

Exceptional claims for input tax

46. (1) Subject to subregulation (2), the Director General may authorize a taxable person to treat as if it were input tax, any tax paid on the supply of goods to the taxable person before the date with effect from which he was, or was required to be registered, or paid by him on imported goods before that date, for the purpose of a business which was carried on or was to be carried on by him at the time of such supply or payment.

(2) No tax may be treated as if it were input tax in respect of—

- (a) goods which had been supplied or consumed;
- (b) goods which have been used partially or incorporated into some other goods; or
- (c) goods held for other than business use,

by the person referred to in subregulation (1) before the date with effect from which such person was, or was required to be, registered.

(3) A claim under subregulation (1) shall, except as the Director General may otherwise allow, be made on the first return the taxable person furnishes pursuant to section 41 of the Act and, as the officer of goods and services tax may require, be supported by tax invoices and other evidence.

(4) A taxable person making a claim under subregulation (1) shall keep and preserve for seven years from the latest date to which the records relate in respect of goods, a stock account showing separately quantities purchased, quantities used in the making of other goods, date of purchase and date and manner of subsequent disposals of such quantities.

(5) Any person who has been but is no longer a taxable person may make a claim to the Director General for the payment of any amount of any tax on the supply of services to him after the date with effect from which he ceased to be or to be required to be registered and which was attributable to any taxable supply made by him in the course or furtherance of any business carried on by him when he was or was required to be registered.