Lakshmikumaran & Sridharan attorneys

L&S Update

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

L&S GST Update No. 10 of 2019
30th January, 2019

- **Amendments in IGST Act 2017 by IGST (Amendment) Act, 2018 to come into force from 1st February, 2019**
  [as per Notification No. 1/2019-Integrated Tax]

Amendment in Section 2 of IGST Act - Definitions

- In the definition of "export of services", the condition of receipt of payment in convertible foreign exchange has been relaxed by allowing the receipt in Indian rupees wherever permitted by the Reserve Bank of India. [Section 2(6) of IGST Act]

Supplies from unregistered persons – Section 5(4) substituted

- Section 5 has been amended to provide that tax shall be liable to be paid under reverse charge by specified class of persons on supply of specified categories of goods or services received from unregistered persons.

- Earlier, taxpayers were liable to pay tax under reverse charge in case of receipt of supplies from unregistered persons (though this provision has been kept in abeyance).

Amendment in Place of Supply (POS)

- In respect of supply of services of transportation of goods, a proviso has been inserted to provide that in case transportation is to a place outside India, the POS shall be the place of destination of such goods. [Section 12(8)]

- Second proviso in Section 13(3)(a) has been substituted to include 'any other treatment or process' along with repair. This proviso excludes such services supplied in respect of goods temporarily imported for such purpose and re-exported from POS being reckoned as location where services are actually performed.

Pre deposit amount for appeals

- In Section 20, fifth proviso has been inserted to cap the maximum amount of pre-deposit in case of appeal before an Appellate Authority and Appellate Tribunal to Rs. 50 crores and Rs. 100 crores respectively.

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