goods supplied by a registered person under a sale or a credit agreement, means–

(a) consigned or delivered by the registered person to the recipient at an address in an export country as evidenced by documentary proof acceptable to the Commissioner; or

(b) delivered by the registered person to the owner or charterer of a foreign-going aircraft when such aircraft is going to a destination in an export country and such goods are for use or consumption in such aircraft, as the case may be;

“intellectual property rights” means a patent, design, trade mark, copyright, know-how, confidential information, trade secret, or similar rights; and

“regionally” means in Guyana or any CARICOM country.

#### EXPORT OF GOODS

2. The following goods are zero-rated for the purposes of section 17–

(a) a supply of goods in the course of repairing, renovating, modifying, or treating goods including goods temporarily imported into Guyana under the exemptions under the Customs Act and the goods –

(i) are wrought into, affixed to, attached to, or otherwise form part of those other goods; or

(ii) being consumable goods, become unsalable or worthless as a direct result of being in that repair, renovation, modification or treatment process;

(b) a supply of goods under a rental agreement, charter party or agreement for chartering where the goods are used exclusively in an export country;

(c) a supply of goods where the Commissioner is satisfied that the goods have been exported from Guyana by the supplier;

(d) a supply of goods where the goods are not situated in Guyana at the time of supply and are not to be entered into Guyana for home consumption pursuant to the Customs Act by the supplier of the goods; and

(e) a supply of goods where the supplier has entered the goods for export, pursuant to the Customs Act, and the goods have been exported from Guyana by the supplier.

#### EXPORT OF SERVICE

3. The following supplies are zero-rated for the purposes of section 17–

(a) a supply of services directly in connection with land or any improvement to land situated outside Guyana;

(b) a supply of services directly in respect of –

(i) movable property situated outside Guyana at the time the services are rendered;

(ii) goods temporarily imported into Guyana under the exemptions in the Customs Act;

(iii) a supply of goods referred to in the definition of “exported from Guyana”; or

(iv) the repair, maintenance, cleaning or reconditioning of a foreign-going aircraft or vessel;

(c) a supply of services directly to a non-resident person who is not a taxable person, otherwise than through an agent or other person –

(i) comprising the handling, pilotage, salvage, or towage of a foreign-going aircraft while situated in Guyana;

(ii) provided in connection with the operation or management of a foreign-going aircraft; or

(iii) comprising the storage, repair, maintenance, cleaning, management, or arranging the provision of a container temporarily imported under the Customs Act, or the arranging of services;

(d) a supply of services physically rendered elsewhere than in Guyana;

(e) a supply of services to a non-resident person who is not a taxable person comprising the arranging for the person of –

(i) a supply of goods referred to in the definition of “exported from Guyana”;

(ii) a supply of services for repair, maintenance, cleaning or re-conditioning of a foreign-going aircraft or vessel; or

(iii) the transport of goods including ancillary transport services within Guyana;

(f) a supply of services to a non-resident person who is outside Guyana at the time the services are supplied, other than a supply of services –

(i) comprising the refraining from undertaking any taxable activity in Guyana;

(ii) comprising the tolerating of another person undertaking any taxable activity in Guyana;

(iii) directly in connection with immovable property situated in Guyana; or

(iv) directly in connection with movable property situated in Guyana at the time the services are supplied unless the movable property is exported from Guyana subsequent to the supply of services;

(g) a supply of services comprising –

(i) the filing, prosecution, granting, maintenance, transfer, assignment, licensing or enforcement of any intellectual property rights for the use outside Guyana;

(ii) incidental services necessary for the supply of services referred to in clause (i); or

the acceptance by a person of an obligation to refrain from pursuing or exercising in whole or part any intellectual property rights for use outside Guyana.

#### RAW MATERIALS AND PACKAGING MATERIALS

4. The following supplies are zero-rated for the purposes of section 17 –

(a) a supply of raw materials and packaging materials to be used in the production of goods to the satisfaction of the Commissioner;

(b) a supply of all bio-degradable containers used in the packaging of food and beverages; and

(c) the importation of equipment and spares to be used in the production of goods in the fishing industry, to the satisfaction of the Commissioner.

#### INVESTMENT/LOCAL MANUFACTURING

5. Zero-rated for the purposes of section 17 are –

(a) a supply by a registered person to another registered person of a taxable activity, or part of a taxable activity, as a going concern:

Provided that a notice in writing signed by the transferor and transferee is furnished to the Commissioner within fifteen days after the supply takes place and such notice includes the details of the supply;

(b) goods and services under an investment agreement entered into on behalf of the Government with the taxable persons with a per unit price greater than two hundred thousand dollars Guyana dollars (G\$200,000); and

(c) goods and services under any agreement, other than an investment agreement, entered into on behalf of the Government.

#### MEDICAL SUPPLIES

6. The following medical supplies are zero-rated for the purposes of section 17 –

(a) a supply of medicines and drugs of a kind available by prescription;

(b) any of the following medicines for human use –

(i) analgesics in the form of liquids, tablets, capsules, or other solid dosage forms for oral or rectal use;

(ii) cough and cold preparations in the form of liquids, tablets, capsules or other solid dosage forms for oral and nasal use;

(iii) antacids and anti-flatulants in the form of liquids, tablets, capsules and other solid dosage forms for oral use;

(iv) laxatives in the form of liquids, tablets, capsules or other solid dosage forms for oral or rectal use;

(v) anthelmintics in the form of liquids, tablets or capsules for oral use;

(vi) oral rehydration preparations in the form of salts or solution of W.H.O./Pharmacopoeia standards;

(vii) a supply of over the counter drugs;

(viii) a supply of vitamins, minerals and tonics for medical or health supplement use excluding items such as energy drinks and food supplements classified under Chapter 21 of the Common External Tariff;

(c) Diabetic –

(i) glucometers (glucose blood test machines), needles and glucose blood strips made for use with such machines;

(ii) insulin syringes with needles and devices for the administration of insulin;

(d) spectacles prescribed by an optometrist in the treatment of the human eye and visual system;

(e) crutches;

(f) wheelchairs; and

a supply of medical, dental, hospital, optical or paramedical services, to the extent provided in the regulations other than veterinary services.

#### UTILITIES

7. The following services are zero-rated for the purposes of section 17 –

(a) a supply of water services and sewerage services provided by Guyana Water Incorporated and Kwakwani Utilities Incorporated; and

(b) a supply of electricity by a person authorised under the Electricity Sector Reform Act.

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