

# GHANA EDUCATION TRUST FUND (AMENDMENT) ACT 2018 Act 972

## ARRANGEMENT OF SECTIONS

### *Section*

1. Section 3 of Act 581 amended
2. Sections 3A, 3B, 3C, 3D and 3E inserted
3. Section 25 of Act 581 amended

## REPUBLIC OF GHANA

### THE NINE HUNDRED AND SEVENTY-SECOND

### ACT

### OF THE PARLIAMENT OF THE REPUBLIC OF GHANA

### ENTITLED

### GHANA EDUCATION TRUST FUND (AMENDMENT) ACT, 2018

AN ACT to convert the Value Added Tax component allocated to the Ghana Education Trust Fund into a Levy which is not subject to the input-output method of computation and to provide for related matters.

**DATE OF ASSENT:** *31st July, 2018.*

PASSED by Parliament and assented to by the President:

#### **Section 3 of Act 581 amended**

1. The Ghana Education Trust Fund Act, 2000 (Act 581), referred to in this Act as the "principal enactment" is amended in section 3 by the substitution for paragraph (a) of

"(a) the Ghana Education Trust Fund Levy provided for under section 3A of this Act;".

#### **Sections 3A, 3B, 3C, 3D and 3E inserted**

2. The principal enactment is amended by the insertion after section 3 of the following sections:

"Imposition of Levy on supply of goods and services .

3A (1) There is imposed by this Act, a Levy to be known as the

"Ghana Education Trust fund Levy" on the

(a) supply of goods or services made in the country other than exempt goods or services; and (b) import of goods or services other than exempt imports.

(2) The Levy shall be paid at the time the goods or services are supplied or imported.

(3) The levy is not subject to an input tax deduction.

(4) Goods subject to the Value Added Tax Flat Rate are exempt from the Levy on the supply of goods.

(5) Except as otherwise provided in this Act, the rate of the Levy is two and a half percent and is calculated on the value of the taxable supply of the goods or services or on the value of the import of goods or services.

### **Exempt supply of goods and services**

**3B.** A supply in respect of any of the matters specified in the First Schedule of the Value Added Tax Act, 2013 (Act 870) is exempt from the Levy imposed under section 3A.

### **Zero Rated supply of goods and services**

**3C.** A supply in respect of any of the matters specified in the Second Schedule of the Value Added Tax Act, 2013 (Act 870) is zero-rated as regards the Levy imposed under section 3A.

### **Relief from Levy**

**3D.** There is granted by this Act, relief from the payment of the Levy to the individuals, organisations and in respect of the matters specified in the Third Schedule of the Value Added Tax Act, 2013 (Act 870).

### **Collection and administration of the Levy**

**3E.** (1) Except as otherwise provided in this Act, the Commissioner General of the Ghana Revenue Authority is responsible for the collection of the Levy.

(2) The Revenue Administration Act, 2016 (Act 915) shall govern the administration of the Levy.

(3) The Commissioner-General of the Ghana Revenue Authority

shall pay moneys, collected as Levy into the Fund.

(4) The Value Added Tax Act, 2013 (Act 870) applies with the necessary modifications to the collection of the Levy."

### **Section 25 of Act 581 amended**

**3.** Section 25 of the principal enactment is amended by the insertion

of the definition of

" "Levy" means the Ghana Education Trust Fund Levy imposed under section 3A.

Date of *Gazette* notification: 1st August. 2018.