

LI 2023/7 -



A New Tax System (Goods and Services Tax): Waiver of Tax Invoice Requirement (Acquisitions Where Total Consideration Not Known) Determination 2023

I, Ben Kelly, Deputy Commissioner of Taxation, make the following determination.

Dated 7 March 2023

Ben Kelly
Deputy Commissioner of Taxation

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<i>A New Tax System (Goods and Services Tax) Waiver of Tax Invoice Requirement (Acquisitions Where Total Consideration Not Known) Legislative Instrument 2013</i>	3

1 Name

This instrument is the *A New Tax System (Goods and Services Tax): Waiver of Tax Invoice Requirement (Acquisitions Where Total Consideration Not Known) Determination 2023*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	On the day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under subsection 29-10(3) of the Act.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) creditable acquisition;
- (b) GST return;
- (c) input tax credit.

In this determination:

Act means the *A New Tax System (Goods and Services Tax) Act 1999*.

5 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

6 Waiver of the requirement to hold a tax invoice

- (1) For the purposes of attributing an input tax credit for a creditable acquisition to a tax period, a recipient is not required to hold a tax invoice under subsection 29-10(3) of the Act if:
 - (a) the recipient makes a creditable acquisition to which the *Goods and Services Tax: Particular Attribution Rules Where Total Consideration is Not Known Determination 2017* applies;
 - (b) an input tax credit would otherwise be attributable to a tax period to the extent of either:
 - (i) the amount of the consideration stated in an invoice issued in that tax period; or
 - (ii) the consideration provided in that tax period (if an invoice is not issued or the consideration provided is greater than the amount on the invoice); and
 - (c) the requirements in subsection (2) are met.
- (2) At the time the recipient gives a GST return to the Commissioner for the tax period to which the input tax credit (or any part of the input tax credit) on the acquisition would otherwise be attributable, the recipient must hold:
 - (a) an invoice for the creditable acquisition, which:
 - (i) shows an interim amount payable; and
 - (ii) meets the information requirements set out in section 7; or
 - (b) a document for a creditable acquisition that is issued when the total consideration for the supply or supplies is known and:
 - (i) shows the remainder of the amount payable; and
 - (ii) meets the information requirements set out in section 7.

7 Document information requirements

The requirements referred to in subsection 6(2) are that the invoice or document:

- (a) meets the requirements in paragraphs 29-70(1)(a) and 29-70(1)(c) of the Act, other than subparagraph 29-70(1)(c)(iii);
- (b) contains enough information to enable the following to be clearly ascertained from the invoice or document:
 - (i) what is supplied, including the quantity (if applicable);
 - (ii) where paragraph 6(2)(a) applies, the amount payable or paid rather than the total price of what is supplied; and
 - (iii) where paragraph 6(2)(b) applies, the remainder of the consideration payable.

8 Repeal

This determination is repealed at the start of 1 October 2027.

Schedule 1—Repeals

A New Tax System (Goods and Services Tax) Waiver of Tax Invoice Requirement (Acquisitions Where Total Consideration Not Known) Legislative Instrument 2013

1 The whole of the instrument

Repeal the instrument.