

VALUE ADDED TAX (AMENDMENT) ACT, 2013

No. 12



of 2013

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of section 2 of Cap. 50:03
3. Amendment of section 26 of the Act
4. Amendment of First Schedule to the Act
5. Amendment of Fifth Schedule to the Act

An Act to amend the Value Added Tax Act.

Date of Assent: 04.09.13

Date of commencement: 04.10.13

ENACTED by the Parliament of Botswana.

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| <p>1. This Act may be cited as the Value Added Tax (Amendment) Act, 2013.</p> | Short title |
| <p>2. The Value Added Tax Act (in this Act referred to as “the Act”) is amended in section 2 by substituting for the definition of the word “capital goods”, the following new definition —</p> <p>““capital goods” means any asset, or component of an asset, which is of a character —</p> <p>(a) subject to a deduction of capital expenditures incurred as provided in section 41 of the Income Tax Act; and</p> <p>(b) subject to a deduction of mining capital expenditures incurred in terms of section 43 of the Income Tax Act,</p> <p>which is used in the course or furtherance of a taxable activity;”.</p> | Amendment of section 2 of Cap. 50:03 |
| <p>3. Section 26 of the Act is amended by inserting immediately after subsection (7), the following new subsection —</p> <p>“7(A) Notwithstanding subsection (7), a registered person who fails to furnish a nil or refund tax return within the time specified under this Act is liable to a penalty not exceeding P5,000.”.</p> | Cap. 52:01 |
| <p>4. The First Schedule to the Act is amended in paragraph 2 by inserting immediately after subparagraph (w), the following new subparagraph —</p> <p>“(x) a supply of the first 5000 litres of water per month by Water Utilities Corporation to a residential dwelling, excluding water commonly supplied in bottles or other packaging suitable for supply to consumers.”.</p> | Amendment of section 26 of the Act |
| <p>5. The Fifth Schedule to the Act is amended in paragraph 8 by substituting for the words “UA 500” appearing therein, the words “UA 1200”.</p> | Amendment of First Schedule to the Act |
| | Amendment of Fifth Schedule to the Act |

PASSED by the National Assembly this 11th day of July, 2013.

BARBARA N. DITHAPO,
Clerk of the National Assembly.