L&S Update

an e-update to clients from
Lakshmikumaran & **Sridharan**

L&S GST Update No. 9 of 2017
31st March, 2017

IGST Bill – Certain important changes compared to Revised Model IGST Law

Certain important changes compared to Revised Model IGST Law

A. Zero Rated Supplies

- Zero Rated Supplies of goods or services can also be made under Letter of Undertaking.
- Option to supply goods/ services to SEZ Unit/ SEZ Developer without payment of tax has been provided.

B. Refund of IGST to International Tourist

- Supplies to tourist have been deemed to be Inter-State Supplies.
- International tourists have been allowed to claim refund of IGST paid on goods taken by them out of India.

C. Definition of Continuous Journey

- Definition of Continuous Journey has been added in IGST Bill. The definition has been borrowed from the current Place of Provision of Service Rules, 2012.

D. Nature of Inter-State Supplies

- A supply shall be treated as Inter-State supply when location of supplier and place of supply are in:
  - Two different States
  - Two different Union Territories
  - A State and Union Territory

E. Supplies in Territorial Waters

- New provision has been inserted for supplies in the territorial waters.

- If location of supplier is in territorial waters, then location of supplier shall be deemed to be in the coastal State or Union Territory where the nearest point of appropriate baseline is located.

- If place of supply is in territorial waters, then place of supply shall be deemed to be in coastal State or Union Territory where the nearest point of appropriate baseline is located.

- These provisions have been inserted to provide for collection of tax by the respective State/ Union territory on supplies made in the territorial waters.

- Person who makes a supply from the territorial waters of India shall obtain registration in the coastal State or Union territory where the nearest point of the appropriate base line is located (Clause 25 of CGST Bill).

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