



**Africa regulatory ENSight**

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# Angola

sector	legislation	effective date/status	key points and impact
All	Presidential Decree No.227/18 - Legal Framework for Social Security Contributions for Employees	Issued on 27 September 2018 and will become effective from 26 December 2018.	<p>The decree:</p> <ul style="list-style-type: none"> <li>• repeals Decree No.38/08, of 19 June 2008;</li> <li>• extends the basis of the taxable amount for social security contributions;</li> <li>• exempts only the following from social security contributions;</li> <li>• vacation allowance;</li> <li>• family allowance and other social benefits paid by the employers; and</li> <li>• the amounts paid by employees and employers in the form of complementary social protection.</li> </ul>
Finance	Angola Central Bank (“BNA”) Instruction No.13/18	Issued on 19 September 2018 and will become effective on 20 October 2018.	<p>The instruction sets out:</p> <ul style="list-style-type: none"> <li>• procedures to be followed by banking and financial institutions when identifying the risk profile of their customers in relation to import and export transactions of goods; and</li> <li>• the measures for preventing money laundering and the financing of terrorism for high-risk customers.</li> </ul>

# Botswana

sector	legislation	effective date/status	key points and impact
Information and communications technology	Data Protection Act (No.32 of 2018)	Assented to on 3 August 2018.	<p>The Act:</p> <ul style="list-style-type: none"><li>• seeks to provide for the protection of personal data obtained in the processing of an individual's personal information to outline the incidences where personal data is deemed to be processed and the necessary security safeguards required in the processing of data;</li><li>• deals with the establishment of the Information and the Data Protection Commission as a public office and also sets out the functions of the Commission and makes provision for the officers of the Commission; and</li><li>• deals with the specific powers vested in the Commission in relation to processing of personal data, the requirements, criteria and principles for processing personal data, including ensuring personal data is collected fairly and lawfully, when necessary and that the appropriate safeguards are in place to protect the personal data collected.</li></ul>

# Cape Verde

sector	legislation	effective date/status	key points and impact
Agriculture	Law No.45/2018 Creating the National Animal Identification and Registration System ("SNIRA")	Issued in July 2018.	<p>The law:</p> <ul style="list-style-type: none"> <li>creates the National Animal Identification and Registration System (SNIRA);</li> <li>sets the rules for the identification, registration and movement of bovine, ovine, caprine and swine species; and</li> <li>establishes the legal regime governing group centres, traders and transporters of animals of the said species, regulating marking, identification, movement of bovine, ovine, caprine and swine species, as well as supervision, penalties, traders and transport requirements.</li> </ul>
All	Regulatory Decree No.7/2018 - Institution of the Single Social Registry ("SSR")	Issued on 20 September 2018.	The decree establishes the SSR as the one and only database to be used for the management of the Cape Verde's non-contributory benefits.
Tourism	Law No.75/VII/2010 Establishing the legal regime for special touristic areas	Issued in July 2018.	<p>The law:</p> <ul style="list-style-type: none"> <li>repeals Legislative Decree No.2/93 declaring specific areas as appropriate for tourism and Legislative Decree No.1/2005 establishing the competent authorities for tourism planning and special touristic areas management; and</li> <li>approves a new legal regime for the declaration and functioning of special touristic areas.</li> </ul>

# Djibouti

sector	legislation	effective date/status	key points and impact
All	Law No.207/AN/17/7thL On the promotion and protection of the rights of persons with special needs.	Issued on 6 February 2018.	The law: <ul style="list-style-type: none"><li>• seeks to guarantee and strengthen the fundamental rights and freedoms of persons with special needs by providing a legal definition of this category of persons; and</li><li>• sets out a policy for the promotion and protection of the rights of persons with special needs revolving around disability prevention, education and vocational training for people with special needs, employment of special needs persons, and socio-economic integration.</li></ul>

# Ghana

sector	legislation	effective date/status	key points and impact
Finance	Notice No.G/GOV/SEC/2018/16 Directives for forex bureaux in Ghana	Issued on 30 October 2018.	The notice determines that all: <ul style="list-style-type: none"><li>• purchases and sales of forex must be captured electronically and receipted accordingly by licensed forex bureaux;</li><li>• customers must provide valid national identification or other valid personal ID such as Voter's ID, Passport or Driver's Licence when engaging in forex transactions with forex bureau;</li><li>• licensed forex bureaux must submit the required monthly returns electronically to the Bank of Ghana within five working days after the end of the month; and</li><li>• licensed forex bureaux must complete and submit a licence renewal questionnaire two months before the expiration of the current licence.</li></ul>

# Mali

sector	legislation	effective date/status	key points and impact
Agriculture	Law No.2018-015 Instituting the warehouse receipt system in the agricultural sector in Mali	Issued on 30 April 2018.	The law defines the rules applicable to the warehouse receipt system in the agricultural sector in Mali.

# Mauritius

sector	legislation	effective date/status	key points and impact
Finance	Income Tax (Amendment of Schedule) (No.2) Regulations, 2018	Issued on 9 October 2018 and will become effective from 1 January 2019.	The regulations: <ul style="list-style-type: none"><li>• amend Part II of Schedule 2 (Exempt Income) of the Income Tax Act; and</li><li>• relate to exempt income and, in particular, income derived from dividends, interest, royalties and certain miscellaneous provisions.</li></ul>



# Mozambique

sector	legislation	effective date/status	key points and impact
Finance	Decree No.51/2018 - Amendments to the Personal Income Tax Code Regulations	Issued on 31 August 2018 and came into force on the same day.	<p>The decree:</p> <ul style="list-style-type: none"><li>repealed articles 5 (Income from employment), 11 (Exemption from submission of tax returns), 12 (Married taxpayers) and 16 (Matrimonial society – Sociedade conjugal) of Decree No.8/2008 of 16 April, amended by Decree No.56/2013 of 27 November; and</li><li>amends the deadline for submission of tax returns for personal income tax purposes, establishing the tax return for all categories, except the income from employment and the ones taxed by way of final flat rate, must be submitted from 1st January to 30 April.</li></ul>

# Namibia

sector	legislation	effective date/status	key points and impact
Finance	Standard issued under the Micro lending Act, 2018	Gazetted on 24 October 2018.	<p>This standard:</p> <ul style="list-style-type: none"> <li>• is applicable to any person who conducts, or intends to conduct, business as a micro lender in Namibia;</li> <li>• relates to the application for: <ul style="list-style-type: none"> <li>• registration as a micro lender;</li> <li>• the change of name;</li> <li>• purchase, amalgamation or transfer of micro lending business; and</li> <li>• the opening of additional micro lending branches.</li> </ul> </li> </ul>
Power	Distribution Grid Code: Electricity Act, 2007	Gazetted on 9 October 2018.	<p>The objectives of code are to:</p> <ul style="list-style-type: none"> <li>• establish the rules and procedures that allow a person to use the power system and to permit the power system to be planned and operated safely, reliably, efficiently and economically;</li> <li>• be objective, transparent, non-discriminatory and consistent with Government policy;</li> <li>• define the obligations and accountabilities of all the parties;</li> <li>• specify minimum technical requirements for the distribution system; and</li> <li>• ensure that relevant information is made available.</li> </ul>

# Nigeria

sector	legislation	effective date/status	key points and impact
Finance	New Rule and Sundry Amendments to the Rules and Regulations of the Commission	Issued on 19 October 2018.	The rules and amendments: <ul style="list-style-type: none"><li>• introduce new rules on green bonds;</li><li>• includes a Bank Verification Number as a valid means of identification of individual clients in the capital markets;</li><li>• introduces rules on Investment Advisory Services;</li><li>• amends Rule 61 on nominee accounts; and</li><li>• amends Rule 96 &amp; 97 on Investment Advisers.</li></ul>
Finance	Executive Order (008) for the introduction of the Voluntary Offshore Assets Regularization Scheme ("VOARS")	Became effective from 8 October 2018.	The VOARS: <ul style="list-style-type: none"><li>• obliges Nigerian taxpayers with offshore assets and income for which no taxes have been paid to voluntarily disclose and regularize the payment of the tax on these assets; and</li><li>• will be open for 12 months.</li></ul>

# Rwanda

sector	legislation	effective date/status	key points and impact
All	Law No.58/2017 Regulating the warehouse receipt system	Issued on 21 January 2018.	The law governs the granting of a warehouse receipt operator license; the warehouse receipt; the activities of a warehouse operator (receiving commodities, warehousing and delivery of commodities, and the warehouse operator's right to commodities) as well as administrative penalties.

# Sao Tome and Principe

sector	legislation	effective date/status	key points and impact
Health	Law No.09/2018 (Health Basic Law)	Issued in June 2018.	The law approves the Basic Law on Health which underlines the constitutional dignity of the right to health protection enshrined in the Constitution of São Tomé and Príncipe.

# Seychelles

sector	legislation	effective date/status	key points and impact
Finance	Business Tax (Amendment of Second Schedule) Regulations, 2017	Gazetted on 5 January 2018.	The regulations: <ul style="list-style-type: none"><li>• amend the Second Schedule to the Business Tax Act; and</li><li>• lists entities that are exempt from business tax.</li></ul>
Information and communications technology	Access to Information Act, 2018	Assented to on 20 July 2017 and commenced on 24 July 2018.	The Act seeks to foster: <ul style="list-style-type: none"><li>• good governance through enhancing transparency, accountability, integrity in public service and administration, and</li><li>• participation of persons in public affairs, including exposing corruption, to recognise the right of access to information envisaged in Article 28 of the Constitution.</li></ul>

# Uganda

sector	legislation	effective date/status	key points and impact
Finance	Bank of Uganda Guidelines for the licensing and operation of Forex Bureaus and Money Remittance Companies, 2018	Issued in October 2018.	<p>The objective of these guidelines is to:</p> <ul style="list-style-type: none"><li>• clearly show the process that applicants are expected to follow when seeking foreign exchange and money remittance licences;</li><li>• explicitly lay out the detailed licensing requirements that must be submitted in support of a forex bureau or money remittance licence application;</li><li>• serve as a point of reference for potential applicants and other stakeholders;</li><li>• streamline the licensing process by offering a reference point for examiners during the licensing process; and</li><li>• guide forex bureau and money remittance proprietors in meeting their compliance obligations.</li></ul>

# Zambia

sector	legislation	effective date/status	key points and impact
Health	The National Health Insurance Act, 2018	Assented to on 9 April 2018.	<p>The Act:</p> <ul style="list-style-type: none"><li>• provides for sound financing for the national health system;</li><li>• provides for a universal access to quality insured health care services;</li><li>• establishes the National Health Insurance Management Authority and provide for its functions and powers;</li><li>• establishes the National Health Insurance Scheme and provide for its systems, procedures and operation;</li><li>• establishes the National Health Insurance Fund and provide for contributions to and payments from the Fund;</li><li>• provides for accreditation criteria and conditions in respect of insured health care services;</li><li>• provides for complaints and appeals processes; and</li><li>• provides for the progressive establishment of provincial and district health offices of the Authority.</li></ul>



# Zimbabwe

sector	legislation	effective date/status	key points and impact
Finance	Finance (Rate and Incidence of Intermediated Money Transfer Tax) Regulations, 2018	Gazetted on 12 October 2018 and became effective on 13 October 2018.	<p>The regulations:</p> <ul style="list-style-type: none"> <li>• amend section 22G Cap. 23:04 of the Finance Act and the Thirtieth Schedule to the Income Tax, and</li> <li>• note that the intermediated money transfer tax chargeable in terms of section 36G of the Taxes Act shall be calculated at the rate of zero comma zero two United States dollars on every dollar transacted for each transaction on which the tax is payable.</li> </ul>
Power	Electricity (Inefficient Lighting Products Ban and Labelling) (Amendment) Regulations, 2018 (No. 1)	Gazetted on 19 October 2018.	<p>The regulations:</p> <ul style="list-style-type: none"> <li>• amend the Electricity (Inefficient Lighting Products Ban and Labelling) Regulations, 2017; and</li> <li>• determine that the use and possession of incandescent bulbs certain fluorescent lamps and other inefficient lighting products is a criminal offence, subject to both civil and criminal penalties.</li> </ul>

The information provided herein is intended to provide a general overview, and is not an exhaustive list of all legislative developments across Sub-Saharan Africa. For more information, please contact [info@ENSafrica.com](mailto:info@ENSafrica.com)