

Works of art, etc. VATA s. 11(1AA)

48.—(1) Notwithstanding section 46 (1), tax shall be charged at the rate specified in section 46 (1)(c) of the amount on which tax is chargeable in relation to—

(a) the importation into the State of goods specified in Schedule 5,

(b) the supply of a work of art of the kind specified in paragraph 1 of Schedule 5, effected by its creator or the creator's successors in title, or

(c) the supply of a work of art of the kind specified in paragraph 1 of Schedule 5, effected on an occasional basis by an accountable person other than a taxable dealer where—

(i) that work of art has been imported by the accountable person,

(ii) that work of art has been supplied to the accountable person by its creator or the creator's successors in title, or

(iii) the tax chargeable in relation to the purchase, intra-Community acquisition or importation of that work of art by the accountable person was wholly deductible under Chapter 1 of Part 8.

(2) Notwithstanding section 46 (1), tax shall be charged at the rate specified in section 46 (1)(c) of the amount on which tax is chargeable in relation to the intra-Community acquisition in the State by an accountable person of a work of art of the kind specified in paragraph 1 of Schedule 5 where the supply of that work of art to that accountable person which resulted in that intra-Community acquisition is a supply of the kind that would be charged at the rate specified in section 46 (1)(c) in accordance with subsection (1)(b) or (c) if that supply had occurred within the State.