

## **Overseas Businesses GST Refunds**

This information sheet is one of a series produced by the States of Jersey Taxes Office to explain various aspects of Jersey's new Goods and Services Tax (GST). Whilst care has been taken in its preparation, readers are advised to consult the Goods and Services Tax (Jersey) Law 2007 and the GST Regulations for authoritative text. In cases of conflicting interpretation, the legislation takes precedence.

If you are registered as a business in a country that is outside of Jersey you may be able to use the Refund Scheme to reclaim GST on goods and services you use in Jersey and on imports into Jersey.

This guide tells you who can use the Refund Scheme; how to make a claim; and how you will be paid.

### **Who can use the Refund Scheme?**

If you are registered as a business outside of Jersey you can use the refund scheme if the following apply.

- You are not registered in Jersey for GST and you do not have to or cannot register here
- You do not have a place of business or a residence in Jersey and you do not make any supplies in Jersey.

If you do make supplies in Jersey you can still use the scheme if the only supplies you make here are either:

- Transport services related to the international carriage of goods
- Services you provide where the person in Jersey you supply the services to has to pay GST on the goods associated with the services.

You can only use the Refund Scheme if your own country operates a similar scheme and makes it available to Jersey Businesses. If your country has its own Refund Scheme but does not make it available to Jersey businesses then you will not be able to reclaim under the Jersey Refund Scheme.

### **What you can and cannot claim under the Refund Scheme**

You cannot use the scheme to reclaim GST on all the goods and services that you buy.

What you can reclaim GST on certain goods and services you buy in Jersey including:

- Accommodation and meals

- Trade fairs
- Travel costs
- Car rental
- Other goods and services you buy and use in Jersey for business purposes.

What you cannot reclaim GST on:

- Goods and service that are not for business use – if you buy something that is for business and private use you can reclaim GST on the business part.
- Anything you have used or will use to make a supply in Jersey.
- Some second hand items such as motor vehicles where a GST invoice is not issued.
- Goods that are exported - but these are zero-rated so long as the supplier has the evidence.
- Goods and services for traveller's direct benefit – for example hotel accommodation - you buy to resell.

## **Imports**

If you import goods into Jersey you can reclaim any GST that is due as long as you do not get any other GST relief when you import them. .

## **How to claim**

Use the paper form available from the address at the end of this leaflet.

You can make a claim within 12 months of the end of the calendar year in which the claim was incurred. This time limit is strictly applied. (But see below for frequency of claims)

You must complete a claim form 28a and send to the address on the form.

- You must complete the form in block capitals and black ink
- Send the form with proof of the GST you have paid

## **How much you can claim**

There is no maximum amount of GST that you can reclaim. But Jersey has set minimum amounts that you can claim to be refunded. Applications for refunds shall be made at the following intervals;

- For amounts not exceeding £1,000 - within one calendar year of the end of each calendar year.
- For amounts not exceeding £5,000 – within one calendar year of the end of each half calendar year.
- For amounts exceeding £5,000 – within one calendar year of the end of each calendar quarter.

## **Evidence needed for claims**

You must have the originals of all invoices, vouchers or receipts from your suppliers and any import documents.

If the value of the supply is more than £250 including GST the invoice will need to show:

- The particulars of the goods or services supplied
- The names of the persons by and to whom the goods or services supplied
- The amount of GST chargeable to the supply.
- The rates of GST applicable to the supply
- The date of the supply
- The GST Registration number of the supplier.

Below £250 a Simplified invoice is acceptable which must show:

- The suppliers name (business or trading) address and GST number,]
- The date of the supply
- The tax inclusive value of the supply
- An indication that the total charged includes GST at 3%.

## **If you have imported goods**

In this case you must have the original GST copy of the import entry or another original Customs document showing the GST you have paid.

## **Certificate of proof of business activity**

When you make the claim– you must also send to the Comptroller of Taxes an official certificate that shows that you are registered as a business in your own country (this would normally be a copy of your VAT registration certificate or equivalent).

The certificate must include:

The authorizing body's name and address

Your own name and address

The nature of your business

Your business registration number

## **Making your claim**

You will need to be able to demonstrate that you have taken reasonable care over your claim. Please:

- Keep valid invoices, vouchers and receipts and submitting them with your claim
- Make sure that you have and provide an up to date certificate of status
- Checking what goods and services you can claim back GST from Jersey.

If the Comptroller of Taxes accepts your claim it will be paid back within two months of receiving your claim.

Cancel the invoices showing you have paid the GST and return them to you.

### **Method of payments**

- **By Sterling cheque**
- **Directly to your own bank through SWIFT (Society for Worldwide Interbank Financial Telecommunication)**

If you choose to be paid by SWIFT you must provide a copy of a bank credit slip and the following information:

- Bank account number, including SWIFT or IBAN information
- Currency of account
- Bank account name
- Bank name
- Bank Address

Payments to your bank account are made in your currency unless you choose otherwise.

### **Incorrect claims**

If you have claimed too much then the Comptroller of Taxes will get back the amount you have been overpaid by deducting it from your next refund, and you may incur a penalty for sending in an incorrect claim, so you do need to make sure your claim is right. You can also be charged a penalty if you regularly send in incorrect claims.

Form 28a is available from the following address;

GST Department  
States of Jersey Taxes Office  
Cyril Le Marquand House  
P.O. Box 56  
The Parade  
St Helier  
Jersey  
JE4 8PF

Or a copy of the form can be downloaded from the States of Jersey Website at [www.gov.je.gst](http://www.gov.je.gst)