



Oman VAT

Unofficial translation of Decision No.
456/2022 issued on 16 October 2022
by the Oman Tax Authority

Amendment to the Executive Regulations
for the Value Added Tax Law issued by
Decision No. 53/2021 issued on 10 March 2021

October 2022

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Official Gazette Issue (1463)

**Tax Authority
Decision
No 456/2022**

**Amending some provisions of the Executive Regulations
for the Value Added Tax Law**

Based on the Value Added Tax Law promulgated by Royal Decree No. 121/2020,
the Executive Regulations for the Value Added Tax Law issued by Ministerial Decision
No. 53/2021,
and in view of the exigencies of public interest.

It has been decided

Article One

The attached amendments to the Executive Regulations for the Value Added Tax Law
shall come into effect.

Article Two

This Decision shall be published in the Official Gazette and shall come into force from the
day following the date of its publication.

Issued on: 17/03/1443 H.
Corresponding to: 13/10/2022 G.

Saud bin Nasser bin Rashid Al-Shukaili
Chairman of the Tax Authority

Amendments to the provisions of the Executive Regulations for the Value Added Tax Law

Article (1)

The provisions of Articles (28), (55/clause 1), (79), (143), (146), (150), (155), (188), and (189) of the Executive Regulations for the aforementioned Value Added Tax Law, shall be replaced with the following provisions:

Article (28)

The place of supply of wireless and wireless communication services shall be the place of actual use of such services or benefit thereof, and the place of actual use or benefit shall be determined as follows:

1. If the supply of services is through fixed communication tools located at a specific geographical site for receiving such services such as fixed or public telephones, or internet services that require the actual presence of the customer at the site of the use of those tools, then the place of actual use or benefit of these services shall be the place where those tools are located at the specified geographic location.
2. If the supply of services is through mobile networks the place of actual use of the service shall be the country that owns the international symbol of the electronic chip used by the customer.

In other than what is mentioned in clauses (1) and (2) of this Article, the place of use and enjoyment shall be the customer's place of residence, and the supplier shall determine this on the basis of information provided by the customer after verifying its validity in accordance with the usual commercial security procedures.

The place of actual use or benefit of the services must be determined for each transaction separately, in the event that a supplier supplies telecommunications services to a customer with the aim of re-supplying them to another customer.

In all cases, the place of actual use or benefit of the telecommunications services shall be determined according to the tax due date provided for in Article (26) of the Law, and any subsequent changes shall not affect the determination of the place of supply.

Article (55 / clause 1)

1. Tax invoice issued in accordance with Chapter Eight of these Regulations.

Article (79)

In the application of the provision of clause (1) of Article (47) of the Law, the supply of financial services will be exempt from tax with the exception of financial services where the payment of the consideration is as a fee, commission or commercial deduction. Tax exempt financial services include:

1. Providing and transferring loans and advances.
2. Credit including credit installments in rental or lease-to-own purchase transactions and credit guarantees.
3. Depositing money into current, savings and deposit accounts.
4. Supply and issuance of financial instruments such as derivatives, deferred contracts and similar options and transactions.
5. Supply and issuance of shares, bonds and other securities.
6. Transfer of ownership of any securities or derivatives related to any securities.
7. Life insurance services.

Financial supplies which are made within an Islamic financial arrangement are treated with the same treatments applied to non-Islamic financial products.

Article (143)

The Taxable Person must issue a tax invoice in the following cases:

1. When making supplies, whether these supplies are to a non-taxable person or a Taxable Person allocating the supplies for personal use.
2. When making deemed supplies.
3. When receiving the consideration, fully or partially, before the date of supply.

The Tax Invoice must be issued no later than (15) fifteen days from the date of any of the cases specified in the above clauses.

The Tax Invoice must be issued in an approved electronic format in the cases specified by the Authority. The Authority shall specify the additional requirements for issuing electronic invoices and the details that must be included.

The person issuing the Tax Invoice must issue it in a manner that it is possible to verify the authenticity of the source and the content and to ensure that the invoice can be retained from the date of issuance until the end of the period for keeping the invoice as a record.

The Chairman may suspend or waive the obligation to apply the Electronic Tax Invoice, in whole or in part, to a category of persons or a few people after studying the reasons for this, in accordance with the controls specified by the Authority.

Article (146)

As an exception to the provisions of Article (143) of these Regulations, the Taxable Person may issue a Simplified Tax Invoice in the event that the value of the supplies excluding tax is less than (500) five hundred Omani Rial, or in any other case specified by the Authority.

The Simplified Tax Invoice must be issued within the dates specified in Article (143) of these Regulations provided it is issued in an electronic format specified by the Authority.

Article (150)

The Taxable Person may issue a Summary Tax Invoice that includes all supplies of goods and services supplied to the customer within one month, provided that it is issued within (15) fifteen days from the end of the month. The Summary Tax Invoice must include the same details as the Tax Invoice provided for in Article (144) of these Regulations.

Article (155)

The Taxable Person must issue an adjustment document in cases where the invoice must be amended after its issuance, provided it is issued in an electronic form in cases where the original invoice has been issued in an electronic form.

The adjustment document must be in conformity with the provisions of Article (144) of these Regulations and must indicate the invoice or group of invoices related to the adjustment and the value of Tax that must be adjusted.

Article (188)

Tax paid by foreign Governments Diplomatic, Consular and Military bodies or Missions, International organizations, and members of the Diplomatic and Consular Corps accredited by the Sultanate of Oman shall be refunded on the condition of reciprocity, in accordance with the conditions and controls determined by the Authority in coordination with the Ministry of Foreign Affairs and after the approval of the Ministry of Finance.

Article (189)

The concerned person must submit a request to the Authority to recover the Tax in accordance with the form prepared for such purpose, and in accordance with the procedures specified by the Authority.

Article (2)

The following text shall be added to Article (1/ clause 8) and Article (202/ clause 4) of the Executive Regulations for the Value Added Tax Law:

Article (1/ clause 8)

8. Electronic Tax Invoice:

A Tax Invoice issued in an electronic format generated through electronic means, and such invoice must at least include the information specified in these Regulations and any other information specified by the Authority.

Article (202/ clause 4)

4. Failure to issue the Tax Invoice in accordance with the requirements specified in these Regulations and any requirements specified by the Authority regarding the issuance of the Electronic Tax Invoice.



Thank you

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