

# Africa regulatory ENSight

2019 | 9



# Angola

| sector  | legislation  | effective date/status  | key points and impact  |
|---------|--|--|--|
| Finance | Law No. 17/19, amending the Value Added Tax Code                                   | Approved by the National Assembly on 13 August 2019, to enter into force on 1 October 2019 | <p>The law amends the Value Added Tax (VAT) and provides <i>inter alia</i> that:</p> <ul style="list-style-type: none"> <li>• the VAT rate applicable to the transitory regime will be 3%;</li> <li>• a declaration of commencement of activity must be submitted within 30 days from the publication of Law 17/19 (i.e. by 12 September 2019); and</li> <li>• VAT exemptions are extended to health and education services.</li> </ul>  |
| Finance | Law No. 18/19, amending the Excise Duty Code                                       | Approved by the National Assembly on 13 August 2019, to enter into force on 1 October 2019 | <p>The law amends the Excise Duty Code and provides <i>inter alia</i> that:</p> <ul style="list-style-type: none"> <li>• the scope of Excise Duty has been extended to include motor vehicles, plastic bags and straws, and retreaded pneumatic tyres; and</li> <li>• returns are to be filed electronically.</li> </ul>   |
| Mining  | Presidential Decree No. 208/19, Rules on the Angolan oil and gas downstream sector | Published on 1 July 2019   | <p>The decree:</p> <ul style="list-style-type: none"> <li>• revokes Presidential Decree No. 132/13, of 5 September 2013;</li> <li>• establishes a new legal regime on the refining, imports, reception, supply, storage, transportation, distribution, trade and exports of petroleum products (but excludes activities of distribution and trade of natural gas); and</li> <li>• introduces rules and procedures applicable to public service obligations and to the planning and licensing of facilities in the oil derivatives sector.</li> </ul> |

# Kenya

| sector  | legislation                                     | effective date/status | key points and impact   |
|---------|---|-----------------------|---|
| Finance | The Warehouse Receipt System Act, No. 8 of 2019 | Effective 2 July 2019 | <p>The act provide a legal framework for the development and regulation of a:</p> <ul style="list-style-type: none"><li>• warehouse receipt system for agricultural commodities and;</li><li>• the establishment of the Warehouse Receipt System Council.</li></ul> |

# Mozambique

| sector  | legislation  | effective date/status    | key points and impact  |
|---------|--|--------------------------|--|
| Finance | Ministerial Order No. 51/2019, approving the Customs Clearance of Goods Regulation | Published on 24 May 2019 | <p>The regulation:</p> <ul style="list-style-type: none"> <li>establishes rules governing the customs clearance of goods, merchandise, values and means of transport; and</li> <li>regulates special customs regimes, simplified import and export dispatch systems, customs debt guarantees and other procedures.</li> </ul>  |
| ICT     | Decree No. 59/2019, on the Mozambique Digital Certification System (SCDM)          | Effective 3 July 2019    | <p>The decree:</p> <ul style="list-style-type: none"> <li>intends to ensure a safe electronic environment, with the SCDM applying to public and private physical and legal persons, providing for an electronic trust system that allows: <ul style="list-style-type: none"> <li>execution of electronic transactions;</li> <li>safe authentication and;</li> <li>authenticity, integrity, confidentiality and legal validity of electronic signatures in electronic transactions or documents.</li> </ul> </li> </ul>   |
| Energy  | Decree No. 54/2019, Statutes of the National Atomic Energy Agency                  | Effective 14 June 2019   | <p>The decree:</p> <ul style="list-style-type: none"> <li>approves The Organizational Charter of the National Atomic Energy Agency (NAEA) as the regulatory authority for the atomic energy sector; and</li> <li>determines that the NAEA will be responsible for overseeing activities which may result in radioactive emissions and radioactive waste, as well as ancillary activities related to the use of sources of ionizing radiation, materials, devices and radioactive substances across all economic sectors in both private and public sectors.</li> </ul> |

# Namibia

| sector  | legislation  | effective date/status      | key points and impact   |
|---------|--|----------------------------|---|
| Banking | Determination under the Banking Institutions Act 2 of 1998 (Government Gazette 6981 of 28 August 2019) | Effective 1 September 2019 | The determination: <ul style="list-style-type: none"><li>• repeals the Determination on Minimum Liquid Assets (BID-6), gazette on 18 December 2014;</li><li>• applies to all banking institutions authorised to conduct business in Namibia;</li><li>• specifies the minimum requirements for a banking institution's liquidity management strategy; and</li><li>• introduces reporting and submission requirements of statutory returns.</li></ul> |
| Finance | Customs And Excise Act 20 of 1998 (Government Gazette 6967)  | Effective 2 August 2019    | The gazette amends schedule No. 1 of Customs and Excise Act   |

# Zimbabwe

| sector  | legislation               | effective date/status                  | key points and impact  |
|---------|---------------------------|--|--|
| Finance | Finance (No. 2) Act, 2019 | Enacted by parliament on 1 August 2019 | The act introduces various amendments to tax legislation, including: <ul style="list-style-type: none"><li>• new individual income tax thresholds and rates;</li><li>• new mining royalty rates;</li><li>• amendments to the thin capitalisation rules in respect of loans contracted by public entities; and</li><li>• amendments to the intermediated money transfer tax regime.</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)