



Legislative Instrument

A New Tax System (Goods and Services Tax) Waiver of Tax Invoice Requirement (Acquisitions by Recipients Using Electronic Purchasing Systems) Legislative Instrument (No. 1) 2012

I, James O'Halloran, Deputy Commissioner of Taxation, make this legislative instrument under subsection 29-10(3) of the *A New Tax System (Goods and Services Tax) Act 1999* (GST Act).

1. Name of instrument

This legislative instrument is the *A New Tax System (Goods and Services Tax) Waiver of Tax Invoice Requirement (Acquisitions by Recipients Using Electronic Purchasing Systems) Legislative Instrument (No. 1) 2012*.

2. Commencement and application of this instrument

- (a) This legislative instrument commences on 1 July 2010.
- (b) This legislative instrument applies to net amounts for tax periods commencing on or after 1 July 2010.
- (c) This legislative instrument does not revoke, amend or vary any previous legislative instrument made by the Commissioner or delegate.

3. Relief from the requirement to hold a tax invoice

For the purposes of attributing an input tax credit for a creditable acquisition to a tax period, a recipient¹ that:

- (a) makes a creditable acquisition through an electronic purchasing system; and
- (b) issues a document intended to be a recipient created tax invoice for that creditable acquisition,

is not required (under subsection 29-10(3) of the GST Act) to hold a tax invoice for the creditable acquisition if the requirements provided by this instrument are satisfied.

¹ A recipient for this purpose must come within one of the classes where the Commissioner has determined that the recipient can issue a tax invoice. See Goods and Services Tax Ruling GSTR 2000/10: recipient created tax invoices.

4. Requirements for relief from holding a tax invoice

At the time the recipient gives its GST return for the tax period to the Commissioner, the recipient must hold:

- (a) a summary document of taxable supplies that has been produced by the electronic purchasing system; and
- (b) another document, referred to in the summary document, that describes each thing supplied including the quantity (if applicable) and the price of what is supplied; and

the documents together must meet the document information requirements set out in clause 5.

5. Document information requirements

- (1) The document referred to in subclause 4(a) meets the requirements of subsection 29-70(1) of the GST Act other than subparagraph 29-70(1)(c)(iii) of the GST Act; and
- (2) the document referred to in subclause 4(b) contains enough information to clearly ascertain each thing supplied including the quantity (if applicable) and the price of what is supplied.

Your comments

You are invited to comment on this draft legislative instrument, which is explained in the attached draft explanatory statement. Please forward your comments to the contact officer by the due date.

Compendium of comments

A compendium of comments is also prepared for the consideration of the relevant Rulings Panel or relevant tax officers. An edited version (names and identifying information removed) of the compendium of comments will also be prepared to:

- provide responses to persons providing comments; and
- publish on the ATO office website at www.ato.gov.au.

Please advise if you do not want your comments included in the edited version of the compendium.

Due date: 7 September 2012
Contact officer: Grant Murphy
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Your City, State, Postcode

Dated this DD MMMM 2012

James O'Halloran
Deputy Commissioner of Taxation

DRAFT FOR CONSULTATION