

147. Prepayments for telecommunication services

(1) This section—

(a) applies to—

- (i) a supply, by a telecommunications provider, of a phone card; and
- (ii) a supply by a person who acts as a distributor, agent, or other intermediary (referred to in this section as a "telecommunications intermediary") in relation to the supply of a phone card; but

(b) does not apply to a supply by one telecommunications provider to another.

(2) Where a telecommunications provider supplies a phone card to a telecommunications intermediary at a discount from the intended retail price, the consideration for the supply is calculated as if the intermediary had paid the intended retail price.

(3) Where a telecommunications intermediary buys and on-sells a phone card—

- (a) the acquisition is treated as if it were not an acquisition; and
- (b) the supply is treated as if it were not a supply.

(4) Where a telecommunications provider supplies a phone card through a telecommunications intermediary acting as agent for the telecommunications provider, the consideration for the supply is not reduced by the commission paid to the intermediary.

(5) Where a telecommunications intermediary supplies the services of acting as agent, whether for a telecommunications provider or another telecommunications intermediary, in relation to the distribution of a phone card—

- (a) the supply of the services is treated as if it were not a supply; and
- (b) the acquisition of the services is treated as if it were not an acquisition.

(6) For purposes of this section, "phone card" means any instrument for prepayment, however described and in whatever form, for telecommunication services.

148. Gambling supplies

(1) The amount of VAT imposed on gambling supplies made by a registered person is determined on a global basis for each tax period rather than for each gambling supply.

(2) Where a registered person makes gambling supplies, the amount of output tax payable on those supplies in respect of each tax period is the positive amount, if any, computed according to the following formula—

$$(A - B) \times C$$

where—

- A** is the total amounts wagered with the person in the period;
- B** is the total winnings paid out by the person in the period; and
- C** is the tax fraction.

(3) A registered person shall not issue a tax invoice for a gambling supply.

(4) Where a ticket (however described) in a lottery, raffle, or similar undertaking is sold to an intermediary at a discount from the intended retail price—

- (a) the consideration for the supply is calculated as if the intermediary had paid the intended retail price;
- (b) the acquisition by the intermediary is treated as if it were not an acquisition; and
- (c) the re-sale by the intermediary is treated as if it were not a supply.

(5) In this section, "gambling supply" means—

- (a) the supply of a ticket (however described) in a lottery, raffle, or similar undertaking; or
- (b) the acceptance of a bet (however described).

(6) Where it is difficult under the rules in this chapter for registered persons in certain sectors of gambling to calculate their tax liability, the Minister may by regulation prescribe the method by which those persons account for their tax payable.

149. Travel agents and tour operators acting as principal