

**THE VALUE ADDED TAX (AMENDMENT) BILL, 2009**

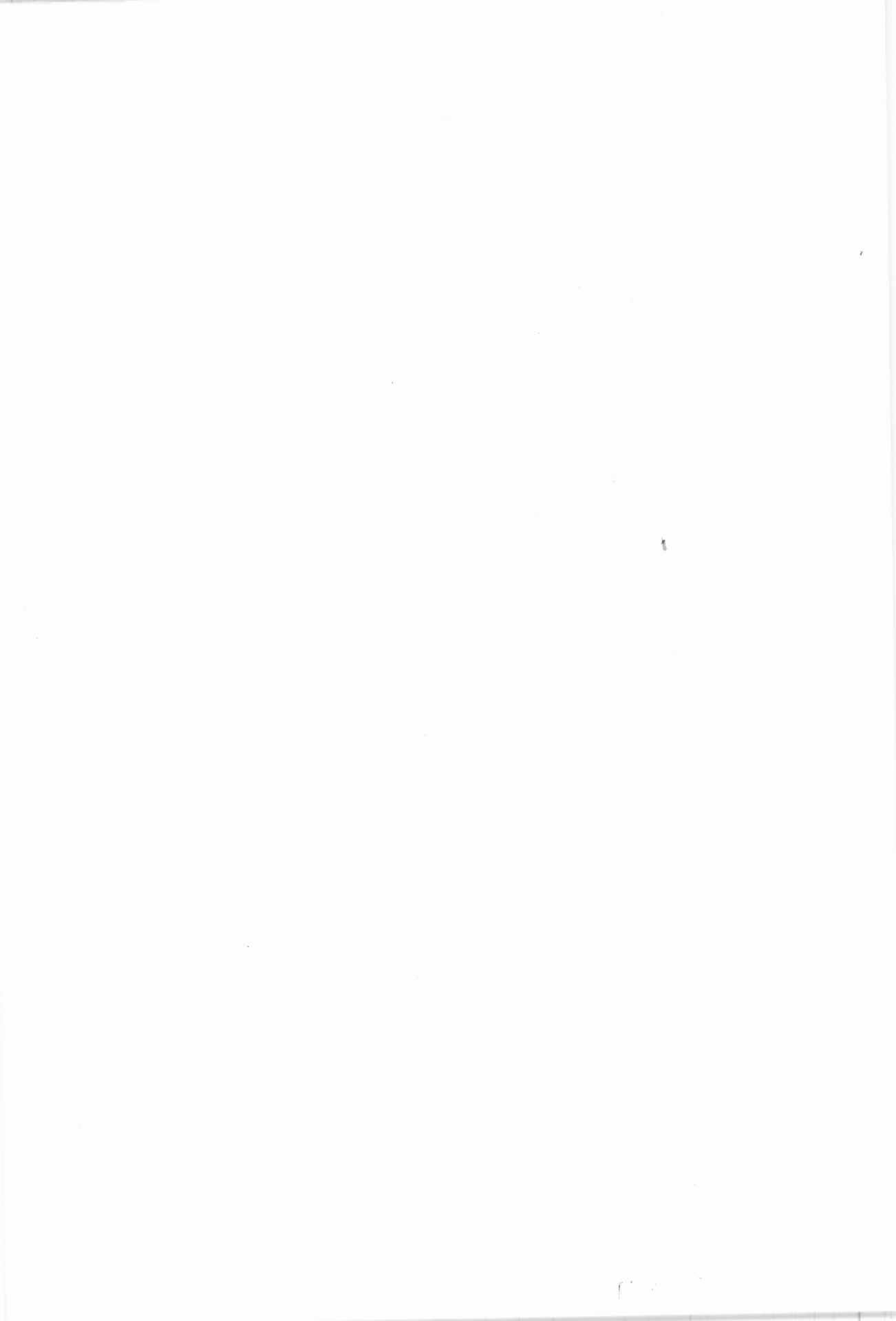
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MEMORANDUM

The object of this Bill is to amend the Value Added Tax Act so as to—

- (a) provide for the requirement for registered suppliers to maintain business records in English and extend the prescribed period in which to preserve such records to six years;
- (b) provide for the determination of the minimum taxable values for specified goods;
- (c) introduce the requirement for suppliers or manufacturers of specified goods on the minimum taxable value scheme to submit a schedule of recommended retail selling prices by product category;
- (d) introduce a Third Schedule in respect of specified goods on the minimum taxable scheme; and
- (e) provide for matters connected with or incidental to the foregoing.

M. MALIA,  
*Attorney-General*



# A BILL

ENTITLED

## An Act to amend the Value Added Tax Act.

ENACTED by the Parliament of Zambia

Enactment

1. (1) This Act may be cited as the Value Added Tax (Amendment) Act, 2009, and shall be read as one with the Value Added Tax Act, in this Act referred to as the principal Act.

Short title and commencement

5 (2) This Act shall be deemed to have come into operation on 31st January, 2009.

Cap. 331

2. Section *two* of the principal Act is amended by the insertion in the appropriate place of the following definitions:

Amendment of section 2

10 “industrial park” has the meaning assigned to it in the Zambia Development Agency Act, 2006; and

Act No. 11 of 2006

“multi-facility economic zone” has the meaning assigned to it in the Zambia Development Agency Act, 2006.

Act No. 11 of 2006

3. Section *ten* of the principal Act is amended by the insertion immediately after subsection (4) of the following new subsections:

Amendment of section 10

15 (5) Where specified supplies that are listed in the Third Schedule are supplied locally by a taxable supplier, the taxable value of the supplies shall be the greater of—

(a) the taxable value ascertained in accordance with subsection (1); or

20 (b) the amount by which the recommended retail price exceeds the tax payable in respect of the supply.

(6) Where the specified supplies are imported, the taxable value of such supplies shall be the greater of—

(a) the taxable value ascertained in accordance with

subsection (3); or

(b) the amount by which the recommended retail price exceeds the tax payable in respect of the supply.

(7) Every taxable supplier involved in the supply of goods and services listed in the Third Schedule shall submit to the Commissioner-General a schedule of the recommended retail prices, in such manner and form as the Commissioner-General may, by administrative rule, prescribe.

Amendment of section 42

4. Section *forty-two* of the principal Act is amended by the deletion of subsection (1) and the substitution thereof of the following subsection:

(1) A taxable supplier shall keep, in the English language, such records relating to the business carried on by the taxable supplier, and preserve them for a period of six years or such longer period as the Commissioner-General may, by notice in writing, require in any particular case.

Insertion of new Third Schedule

6. The principal Act is amended by the insertion of the Third Schedule set out in the Appendix to this Act.

APPENDIX

*(Section 6)*

THIRD SCHEDULE

*(Section 10)*

SPECIFIED SUPPLIES

1. Bulk and bagged cement (local and imported)
  2. Carbonated drinks (local and imported)
  3. Non-carbonated drinks (local and imported)
  4. Maheu products
  5. Clear beer (local and imported, bottled and canned)
  6. Opaque beer (bulk and packed)
  7. Cigarettes (local and imported)
  8. Air time
  9. Mineral water (local and imported)
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