

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



MALDIVES INLAND REVENUE AUTHORITY

Malé, Republic of Maldives

TAX RULING

Goods and Services Tax: Claiming input tax under the Tourism Goods and Services Tax Act

Reference No.: TR-2013/G12

Date of issue: Monday, 6 May 2013

This ruling is issued pursuant to the authority granted under Section 84 of the Tax Administration Act (Law Number 3/2010) as amended by Law Number 14/2011. This ruling is legally binding.

Introduction

1. This ruling prescribes the manner in which input tax may be claimed under the Tourism Goods and Services Tax Act (Law Number 19/2010) (“T-GST Act”) after the date of effect of this ruling.
2. Section 20(d) of the Tourism Goods and Services Tax Regulation (Regulation Number 2010/R-16) (“T-GST Regulation”) states that:

“A registered person, purchasing services for supply, from another registered person, shall pay tax to the MIRA after having deducted input tax which has been paid to the registered person who supplied such services.”
3. Section 48(b) of the T-GST Regulation states that:

“Under the circumstance where an overstatement ... of tax liability in an earlier return has been discovered by the registered person, the registered person may correct such error in the taxable period during which such overstatements ... were discovered, provided the following conditions are met:-

 - (1) 6 (six) months has not elapsed since the date on which the tax return, which relates to the error, had fallen due ...”
4. Section 49 of the T-GST Regulation states that:
 - “(a) Where the conditions referred to in Section 48(b) of the Regulation do not apply, a registered person may not self-correct such error relating to the overstatement ... of his tax liability.
 - (b) Where a registered person has discovered an overstatement ... of tax liability in any return made by him, then, unless he corrects that error in accordance with



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Section 48 of the Regulation, he shall apply to the Commissioner General and correct it in such manner and within such time as the Commissioner General may require.

- (c) Any claim to set off tax paid in excess shall be made in writing to the Commissioner General and shall, by reference to ... documentary evidence, as is in the possession of the claimant, state the amount of the claim and the method by which that amount was calculated. Any such tax paid in excess may only be set off against future tax liabilities, upon the approval of the Commissioner General.”


Ruling

5. Registered persons that wish to claim input tax after the date of effect of this ruling, in relation to a tax invoice issued under the T-GST Act, shall apply to the Commissioner General in writing on or before 30 June 2013, together with such tax invoice(s) and a statement in the format prescribed in *Annex 1* of this ruling.

6. Registered persons shall not claim input tax after the date of effect of this ruling, in relation to a tax invoice issued under the T-GST Act, without the written approval of the Commissioner General pursuant to an application made under paragraph 5 of this ruling.

Date of Effect

7. This ruling shall have effect from its date of issue.



Yazeed Mohamed
Commissioner General of Taxation

This is the unofficial translation of the original ruling issued in Dhivehi. In the event of conflict between this translation and the Dhivehi version of this ruling, the latter shall prevail. Therefore, it is advised that both the Dhivehi version of this ruling and this translation be read concurrently.

