

## Amendments to the Rulebook on Value Added Tax

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The Rulebook on Amendments to the Value Added Tax Rulebook (the Rulebook) was published in the Official Gazette No. 29/2024 and will come into effect on April 4, 2024.

Changes to the Rulebook refer to individual tax exemptions with the right to deduct previous tax, VAT refund to the buyer of the first apartment and certain technical clarifications and reconciliations.

According to the amendment to Article 93 of the Rulebook, the VAT payer, i.e. the tax debtor, can exercise the right to tax exemption on the sale of goods that are in the procedure of customs storage if he has a declaration in electronic form, i.e. a certified copy of the declaration in paper form proving that the goods are in the procedure of customs warehousing, without the possibility of obtaining the said exemption on the basis of a certified invoice for the delivery of goods, which was the case until now.

Likewise, Article 122 of the Rulebook specifies the validity of an international agreement by which the right to tax exemption from Article 24 of the Law on Value Added Tax can be exercised, by requiring that the tax exemption is provided for by an international agreement that applies on conclusion of the contract on the

basis of which the trade of goods and services is carried out, that is, the international agreement that applies on the day of the trade of goods and services. The content of the tax administration certificate on the basis of which the right to tax exemption can be exercised based on an international agreement has been specified and supplemented, so that it now contains the name and value of the project if the transaction is carried out within the project implementation.

Article 276 of the Rulebook, which refers to the right to a VAT refund for buyers of the first apartment, was also changed, according to which now, in order to exercise the said right, it is necessary to attach the fiscal invoice of the VAT payer - the seller, who is therefore a tax debtor in accordance with by the Law on Value Added Tax. Finally, the provisions of the Rulebook related to VAT reimbursement will be applied accordingly to VAT refunds, unless otherwise prescribed.