

2019 No. 0000

VALUE ADDED TAX

The Value Added Tax (Drugs and Medicines) Order 2019

Made - - - - ***

Laid before the House of Commons ***

Coming into force - - ***

The Treasury, in exercise of the powers conferred by sections 30(4) and 96(9) of the Value Added Tax Act 1994(a), make the following Order:

Citation, commencement, effect and revocation

1.—(1) This Order may be cited as the Value Added Tax (Drugs and Medicines) Order 2019 and (subject as follows) comes into force on xx.

(2) Article 2—

- (a) comes into force on xx but only if that date falls before exit day, and
- (b) has effect in relation to supplies made on or after xx but before exit day (and, accordingly, paragraph (ca) inserted by article 2 is repealed, and article 2 of this Order is revoked, on exit day).

(3) Article 3—

- (a) comes into force on exit day or, if later, on xx, and
- (b) has effect in relation to supplies made on or after the day on which it comes into force.

Amendment of Group 12 of Schedule 8 to the Value Added Tax Act 1994

2. In Group 12(b) of Schedule 8 to the Value Added Tax Act 1994 (zero-rating: drugs, medicines, aids for the disabled, etc.), in Note (2B), after paragraph (c), insert—

“(ca) an EEA health professional within the meaning given by regulation 213 of the Human Medicines Regulations 2012;”.

3. In Group 12 of Schedule 8 to the Value Added Tax Act 1994 (zero-rating: drugs, medicines, aids for the disabled, etc.), in Note (2B), after paragraph (b), insert—

“(ba) an approved country health professional within the meaning given by regulation 213 of the Human Medicines Regulations 2012;”.

xx

(a) 1994 c. 23; section 96(9) was extended by section 99(6) of, and paragraph 5 of Schedule 31 to, the Finance Act 2001 (c. 9).
(b) Group 12 was amended by paragraph 7 of Schedule 7 to the Finance Act 2017 (c.10); it was also amended by S.I. 1995/652, 1997/2744, 2007/289, 2009/2972, 2012/1916 and 2014/1111; there are other amending instruments but none is relevant.

Date

Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE*(This note is not part of the Order)*

This Order inserts 'an EEA country health professional' and 'an approved country health professional' into the definition of 'appropriate practitioner' in Note (2B) to item 1 of Group 12 of Schedule 8 to the Value Added Tax Act 1994.

The effect is that supplies by registered pharmacists of items prescribed by appropriately qualified health professionals practising in a country outside the UK as defined by regulation 213 of the Human Medicines Regulations 2012 (S.I. 2012/1916) are subject to a zero-rate of Value Added Tax.

Regulation 213 of the Human Medicines Regulations will be amended on exit day by regulation 179 of the Human Medicines (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/775) with the effect that the definition 'an EEA health professional' will be replaced by 'an approved country health professional'. This Order makes further provision to take account of that amendment.

A Tax Information and Impact Note relating to the changes will be published on the HMRC website at <http://www.hmrc.gov.uk/thelibrary/tiins.htm>.