

1. What is Reverse VAT?

On 1 March 2021, HMRC introduced the Construction Services Domestic Reverse Charge known as “**Reverse VAT**” or “**Reverse Charge VAT**”.

This is a new way of collecting VAT from businesses that provide construction services within the scope of the [Construction Industry Scheme](#) (CIS), in an attempt to ensure the Government is recovering the correct amount of VAT from the construction sector.

The word ‘domestic’ in Construction Services Domestic Reverse Charge refers to work carried out within the UK.

This means that VAT is no longer paid to businesses in the supply chain for providing construction services **unless** they are providing those services directly to an End User.

Instead the responsibility for paying VAT to HMRC now sits with the business that receives the construction services.

2. Does Reverse VAT affect your business?

If your business is registered with the [Construction Industry Scheme](#) (CIS), Reverse VAT affects you.

Contractors working for other contractors will no longer receive VAT on the services they supply but will continue paying VAT to suppliers of plant and materials.

You may move from owing VAT to HMRC each quarter to being due a VAT repayment from HMRC each quarter. This could have a major impact on your cash flow!

- Cash that you may use to pay VAT on supplier invoices
- Cash that you may use as working capital
- Cash that will no longer be available under Reverse VAT

3. What is an End User?

An End User is usually the client which may be:

- A developer
- The final user or occupier of a building or structure
- Deemed “contractors” under CIS
- Domestic customers and consumers

In **Management Contracting** the business that is responsible for providing the building or structure to the End User is usually the main or tier 1 contractor.

In **Construction Management** the businesses responsible for providing the building or structure to the End User may be specialist contractors.

4. Commercial End Users

All businesses have the responsibility to confirm in writing to their suppliers that they are an End User and that VAT should be charged in the normal way.

Suppliers to commercial End Users should ensure they receive, and **keep a record of**, written confirmation from each End User on **each** project.

An example of suitable wording is:

We are an End User for the purposes of section 5 5 A VAT Act 1994 reverse charge for building and construction services. Please issue us with a normal VAT invoice, with VAT charged at the appropriate rate. We will not account for the reverse charge.

5. Domestic End Users

Domestic clients or consumers are not required to confirm their status as an End User and VAT should be charged in the normal way.

Suppliers to domestic End Users are advised to include a statement in their terms & conditions and invoices.

An example of suitable wording is:

We assume that you, the customer, is an End User for the purposes of section 5 5 A VAT Act 1994 reverse charge for building and construction services and we will charge VAT at the appropriate rate unless you inform us otherwise.

6. When did Reverse VAT begin?

Reverse VAT applies to **all** relevant invoices, authenticated tax receipts, or self-billing invoices dated on or after **1 March 2021**, regardless of when the contract for the construction services began or when the work was carried out.

Invoices dated up to 28 February 2021 should include the appropriate rate of VAT under the current system, which can be paid in full up until 31 May 2021.

Where a client or customer issues an authenticated tax receipt or self-billing invoice which is certified before 28 February 2021, it should include the appropriate rate of VAT under the current system which can be paid in full up until 31 May 2021.

If payment is made on or after 1 June 2021 and the work is subject to Reverse VAT under the new system, the invoice, authenticated tax receipt or self-billing invoice will need to be reissued.

7. The Previous VAT system

Until 1 March 2021, businesses with a turnover of more than £85,000 were required to register for, and charge, VAT on goods and services that they provided. You could register voluntarily if your business turnover was below £85,000 and you must have paid HMRC any VAT you owed from the date they registered you.

Everyone was obliged to pay the appropriate amount of VAT on the goods and services provided by any other business that was VAT registered and the company VAT number and amount of VAT charged should have been clearly shown on any invoices.

Businesses that are VAT registered and provide construction services to other contractors previously charged, and received, VAT on all payments.

Businesses that buy construction services from VAT registered businesses previously paid VAT on all payments.

At the end of each quarter, a VAT registered business submitted a VAT return to HMRC which showed the amount of VAT they had charged or received and the amount they had been charged or paid out.

The figures required to be shown depended on if a business operated cash accounting (where they only include cash actually received or paid) or standard VAT accounting (where they include VAT on invoices regardless of whether it has actually been received or paid).

The difference between the two figures determined if the business had to pay or receive money to HMRC which was usually due 1 month and 7 days after the end of the quarter.

8. The new Reverse VAT system

Since 1 March 2021, unless providing construction services to an End User, a business no longer receives VAT on construction services within the scope of CIS. End Users only pay out VAT on those construction services.

Businesses with a turnover of more than £85,000 are still required to register for VAT.

VAT is still applied at the appropriate rate, however where **construction services** are provided to anyone other than an End User, the **supplier** of those services no longer needs to account for the VAT element.

Invoices will show the value of the **construction services** provided and the VAT element must state that it is subject to Reverse VAT.

The **customer** of the construction services is then responsible, and must account for, the VAT element of these services in their VAT return.

9. Construction Services subject to Reverse VAT

You now have to apply the reverse charge if you supply any of these services at the standard or reduced rates that are reported under CIS:

- Constructing, altering, repairing, extending, demolishing or dismantling buildings or structures (whether permanent or not), including offshore installation services
- Constructing, altering, repairing, extending, demolishing of any works forming, or planned to form, part of the land, including (in particular) walls, roadworks, power lines, electronic communications equipment, aircraft runways, railways, inland waterways, docks and harbours
- Pipelines, reservoirs, water mains, wells, sewers, industrial plant and installations for purposes of land drainage, coast protection or defence
- Installing heating, lighting, air-conditioning, ventilation, power supply, drainage, sanitation, water supply or fire protection systems in any building or structure
- Internal cleaning of buildings and structures, so far as carried out in the course of their construction, alteration, repair, extension or restoration
- Painting or decorating the inside or the external surfaces of any building or structure
- Services which form an integral part of, or are part of the preparation or completion of the services described above – including site clearance, earth-moving, excavation, tunnelling and boring, laying of foundations, erection of scaffolding, site restoration, landscaping and the provision of roadways and other access works

10. What else does Reverse VAT apply to?

In addition, Reverse VAT applies:

- To plant hire services which include an operator
- To specialist contractors providing labour to fulfil a construction service
- To materials provided as part of any construction service.

If any of the services being supplied within a contract are subject to Reverse VAT then all other services within that same contract will also be subject to Reverse VAT.

If there is any doubt whether Reverse VAT applies to a construction service, if the supplier of the services is VAT registered and the payments are subject to CIS, Reverse VAT will apply.

This is a significant difference between CIS and Reverse VAT.

11. Services NOT subject to Reverse VAT?

- Drilling for, or extracting, oil or natural gas
- Extracting minerals (using underground or surface working) and tunnelling, boring, or construction of underground works, for this purpose
- Manufacturing building or engineering components or equipment, materials, plant or machinery, or delivering any of these to site
- Manufacturing components for heating, lighting, air-conditioning, ventilation, power supply, drainage, sanitation, water supply or fire protection systems, or delivering any of these to site
- The professional work of architects or surveyors, or of building, engineering, interior or exterior decoration and landscape consultants
- Making, installing and repairing art works such as sculptures, murals and other items that are purely artistic
- Signwriting and erecting, installing and repairing signboards and advertisements
- Installing seating, blinds and shutters
- Installing security systems, including burglar alarms, closed circuit television and public address systems

12. What else does Reverse VAT NOT Apply to?

Reverse VAT does also not apply:

- If you are providing construction services to an End User
- If you are providing materials or goods only
- To plant hire where an operator is NOT provided
- To employment businesses who supply staff and are responsible for paying the temporary workers they supply
- To payments by a joint venture to the construction firms providing staff to the joint venture project

13. Invoicing for Reverse VAT

Invoices for construction services which are subject to Reverse VAT must include:

- All the information that is required on a VAT Invoice – see [section 23. Information that must be included on Invoices](#)
- A note against the services provided where Reverse VAT applies and that the customer is required to account for the VAT. An example of suitable wording is:
Reverse Charge: Customer to pay the VAT to HMRC

If a credit note is issued for construction services subject to Reverse VAT it must include a note showing the VAT element. An example of suitable wording is:

Reverse Charge: Customer to account for the VAT adjustment to HMRC

Your accounting software may have a Reverse VAT option or you may need to upgrade to a new version that provides a Reverse VAT option.

14. Impact on Cash Flow - Tier 1 Contractors

Providing Construction Services to End Users

- Businesses that only, or mainly, work for End Users will continue to receive VAT for the construction services they provide to those End Users
- They will **not** pay VAT on any invoices received for construction services and will be responsible, and account for, the VAT element of those invoices
- They will continue to pay VAT on invoices for any non-construction services, plant and materials provided by VAT registered businesses

It is likely that cash flow in the short term will improve however VAT payments to HMRC at the end of each quarter will increase.

Businesses affected in this way are likely to be tier 1 contractors.

15. Impact on Cash Flow - Tier 2 Contractors

Businesses that usually work for other contractors will no longer receive VAT payments for any construction services provided.

They will **not** pay VAT on any invoices received for construction services and will be responsible, and account for, the VAT element of those invoices.

They will continue to pay VAT on invoices for any non-construction services, plant and materials provided by VAT registered businesses.

Businesses affected in this way are likely to be tier 2 contractors.

16. Impact on Cash Flow - Tier 2 Example 1

A £40 million turnover cladding contractor provides specialist construction services to a number of tier 1 contractors. The business employs few sub-contractors but purchases a significant amount of materials from VAT registered businesses.

It is likely that cash flow will be significantly negatively affected as the business will not be receiving VAT payments from its customers but will still be liable to pay VAT to its suppliers.

This business will probably become a repayment trader owed money from HMRC at the end of each quarter.

Businesses affected in this way are likely to be specialist contractors or sub-contractors that provide supply and fix construction services and employ a limited number of sub-contractors.

17. Impact on Cash Flow - Tier 2 Example 2

A £2 million turnover interior fit out company provides specialist construction services to a number of tier 1 and tier 2 contractors. The business employs numerous VAT registered sub-contractors and purchases a small amount of materials.

It is likely that cash flow will be slightly negatively affected as the business will not be receiving VAT payments from its customers but will not pay the VAT on construction services from its suppliers.

This business will probably become a repayment trader owed money from HMRC at the end of each quarter due to general business expenses.

Businesses affected in this way are likely to be specialist contractors or sub-contractors that may supply and fix but also employ sub-contractors.

18. Impact on Cash Flow - Tier 2 Example 3

A £200,000 turnover ground clearance contractor provides construction services to End Users, tier 1 and tier 2 contractors. The business makes very few payments to other VAT registered businesses.

It is likely that cash flow will be negatively affected as the business will not be receiving VAT payments.

VAT returns are likely to be Nil at the end of each quarter.

Businesses affected in this way are likely to be specialist contractors and sub-contractors that purchase a limited amount of materials and do not employ sub-contractors.

19. VAT Returns under Reverse VAT

Services provided or received under the normal accounting system should be included in VAT returns as usual.

Where services **provided** are subject to Reverse VAT:

- **Do not** include the VAT element in box 1 of the VAT return
- Include the net value of invoices issued in box 6

Where services **received** are subject to Reverse VAT:

- **Do** include the VAT element in box 1 of the VAT return
- **Do** include the VAT element in box 4 of the VAT return
- Include the net value of invoices received in box 7

The Cash Accounting Scheme cannot be used for the supply of services that are subject to the reverse charge as no VAT is actually paid by customers to suppliers.

Businesses can use the Cash Accounting Scheme for suppliers not subject to Reverse VAT, however it may be that there is no longer any benefit to cash flow and they may wish to withdraw from the scheme.

20. VAT Return Periods

The majority of businesses submit quarterly VAT returns.

Businesses that are regularly owed money by HMRC on their VAT return are considered 'repayment traders' and can move to monthly VAT returns which will speed up any payments due.

[Requests to move to monthly VAT returns should be made by signing into a VAT online account.](#)

HMRC will action requests promptly so a business should consider when would be the right time to make a request as VAT may be owed from the previous quarter's return.

Depending when the request is made there may be a 2 monthly return period and thereafter monthly returns or if the request is made at the end of a quarter, a quarterly return as usual and thereafter monthly returns.

A business that knows it will become a repayment trader after 1 March 2021 can apply at any time to move to monthly returns.

21. Enforcement

HMRC has stated that it will apply a light touch in dealing with any errors made in the first 6 months of the new legislation, as long as a business is trying to comply with the new legislation and has acted in good faith.

Any errors need be corrected as soon as possible, as the longer under declared or overcharged sums remain outstanding, the more difficult it may be to correct or recover them.

Penalties will only be considered if a businesses is deliberately taking advantage of the changes.

[HMRC has published guidance online VAT: domestic reverse charge for building and construction services.](#)

22. Checklist - Get Ready for Reverse VAT

- ✓ Identify which of your **contracts** will be subject to Reverse VAT:
 - Where you are supplying construction services to anyone other than an End User
 - Where a VAT-registered business is supplying you with construction services and you are not an End User
- ✓ Identify which of your clients are **End Users** and ask them to confirm this in writing
- ✓ Let your **commercial clients** know that you are aware of Reverse VAT and will invoice them as appropriate and remind them of your payment terms as cash flow will be increasingly important
- ✓ Update your terms and conditions for **domestic consumers**
- ✓ Contact your **sub-contractors and suppliers** of construction services to make sure they are aware of Reverse VAT and the impact it may have on their cash flow
- ✓ Check your **accounting systems and software** can deal with Reverse VAT
- ✓ Update your template **invoices** to refer to Reverse VAT where appropriate
- ✓ Consider the impact on your **cash flow** and if you need to take any action, including whether you should move to [monthly VAT returns](#). If you do opt for monthly VAT returns, you may not be able to revert to quarterly returns for 12 months
- ✓ Check you can log in to your [VAT online account](#)
- ✓ Ensure all your relevant **staff** are familiar with Reverse VAT and how it will operate

[Download the checklist.](#)

23. Information that must be included on Invoices

- A unique identification number
- Your company name (in full and for Limited companies as it appears on the certificate of incorporation), address and contact information
- The company name and address of the customer you are invoicing
- A clear description of what you are charging for
- The date the goods or service were provided (supply date)
- The date of the invoice
- The amount(s) being charged
- VAT amount if applicable
- The total amount owed
- Return to [section 13. Invoicing for Reverse VAT](#)

24. Using this Guide

This publication is issued by Build UK Group Limited (“Build UK”) in order to give general guidance only; if you require guidance on a specific issue, you should seek your own independent professional advice.

To the fullest extent permitted by applicable law, Build UK hereby expressly disclaims (on behalf of itself and of its directors, officers, employees, agents and contractors) any and all liability under any system of law for any loss or damage of any description incurred by any person (natural or corporate) at any time as a direct or indirect result of (a) any information (whether erroneous, inaccurate or otherwise) contained in or omitted from this publication, and/or (b) any action taken or omitted to be taken in reliance in whole or in part on any said information.

Copyright

All rights reserved. No part of this publication may be reproduced in any material form (including photocopying or storing it in any medium by electronic means, and whether or not transiently or incidentally to some other use of this publication) without the permission of the copyright owner except in accordance with the provisions of the Copyright, Designs and Patents Act 1988. Application for such permission should be addressed to Build UK Group Limited via info@BuildUK.org.

Warning: The doing of an unauthorised act in relation to a copyright work may result in both a civil claim for damages and criminal prosecution.

© **Build UK Group Limited 2020**