

Seychelles

Value Added Tax Act

Value Added Tax (Refunds) Regulation, 2013

Statutory Instrument 34 of 2013

Legislation as at 8 November 2017

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Value Added Tax (Refunds) Regulation, 2013

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Value Added Tax Act

Value Added Tax (Refunds) Regulation, 2013

Statutory Instrument 34 of 2013

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[Amended by [Value Added Tax \(Refunds\) \(Amendment\) Regulations, 2014 \(Statutory Instrument 61 of 2014\)](#) on 1 September 2014]

[SI 34 of 2013; 61 of 2014]

1. Citation

This regulation may be cited as the Value Added Tax (Refunds) Regulation, 2013.

[regulation 1 amended by regulation 2(b) of [SI 61 of 2014](#) with effect from 1 September 2014]

2. Refund

A refund may be claimed, where—

- (a) VAT credit has been carried forward to two consecutive VAT periods and exceeds SCR 10,000 at the end of the third VAT period by a compulsory registered taxable person;
- (b) a VAT credit exceeding SCR 10,000 is reported on the quarterly return by a voluntary registered taxable person; or
- (c) unless otherwise applicable, a VAT credit exceeding SCR 10,000 is reported on a monthly return by an exporter, supplier of zero-rated goods or services or investor during the commencement phase of the business activity.

3. VAT returns and payment obligations

Subject to regulation 2, a VAT refund shall be granted where a taxable person has claimed for a refund on a VAT return duly completed and has fulfilled all payment obligations.

4. Statutory period

Any VAT refund is processed within a statutory period of 30 days from the date the claim for refund is made unless the taxable person has—

- (a) submitted inaccurate VAT returns;
- (b) failed to respond within a reasonable period to queries;
- (c) been engaged in fraudulent activity.

[regulation 4 amended by regulation 2(a) of [SI 61 of 2014](#) with effect from 1 September 2014]

5. Definition

For the purpose of this regulation—

"exporter" means where a taxable person's turnover is attributable to 85% of the export sales;

"supplier of zero-rated goods or services" means where a taxable person's turnover is attributable to 85% of the zero-rated supplies excluding any export sales;

"investor during the commencement phase" means a taxable person who had not collected any VAT and has incurred preliminary expenditures in relation to the commencement of the business activity.