



# VAT Administrative Exceptions

## VAT Guide | VATGEX1

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## Contents

1. Brief overview of this user guide .....	2
2. Purpose of the VAT Administrative Exception Form.....	2
2.1 What is a VAT Administrative Exception? .....	2
2.2 Who is eligible to make a VAT Administrative Exception Request? .....	3
2.3 What are the categories covered under VAT Administrative Exception? ...	3
2.4 How to make a Request?.....	7
2.5 Who can submit the VAT Administrative Exception Form on your behalf? 7	
3. What information will you need when completing the VAT Administrative Exception Form? .....	7
4. Completing your VAT Administrative Exception Form .....	8
5. Submitting the VAT Administrative Exception Form.....	12
6. Response from the FTA on your VAT Administrative Exception .....	12
7. Updates and Amendments .....	13



## 1. Brief overview of this user guide

This guide is prepared to help you submit your VAT Administrative Exception request (referred to as 'Exception Request') to the Federal Tax Authority (FTA) related to the specific cases detailed below. It provides you with:

- **an overview** of the categories for which an Exception Request can be made.
- **an explanation of the icons and information** you might see or need to complete the form.

If you have additional questions on specific fields in the VAT Administrative Exception Form, please contact us at [info@tax.gov.ae](mailto:info@tax.gov.ae).

## 2. Purpose of the VAT Administrative Exception Form

### 2.1 What is a VAT Administrative Exception?

A VAT Administrative Exception is a mechanism which provides registrants with concessions / exceptions allowed by the Federal Decree-Law No. 8 of 2017 on Value Added Tax ("Law") or Cabinet Decision No 52 of 2017 on the Executive Regulations of the Federal Decree-Law No. 8 of 2017 on Value Added Tax ("Executive Regulations") if difficult circumstances prevent them from following certain procedural aspects of the Law or the Executive Regulations.

VAT Administrative Exceptions are grouped into the following categories and are relevant to VAT only:

- Tax Invoices
- Tax Credit Notes
- Length of the Tax Period
- Stagger
- Evidence to prove export of goods
- Time for the export of goods

Details of the above categories are documented in **section 2.3**.

**NOTE:** VAT and Excise Tax registration exceptions are not covered under this process. Exceptions related to VAT and Excise Tax registrations can be done on the relevant registration forms.



## 2.2 Who is eligible to make a VAT Administrative Exception Request?

The applicant must:

- be a registrant with the FTA;
- satisfy the requirements in respect of the relevant Exception Request, as outlined below; and
- provide all relevant supporting documentation.

## 2.3 What are the categories covered under VAT Administrative Exception?

As stated above, an Exception Request can be made only in respect of certain specified categories. Such categories and the underlying conditions for the exceptions along with reference from the Law are set out below:



Category	Case/ scenario	Reference in the law	Conditions
<b>Tax Invoices</b>	<p>A registrant can make a Request to:</p> <p>a) not mention any of the particulars specified in Article 59(1) or Article 59(2) of the Executive Regulations for Tax Invoices; or</p> <p>b) not issue Tax Invoices in certain cases.</p>	Article 59(7) of the Executive Regulations	The registrant must be able to demonstrate that sufficient records are available to establish the particulars of any supply, and prove that it would be impractical to issue a tax invoice as per Article 59(1) or Article 59(2) of the Executive Regulations.
<b>Tax Credit Notes</b>	<p>A registrant may make a Request to:</p> <p>a) not mention any of the particulars, as prescribed in Article 60(1) of the Executive Regulations for Tax Credit Notes; or</p> <p>b) not issue a Tax Credit Note in certain cases.</p>	Article 60(2) of the Executive Regulations	The registrant must be able to demonstrate that sufficient records are available to establish the particulars of any supply, and prove that it would be impractical to issue a Tax Credit Note as per Article 60(1) of the Executive Regulations.
<b>Length of the Tax Period</b>	<p>A registrant may make a request to change the length of the Tax Period.</p> <p>If the registrant chooses to change the length of the Tax Period to half yearly (6 months), the FTA will only consider allowing this for the following categories:</p>	Article 62(2) of the Executive Regulations	<p>The registrant must provide the reasons for requesting a change in the length of the Tax Period.</p> <p>If the registrant chooses to change the Tax Period to half yearly (6 months), the registrant must provide the following information depending on the category the registrant falls under:</p>



Category	Case/ scenario	Reference in the law	Conditions
	<p><b>a) Individuals:</b> Individuals who can apply to change the Tax Period are board members, property owners and other individuals such as freelancers. The FTA will consider all the supplies made by such persons before arriving at a decision.</p>		<ul style="list-style-type: none"> <li>• Number of invoices issued in the preceding 12 months</li> <li>• Total tax paid in the preceding 12 months</li> <li>• Taxable supplies in the preceding 12 months</li> </ul>
	<p><b>b) Businesses in a constant refund position:</b> Businesses that were in a refund position in all the Tax Periods in the preceding 12 months, and expect to remain in the same position.</p>		<ul style="list-style-type: none"> <li>• Whether the registrant expects any change in the business model, which may result in a change of refund position</li> </ul>
	<p><b>c) Small and medium enterprises (SME) with funding:</b> Registered SMEs which receive official funding approved by the Government can apply to change their Tax Period.</p>		<ul style="list-style-type: none"> <li>• Total tax paid in the preceding 12 months</li> <li>• Taxable supplies in the preceding 12 months</li> </ul>
	<p><b>d) Small and medium enterprises (SME) without funding:</b> Registered SMEs which do not receive official funding approved by any Government entity provided the total value of Taxable supplies in the preceding 12 months was equal to or less than AED 9 million.</p>		<ul style="list-style-type: none"> <li>• Total tax paid in the preceding 12 months</li> <li>• Taxable supplies in the preceding 12 months</li> <li>• Whether the registrant has received any penalties in the preceding 12 months</li> </ul>



Category	Case/ scenario	Reference in the law	Conditions
<b>Stagger</b>	A registrant who is on quarterly filing, may request a change in the stagger assigned to him so that the Tax Period ends with the month requested by him.	Article 62(3) of the Executive Regulations	The registrant must provide the reasons for requesting the change in stagger.
<b>Evidence to prove export of goods</b>	<p>A registrant may request the FTA to allow the use of an alternative form of evidence to prove the export of goods.</p> <p>The FTA, on reviewing the request, may specify an alternative form of evidence according to the nature of export or according to the nature of the goods being exported.</p>	Article 30(6) of the Executive Regulations	The registrant must provide the actual reasons / circumstances for requesting an approval to allow the use of an alternative form of evidence.
<b>Time for the export of goods</b>	<p>A registrant may request an extension of time to physically export goods outside the UAE.</p> <p>The FTA can extend the 90-day period from the date of supply, if the FTA has determined, after the supplier has applied in writing, that either of the following applies:</p> <ul style="list-style-type: none"> <li>• Circumstances beyond the control of the supplier and the recipient of the goods have prevented, or will prevent, the export of the goods within 90 days of the date of supply.</li> <li>• Due to the nature of the supply, it is not practicable for the supplier to export the goods, or the class of goods, within 90 days of the date of supply.</li> </ul>	Article 30(7) of the Executive Regulations	The registrant must provide the actual reasons / circumstances, as prescribed under the law, to seek an extension of time for the export of goods.



## 2.4 How to make a Request?

The registrant must submit the VAT Administrative Exception Request by email to [specialexceptions@tax.gov.ae](mailto:specialexceptions@tax.gov.ae). Refer to **section 5** for details on the submission.

## 2.5 Who can submit the VAT Administrative Exception Form on your behalf?

The following can submit the VAT Administrative Exception:

- The authorized signatory of the registrant;
- The registrant's appointed Tax Agent; or
- The registrant's appointed Legal Representative.

If you are a member of a Tax Group, the request should be submitted by the Representative Member of the Tax Group.

**IMPORTANT:** Tax Advisors (who are not registered Tax Agents) are not permitted to submit any VAT Administrative Exception Requests on behalf of a registrant.

## 3. What information will you need when completing the VAT Administrative Exception Form?

You are required to submit the below information along with the form:

- the category for which you are seeking a VAT Administrative Exception;
- a detailed description of why you are making a VAT Administrative Exception Request as per the criteria outlined above; and
- any documentary proof to support the factual and legal grounds on which the request is based (e.g. sample invoices, contracts, payment slips or other). This is based on the category of the Exception.

**IMPORTANT:** If you are a Tax Agent you must send the VAT Administrative Exception Form from the email address you used to register with the FTA as a Tax Agent (i.e. your online user account) and which is linked to the taxable person. Any emails sent from other email addresses by a Tax Agent will be disregarded and **no response will be sent out by the FTA.**



## 4. Completing your VAT Administrative Exception Form

Please fill in the form field by field. Any questions that are marked with an asterisk (\*) are mandatory and must be completed in order to submit the form. You do not need to input anything for the boxes where document uploads are requested; instead, you should include the information and relevant documents as supporting documentation on the email to be sent to the designated email address, along with the VAT Administrative Exception Form.

You must fill out the form electronically. Handwriting is not accepted.

The following guidance is designed to help you understand the questions that the VAT Administrative Exception Form asks for in order to complete the form accurately.

1. About the Applicant	
<b>Name of the Applicant*</b>	Please input the full name under which you are registered with the FTA.
<b>Tax Registration Number (TRN)</b>	Please input the TRN for VAT.
<b>Tax Agent Approval Number (TAAN)</b>	If you are a Tax Agent applying on behalf of the registrant, please input the TAAN here.
2. Contact Details of the Applicant	
<b>Mobile number and email address etc.*</b>	Please provide your contact details here.



### 3. About the Request for VAT Administrative Exception

<p><b>Have you previously requested a VAT Administrative Exception from the FTA?*</b></p>	<p>Inform the FTA if you have previously requested a VAT Administrative Exception from the FTA.</p> <p><b>Note:</b> You should not make the same VAT Administrative Exception Request if your situation is identical to a previously rejected Exception Request submitted to the FTA. Your request will be rejected.</p>
<p><b>If yes, please provide the decision number of your previous approved request</b></p>	<p>Please do not submit duplicate requests - you should provide the FTA with the complete, relevant and accurate information necessary to assess the application.</p> <p>In case you have similar and/or additional requests which are relevant to a previous request, please enter the decision number of your previous approved request.</p>

### 4. Reasons for VAT Administrative Exception

<p><b>Select the relevant category for which you are seeking a VAT Administrative Exception*</b></p>	<p>From the drop-down boxes select the category for which you are seeking a VAT Administrative Exception. The relevant categories are:</p> <ul style="list-style-type: none"> <li>• Tax Invoices</li> <li>• Credit Notes</li> <li>• Length of the Tax Period</li> <li>• Stagger</li> <li>• Evidence to prove export of goods</li> <li>• Time for the export of goods</li> </ul>
<p><b>Please provide a detailed description for why you are requesting a VAT Administrative Exception*</b></p>	<p>Please provide your input in no more than 500 words.</p>



<p><b>Please provide any documentary proof to support the factual and legal grounds on which the request is based (e.g. sample invoices, contracts, payment slips or other)*</b></p>	<p>You may attach the relevant supporting documents to facilitate the processing of your request. You may hide certain information that is commercially sensitive when submitting the document(s).</p>
<p><b>Fill the below section if you have selected to change the length of the Tax Period</b></p>	
<p><b>Please provide the length of the tax period you wish to change to</b></p>	<p>From the drop-down boxes select the tax period you wish to change to. The relevant categories are:</p> <ul style="list-style-type: none"> <li>• Monthly</li> <li>• Quarterly (3 months)</li> <li>• Half yearly (6 months)</li> </ul>
<p><b>If the length of the tax period selected is half yearly (6 months), please select which best describes your entity</b></p>	<p>If you have selected that you wish to change the length of your tax period to half yearly (6 months), please select from the drop-down boxes the category which you fall under. The categories are:</p> <ul style="list-style-type: none"> <li>• Individual</li> <li>• Business in constant refund position</li> <li>• Small and Medium Enterprise</li> </ul>
<p><b>a. Fill the section below if you have selected Individual</b></p>	<p>If you have selected “Individual”, please provide the following:</p> <ul style="list-style-type: none"> <li>• the number of invoices issued in the preceding 12 months</li> <li>• the total tax paid in the preceding 12 months</li> <li>• the taxable supplies in the preceding 12 months</li> </ul>
<p><b>b. Fill the section below if you have selected Business in a constant refund position</b></p>	<p>If you have selected “business in a constant refund position”, state whether you expect any change in the business model in the future, which may result in a change of the refund position.</p>
<p><b>c. Fill the section below if you have selected Small and Medium Enterprise with funding</b></p>	<p>If you have selected “Small and Medium Enterprise with funding”, please provide the following:</p> <ul style="list-style-type: none"> <li>• the total tax paid in the preceding 12 months</li> <li>• the taxable supplies in the preceding 12 months</li> </ul>



<p><b>d. Fill the section below if you have selected Small and Medium Enterprise without funding</b></p>	<p>If you have selected “Small and Medium Enterprise without funding”, please provide the following information:</p> <ul style="list-style-type: none"> <li>• the total tax paid in the preceding 12 months</li> <li>• the taxable supplies in the preceding 12 months</li> <li>• did you receive any penalty in the preceding 12 months?</li> </ul>
<p><b>Fill the below section if you have selected to change the Stagger</b></p>	
<p><b>Please state the month in which you wish the quarterly tax period to end</b></p>	<p>From the drop-down box, select the month in which you wish the quarterly tax period to end.</p>
<p><b>5. Authorized Signatory</b></p>	
<p>Title Name etc.</p>	<p>The signatory must be authorized to do so. That is, where a Request is being submitted for a VAT Administrative Exception, the signatory must be authorized by the Registered Business to do so.</p> <p>Evidence of authorization may include a Power of Attorney or similar in the case of legal persons.</p>
<p><b>Declaration</b></p>	
<p><b>Using this checklist will help you to make sure that you have completed the form correctly. Include any other forms and documents which we have asked you to send.</b></p>	



## 5. Submitting the VAT Administrative Exception Form

Once you have completed the VAT Administrative Exception Form, please send the soft copy (in editable PDF format) to the following email address along with the supporting documents.

[specialexceptions@tax.gov.ae](mailto:specialexceptions@tax.gov.ae)

VAT Administrative Exception Requests sent to other FTA email addresses will **not receive a reply**.

Accepted file types are PDF, JPG, PNG and JPEG. The total file size limit is **10 MB**.

## 6. Response from the FTA on your VAT Administrative Exception

It may take the FTA up to **40 business days** to decide on your VAT Administrative Exception request if it is in relation to Tax Invoices, Tax Credit Notes, Length of Tax Period, Stagger, Evidence to Prove Export of Goods.

It may take the FTA up to **20 business days** to decide on your VAT Administrative Exception request if it is in relation to Extending the Time for the Export of Goods.

**Note:** If your application is incomplete, or additional information is required, the FTA will ask you to provide the required / additional documentation. After re-submitting the complete application, it may take the FTA a further 40/20 business days to respond to your updated request for a VAT Administrative Exception.

The Approval or Rejection provided by the FTA is based on the facts provided by you at the time the VAT Administrative Exception Form is submitted.

The final response to your VAT Administrative Exception request will be in a decision format and you will receive it as an attachment in an email within 5 business days of the decision being made.



## 7. Updates and Amendments

No.	Date of amendment	Amendments made
1	March 2020	A new category of VAT Administrative Exception relating to “Evidence to prove export of goods” has been added.