

VAT registration procedures for Oman non-resident applicants: 16 April 2021

Legislation

Appointing a Responsible Person:

According to article (2) paragraph (4) of the Oman VAT Law:

Any person with no place of residence in the Sultanate must appoint a Responsible Person having a place of residence in the Sultanate.

Article (3) of the Oman VAT Executive Regulations states:

The Taxable Person shall upon registration, notify the Authority of the appointment of the Responsible Person on the form prescribed for such purposes. The notification shall include the following details and documents in relation to the Responsible Person:

- 1- Name.
- 2- Occupation.
- 3- Address.
- 4- Telephone number (work-mobile).
- 5- Email address.
- 6- A copy of the passport, the personal ID card or the residency card.
- 7- Any other details specified by the Authority.

The Taxable Person must notify the Authority of any change in the details and documents aforementioned in this article within ten (10) days from the occurrence of the changes, on the form prescribed for such purposes.

On VAT registration

The Oman VAT Law states at Article (57):

Every person who has no place of residence in the Sultanate, shall register with the Authority, and that is from the date on which he is obliged to pay the Tax in accordance with the provisions of this Law.

He may appoint a tax agent, after obtaining the approval of the Authority, and the tax agent will replace the person in all that is related to his tax liabilities and rights, and the Regulations shall determine the conditions and procedures to appoint the tax representative.

The Oman VAT Regulations go on to detail:

Article (111):

The person, who has no place of residence in the Sultanate and is required to register in application of the provisions of the Law, shall register as follows:

- 1- The person who has no place of residence in the Sultanate and has a place of residence in any of the GCC implementing States, shall submit a Registration Application in accordance with Article (120) of these Regulations within thirty (30) days from the date of meeting the conditions stipulated in Article (55) of the Law. The effective date of registration shall be determined in accordance with the provisions of Article (110) of these Regulations.
- 2- The person who has no have a place of residence in the Sultanate or in any of the

GCC implementing States, shall submit a Registration Application in accordance with Article (121) of these Regulations, twenty (20) days prior to the beginning of the month in which the first supply takes place. The effective date of Registration shall be the date of the first supply on which the Person is liable to pay Tax.

Article (112) goes on to state that:

The person who has no place of residence in the Sultanate may appoint a Tax Representative provided the following conditions are met:

- 1- The Tax Representative is appointed under a written and valid agreement.
- 2- The Tax Representative has a place of residence in the Sultanate.
- 3- The Tax Representative is registered for Tax in the Sultanate.
- 4- Any other conditions determined by the Authority.

Article (113) then says:

The application for appointing a Tax Representative shall be submitted to the Authority on the form prepared for such purpose, provided the application includes the following details and documents:

- 1- The name, address and Tax Identification Number of the Tax Representative.
- 2- The nature of the activity conducted by the Tax Representative.
- 3- A copy of the written agreement between the person and the Tax representative.
- 4- A copy of the commercial register for the Tax Representative.
- 5- Any other details or documents determined by the Authority.

Article (114) says:

The Authority shall decide on the application to appoint the Tax Representative within a period not exceeding thirty (30) days from the date on which the applicant submits all details and documents per Articles (112) and (113) of these Regulations, no reply within this period shall be considered a rejection of the application.

In the event the Authority approves the Tax Representative Registration application, the Tax Representative is granted a special Tax Identification Number in respect of the non-resident person.

In the event the Tax Representative ceases to represent the tax group for any reason, he must notify the Authority fifteen (15) days prior to the expiry date.

Registration procedures in cases where a Responsible Person resident in Oman or a Tax Representative are appointed:

Procedures for VAT registration at this stage include:

- Download and complete registration application form for non-resident persons available on Tax Portal
- State the Responsible Person or Tax Representative in the application, and attach proof of appointment
- Provide Omani bank account details (including full name and address of bank, identifying SWIFT or other codes)
- State value of taxable annual supplies in the registration application
- Submit the application via email attaching required documentation
- After final approval, the Tax Authority will send the successful registrant a username and password to access the account.

As an alternative option in cases where it is not possible to appoint a Responsible Person resident in Oman or appoint a Tax Representative:

A person with no place of residence in the Sultanate can register for VAT directly and specify a Responsible Person that is a related person. The applicant must also provide a copy of a bank guarantee or fiscal undertaking in favor of the Tax Authority.

The bank guarantee or fiscal undertaking must be issued from a bank in Oman in the name of the Tax Authority for a value not less than 5% of taxable annual supplies and valid for one year. In addition, the person must provide details of a bank account in Oman and pay the tax due in Omani Rials.

Procedures for VAT registration at this stage include:

- Download and complete registration application form for non-resident persons available on Tax Portal
- State the Responsible Person in the application, and attach proof of appointment and how he/she is related to the applicant
- Provide Omani bank account details (including full name and address of bank, identifying SWIFT or other codes)
- State value of taxable annual supplies in the registration application and amount of bank guarantee not less than 5% of taxable annual supplies
- Attach the bank guarantee issued by a bank in Oman which must be issued in the name of:

Tax Authority
P.O.Box: 285, Muscat, Postal Code: 100
Sultanate of Oman

- Submit the application via email attaching required documentation
- After final approval, the Tax Authority will send the successful registrant a username and password to access the account.