



Africa regulatory ENSight

2021 | 01



***Coronavirus (COVID-19) regulatory measures**



Multiple African jurisdictions

Tax	ENSAfrica: Africa Tax in Brief	Published on 3 December 2020.	For more detail on the latest tax developments across Africa, please refer to the ENSAfrica Tax ENSight .
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Angola

sector	measure	effective date/status	key points and impact
Immigration	Executive Decree No. 3/21 of 5 January 2021	Effective from 5 January 2021.	<p>The Executive Decree determines that:</p> <ul style="list-style-type: none"> documents relating to the residence of foreign nationals in Angola, including residence permits, refugee cards, investor visas, work visas, short-stay visas and study visas, which expired from 28 February 2020, are considered valid until 28 February 2021. This applies only to foreign citizens absent from the national territory; and certain other visas, including short-stay visas and tourist visas, which expired from February 2020 and whose holders have not been able to leave as a result of the COVID-19 pandemic, are also extended until 28 February 2021. These citizens are required to voluntarily leave the national territory whenever circumstances permit, being exempt from paying a fine for failure to renew residence permits or visas.
Applies to multiple sectors	Presidential Decree No. 10/21 (Exceptional and temporary measures in force during the Situation of Public Calamity) of 8 January 2021	Effective from 11 January 2021.	<p>The Presidential Decree:</p> <ul style="list-style-type: none"> repeals Presidential Decree No. 314/20 (Measures to prevent and control the spread of SARS-COV-2 virus and COVID-19) of 11 December; and updates the exceptional measures for the prevention and control of the spread of the SARS-CoV-2 virus and COVID-19, as well as the rules for the operation of public and private services, social and other activities for the duration of the Situation of Public Calamity, in force until 9 February 2021.

Angola

sector	measure	effective date/status	key points and impact
Applies to multiple sectors	Joint Executive Decree No. 23/21 of 15 January 2021	Effective from 15 January 2021.	<p>The Joint Executive Decree, <i>inter alia</i>:</p> <ul style="list-style-type: none"> repeals Joint Executive Decree No. 362/20 of 24 December, which suspended from 00:00 on 26 December, air, land and sea passenger transport from South Africa, Australia, Nigeria and the United Kingdom; and temporarily suspends scheduled air passenger connections with South Africa, Portugal and Brazil from 00:00 on 24 January 2021, with a view to avoiding, as far as possible, the importation of cases of the new variants of SARS-CoV-2 VUI 202012/01.

Botswana

sector	measure	effective date/status	key points and impact
Applies to multiple sectors	Emergency Powers (COVID-19) Regulations (Cap. 22:04 (Sub. Leg.)): Restriction on Movement Extension, Government Notice No. 48 of 2021	Published in the Botswana Extraordinary Government Gazette, Volume LIX, No. 7 on 29 January 2021.	<p>The Government Notice:</p> <ul style="list-style-type: none"> • extends the restriction on the movement of all persons, with the exception of essential service providers with the requisite permits, between 20:00 and 04:00 daily from 31 January 2021 to 28 February 2021; and • suspends the sale of liquor and the consumption of liquor in public places, from 31 January 2021 to 28 February 2021.

Cape Verde

sector	measure	effective date/status	key points and impact
Applies to multiple sectors	Resolution No. 166/2020 of 14 December 2020	Effective from 15 December 2020.	The Resolution amends Resolution No. 138/2020 of 12 October, authorising commercial passenger air and sea traffic to and from Cape Verde with effect from 00:00 on 12 October 2020, in relation to Reverse Transcription Polymerase Chain Reaction (“RT-PCR”) tests.
Applies to multiple sectors	Resolution No. 169/2020 of 14 December 2020	Effective from 15 December 2020.	The Resolution: <ul style="list-style-type: none"> • extends the situation of calamity on the island of Fogo and the other islands of the archipelago; • decrees the contingency situation on the island of Santiago; • authorises the use of antigen tests (“Ag-RDT”) for the detection of the SARS-CoV-2 virus; and • redefines the criteria for mandatory screening and testing on inter-island voyages.
Health	Resolution No. 171/2020 of 18 December 2020	Effective from 19 December 2020.	The Resolution provides for the establishment of the National Coordination Commission for the introduction of the vaccine against COVID-19 (“CNC”), whose mission is to plan, coordinate, supervise and evaluate the implementation of actions related to the introduction of the vaccine against COVID-19, in the national territory.
Insurance	Decree-Law No. 85/2020 of 18 December 2020	Effective from 19 December 2020 to 31 March 2021.	The Decree-Law establishes an exceptional and temporary regime, within the context of the COVID-19 pandemic, concerning the payment of the insurance premiums and the effects of the temporary decrease in risk on insurance contracts arising from a significant reduction or suspension of activity.

Cape Verde

sector	measure	effective date/status	key points and impact
Applies to multiple sectors	Joint Ordinance No. 77/2020 of 30 December 2020	Effective from 31 December 2020.	The Joint Ordinance amends Joint Ordinance No. 51/2020 of 23 September, which establishes the fixed Reverse Transcription Polymerase Chain Reaction (“RT-PCR”) test price for the identification of SARS-CoV-2, to be applied by the Public Health Service, for international travel, by providing that the price of RT-PCR tests is CVE6 500.
Labour / Employment	Law No. 113/IX/2021 (Amendment of the Simplified Regime for the Suspension of Employment Contracts) of 8 January 2021	Effective from 9 January 2021.	The Law amends Law No. 97/IX/2020 of 23 July, which establishes the exceptional and temporary measures of job protection within the COVID-19 pandemic, through the simplified employment contract suspension regime, to provide, <i>inter alia</i> , that: <ul style="list-style-type: none"> • the Law applies to employers of a private nature and to their workers, in the tourism sector, events and related activities; • the regime provided for in the Law shall apply until 31 March 2021; and • the employer may suspend the employment contract of all or some workers, on the basis of market economic difficulties, or economic reasons arising from the epidemiological situation caused by COVID-19, provided that it has had an abrupt and sharp drop of at least 70% of its invoicing.
Applies to multiple sectors	Resolution No. 4/2021 of 15 January 2021	Effective from 16 January 2021, for 30 days.	The Resolution decrees a situation of calamity on the island of São Vicente and contingency on the island of Fogo, and extends this same situation on the other islands of the archipelago.

Mozambique

sector	measure	effective date/status	key points and impact
Applies to multiple sectors	Decree No. 1/2021 (Revision of measures to contain the spread of COVID-19) of 13 January 2021	Effective from 15 January 2021 to 5 February 2021.	<p>The Decree:</p> <ul style="list-style-type: none"> • repeals Decree No. 110/2020 of 18 December; • reviews and determines the measures to contain the spread of COVID-19 for the duration of the Situation of Public Calamity, including the use of masks and/or visors, frequent washing of hands with soap, and social distancing; and • provides that the Situation of Public Calamity and the Red Alert decreed in Article 1 of Decree No. 79/2020 of 4 September remain in force.

Namibia

sector	measure	effective date/status	key points and impact
Tax	Media Release: Electronic Filing Tax Relief Programme for Outstanding Taxes	Issued on 4 November 2020 by the Ministry of Finance.	<p>The Media Release:</p> <ul style="list-style-type: none"> • provides for relief to taxpayers with outstanding balances, with effect from 1 February 2021; and • notes that the relief is aimed at supporting Namibian citizens and businesses facing hardship and cash flow problems exacerbated by COVID-19. <p>Please refer to the ENSAfrica Tax ENSight for further detail.</p>

Rwanda

sector	measure	effective date/status	key points and impact
Tourism	Public Notice on Tourism	Issued on 20 January 2021 by the Rwanda Development Board ("RDB").	<p>The Notice:</p> <ul style="list-style-type: none"> • requires: <ul style="list-style-type: none"> • a strict adherence to COVID-19 prevention guidelines; • COVID-19 negative test results for tourists prior to travels within Kigali and other provinces; • tourism service providers to facilitate the movement of tourists and inform the RDB about the itineraries of the same; and • tourists and tourism service providers to have movement clearance prior to starting their travels; and • prohibits hotels from hosting meetings and conferences except upon written approval from RDB.

Seychelles

sector	measure	effective date/status	key points and impact
Banking / Finance	Communiqué No. 1 of 2021	Issued on 5 January 2021 by the Financial Intelligence Unit (“FIU”).	<p>The Communiqué, in view of the recent developments of the COVID-19 pandemic in Seychelles and the measures being implemented by the Ministry of Health:</p> <ul style="list-style-type: none"> • provides that, as of 4 January 2021, the FIU has implemented critical changes to its operations which will allow it to continue with its operations without undue disruptions; and • advises stakeholders and reporting entities to submit all documents, information, requests for information and Suspicious Transactions Reports (“STRs”) via email through the procedures provided for in the Communiqué.
Applies to multiple sectors	Orders published under the Public Health (Infectious Diseases) Regulations, 1960: Public Health Act, 2015	Published on 24 January 2021 by the Ministry of Health.	<p>The Infectious Disease (Prohibition of Outdoor Movement) Order, 2021 provides that no person within Seychelles shall be in a vehicle, vessel or at any public or private place, outside of the person’s place of residence, between 20:00 and 04:00 from Saturday, 23 January 2021 to 15 February 2021, subject to specified exceptions.</p> <p>The Infectious Disease (Prohibition of Public Assemblies), Order, 2021 prohibits outdoor and indoor public assemblies in Seychelles from 20:00 on 23 January 2021 until further notice, subject to specified exceptions.</p> <p>The Infectious Disease (Prohibition of Public Assemblies) (Restriction on activities and operation of establishments, trade premises and shops) (No. 3) Order, 2021 sets out prohibitions or restrictions that apply in respect of activities and the operation of establishments, trade premises and shops from 20:00 on 23 January 2021 to 04:00 on 15 February 2021.</p>



Seychelles

sector	measure	effective date/status	key points and impact
Applies to multiple sectors	Orders published under the Public Health (Infectious Diseases) Regulations, 1960: Public Health Act, 2015 ... <i>Continued</i>	Published on 24 January 2021 by the Ministry of Health.	<p>The following Orders are repealed:</p> <ul style="list-style-type: none"> • Infectious Disease (Prohibition of Public Assemblies) Order, 2021 (Gazette Notice No. 1 of 2021); and • Infectious Disease (Prohibition of Public Assemblies) (Restriction on activities and operation of establishments, trade premises and shops) (No. 2) Order, 2021 (Gazette Notice No. 20 of 2021).

Zimbabwe

sector	measure	effective date/status	key points and impact
Applies to multiple sectors	Amendment to the Public Health (COVID-19 Prevention, Containment and Treatment) Regulations, 2020, Statutory Instrument No. 77 of 2020 (the “ Principal Regulations ”)	Published in the Supplement to the Zimbabwean Government Gazette Extraordinary on various dates.	<p>The Public Health (COVID-19 Prevention, Containment and Treatment) (Amendment) Regulations, 2020 (No. 5), Statutory Instrument No. 314 of 2020, published in the Supplement to the Zimbabwean Government Gazette Extraordinary on 31 December 2020, amend section 3 of the Principal Regulations to provide that the declaration of COVID-19 as a formidable epidemic disease has effect until such time as the Minister, by General Notice in the Gazette, terminates the declaration.</p> <p>See the consolidated version, produced by Veritas, of the Principal Regulations – amended as at 31 December 2020: http://www.veritaszim.net/node/4659.</p>
Applies to multiple sectors	Amendments to the Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (No. 2) Order, 2020, Statutory Instrument No. 200 of 2020 (the “ Principal Order ”)	Published in the Supplement to the Zimbabwean Government Gazette Extraordinary on various dates.	<p>The Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (No. 2) (Amendment) Order, 2021 (No. 9), Statutory Instrument No. 10 of 2021, published in the Supplement to the Zimbabwean Government Gazette Extraordinary on 2 January 2021, sets a curfew beginning at 18:00 and ending at 06:00.</p> <p>See the consolidated version of the COVID-19 National Lockdown Order, produced by Veritas - as amended up to and including amendments made by SI 208/2020, SI 216/2020, SI 217/2020, SI 223/2020, SI 239A/2020, SI 282/2020, SI 287/2020, SI 299A/2020, SI 10/2021, SI 11/2021 and SI 13/2021: http://www.veritaszim.net/node/4695.</p>

Zimbabwe

sector	measure	effective date/status	key points and impact
Applies to multiple sectors	Public Health Lock-down Order: Extension of Lock-down	Issued on 29 January 2021 by Acting President of the Republic of Zimbabwe and Minister of Health and Child Care, General (Rtd) Dr C.G.D.N Chiwenga.	The Order provides that the lockdown has been extended until the 15 February 2021.

* This a non-exhaustive list of recent regulatory measures aimed at mitigating the impact of COVID-19. Please note that the COVID-19 measures may be subject to amendments made prior to publication of this Issue.

legislation



Multiple African jurisdictions

sector	legislation	effective date/status	key points and impact
Tax	ENSafrica: Africa Tax in Brief	Published on 3 December 2020.	For more detail on the latest tax developments across Africa, please refer to the ENSafrica Tax ENSight .

Angola

sector	legislation	effective date/status	key points and impact
Maritime / Aviation	Joint Executive Decree No. 270/20 (Legal Regime of the Access Fee to the International Zone of Ports and Airports) of 24 November 2020	Effective from 24 November 2020.	<p>The Joint Executive Decree:</p> <ul style="list-style-type: none"> repeals all legislation contrary to its provisions; and approves the legal regime applicable to the fee charged by the Migration and Foreigners Service (“EMS”) for authorisation to access the International Zone of Ports and Airports. The fee, applicable to all natural and legal persons, is set at AOA10 000.
Insurance	Executive Decree No. 295/20 (Amendment and derogation from the Regulation on the Conditions of Access and Operation of the Insurance Activity) of 30 November 2020	Effective from 30 November 2020.	<p>The Executive Decree amends the Regulation on the Conditions of Access and Operation of the Insurance Activity, approved by Executive Decree No. 5/03 of 24 January by:</p> <ul style="list-style-type: none"> repealing the articles on Mutual Insurance, Minimum Share Capital and Collection Premiums; amending provisions relating to the coverage of risks, the notice for payment of subsequent premiums or fractions and the effects of non-payment; and adding an article on the scope of the amended articles.
Labour / Employment	Executive Decree No. 296/20 (Amendment of Operating Standards for Pension Fund Management Entities) of 30 November 2020	Effective from 30 November 2020.	<p>The Executive Decree:</p> <ul style="list-style-type: none"> amends the Operating Standards for Pension Fund Management Entities, approved by Executive Decree No. 16/03 of 21 February on Contribution Fees; and requires pension fund management companies authorised to operate in Angola to pay a fixed contribution rate on an annual basis to the Angolan Insurance Regulation and Supervision Agency (and not <i>the Instituto Superior de Seguros</i>). The rate is set at 0.25% of the total contributions processed in respect of the accounting year of the previous annuity.

Angola

sector	legislation	effective date/status	key points and impact
Energy	Presidential Decree No. 307/20 (Terms of the Investment Regulations of Petroleum Concessions in the Angolan Sovereign Debt) of 2 December 2020	Effective from 3 December 2020.	<p>The Presidential Decree:</p> <ul style="list-style-type: none"> • approves the terms of the Investment Regulations for Abandonment Funds of Petroleum Concessions in the Angolan Sovereign Debt, covering the principles, guidelines and appropriate financial mechanisms for the investment of 5% to 15% of the abandonment funds in the sovereign debt of Angola; • grants the Ministerial Departments of Public Finance and of Mineral Resources, Petroleum and Gas the powers to sign the Regulations in representation of the Republic of Angola, and to implement the principles, guidelines and financial mechanisms set out in the Regulations; and • authorises the National Concessionaire to conduct all acts required or deemed appropriate to implement the Regulations.
Applies to multiple sectors	Presidential Decree No. 313/20 (National Development Plan 2018-2022 - Revised) of 10 December 2020	Effective from 10 December 2020.	The Presidential Decree provides for the adoption of the revised National Development Plan (“NDP”) 2018-2022, with a view to adapting it to the current national and international socioeconomic context.
Energy	Joint Executive Decree No. 331/20 (Rules and Procedures for Fixing and Revising the Prices of Crude Oil and Natural Gas Products) of 16 December 2020	Effective from 16 December 2020.	The Joint Decree approves the rules and procedures for fixing and revising the prices of crude oil and natural gas products, which apply to crude oil refining activities, as well as the import, logistics, distribution and marketing of products derived from crude oil and natural gas throughout the national territory.

Angola

sector	legislation	effective date/status	key points and impact
Banking / Finance	Law No. 40/20 (Angola Payment System Law) of 16 December 2020	Effective from 16 December 2020.	The Law: <ul style="list-style-type: none"> repeals Law No. 5/05 (Angola Payment System Law); and approves the Angola Payment System Law, which establishes the legal regime applicable to the supervision, regulation, management and operation of the Angolan Payment System.
Pharmaceutical	Presidential Decree No. 315/20 (Regulation of the Registration of Medicinal Products) of 17 December 2020	Effective from 17 December 2020.	The Presidential Decree approves the Regulation of the Registration of Medicinal Products, which establishes the registration of locally manufactured or imported medicinal products for human use, and the issuance of the National Marketing Authorisation Certificate.
Corporate / Commercial	Presidential Dispatch No. 181/20 of 18 December 2020	Effective from 19 December 2020.	The Presidential Dispatch authorises the privatization, through an Initial Public Offering (“IPO”), of the shareholding of 51% of the capital that the state holds indirectly in SONALGALP - Sociedade de Distribuição de Combustíveis, Limitada, through Sonangol Holdings.
Corporate / Commercial	Presidential Dispatch No. 182/20 of 18 December 2020	Effective from 19 December 2020.	The Presidential Dispatch authorises the privatization, through an IPO, of the shareholding of 20% of the capital that the state holds indirectly in Mota Engil Angola, S.A., through Sonangol Holdings.
Corporate / Commercial	Presidential Dispatch No. 184/20 of 21 December 2020.	Effective from 22 December 2020.	The Presidential Dispatch authorises the privatization, through an IPO, of the shareholding of 49.27% of the capital that the state holds indirectly in TV Cabo Angola, Limitada, through ANGOLA TELECOM - E.P.
Corporate / Commercial	Presidential Dispatch No. 185/20 of 21 December 2020.	Effective from 22 December 2020.	The Presidential Dispatch authorises the privatization, through an IPO, of the shareholding of 90% of the capital that the state holds indirectly in Multitel, Limitada, through PT Ventures (Sonangol) with 40%, Angola Telecom – EP with 30% and Banco de Comércio e Indústria with 20%.



Angola

sector	legislation	effective date/status	key points and impact
Applies to multiple sectors	Law No. 41/20 (Public Procurement Law) of 23 December 2020	Effective from 22 January 2021.	<p>The Law:</p> <ul style="list-style-type: none"> repeals Law No. 9/16 (Public Procurement Act) of 16 June; and approves the Public Procurement Law, which establishes the legal regime for the formation and execution of public contracts for public works, leasing or acquisition of movable property and the acquisition of services concluded by a contracting public entity.
Real estate	Presidential Decree No. 320/20 (Licensing and Registration Regulations for the Exercise of Real Estate Brokerage and Real Estate Agency Activities) of 24 December 2020	Effective from 24 December 2020.	<p>The Presidential Decree:</p> <ul style="list-style-type: none"> approves the Licensing and Registration Regulations for the Exercise of Real Estate Brokerage and Real Estate Agency Activities; sets out the general requirements and procedures relating to access to property brokerage and real estate agency activities; provides for the procedure for accessing, maintaining and cancelling registration for engagement in said activities; accords natural or legal persons currently engaged in property brokerage and real estate agency activities a period of 120 days to request licensing or registration, and to bring their activities in line with the requirements of the new Regulations; and sets out the applicable fees and penalties.
Corporate / Commercial	Presidential Dispatch No. 186/20 of 29 December 2020	Effective from 30 December 2020.	The Presidential Dispatch authorises the privatization, through a Limited Tender by Prior Qualification, of 51% of the capital held by MS – TELCOM in NET ONE - Telecomunicações, S.A.

Angola

sector	legislation	effective date/status	key points and impact
Maritime	Presidential Decree No. 326/20 (Creation of the Regulatory Agency for the Certification of Cargo and Logistics of Angola) of 29 December 2020	Effective from 29 December 2020.	<p>The Presidential Decree:</p> <ul style="list-style-type: none"> • repeals: <ul style="list-style-type: none"> • Presidential Decree No. 35/17 of 24 February, which approved the Organic Statute of the Lobito Corridor Office; • Presidential Decree No. 330/14 of 30 December, which approved the Organic Statute of the National Council of Shippers; • Decree No. 16/88 of 23 July, which created the Office of the Lobito Corridor; and • Order No. 16/78 of 1 August, which created the National Council of Chargers; • provides for the creation of the Regulatory Agency for the Certification of Cargo and Logistics of Angola (“ARCCLA”), which replaces the National Council of Shippers (<i>Conselho Nacional de Carregadores</i>) and the Lobito Corridor Office (<i>Gabinete do Corredor do Lobito</i>); and • approves the Organic Statute of ARCCLA.
Corporate / Commercial	Presidential Decree No. 4/21 (Regulation of the Free Zones Act) of 4 January 2021	Effective from 4 January 2021.	The Presidential Decree approves the Regulation of the Free Zones Act, which establishes the procedures and formalities for the constitution, organisation and functioning of free zones.

Botswana

sector	legislation	effective date/status	key points and impact
Tax	Income Tax Treaty between Botswana and the Czech Republic	The treaty entered into force on 26 November 2020, and is effective from 1 July 2021 in Botswana and 1 January 2021 in the Czech Republic from.	The treaty provides for Botswana income tax and capital gains tax, as well as Czech Republic tax on the income of individuals and legal persons.

Cape Verde

sector	legislation	effective date/status	key points and impact
Tax	Decree-Law No. 78/2020 (VAT Credit Scheme for Water Transmission Operations for Agriculture and Electricity) of 12 November 2020	Effective from 1 January 2021.	<p>The Decree-Law:</p> <ul style="list-style-type: none"> • applies to farmers under the simplified taxation scheme, agricultural cooperatives, legally constituted farmers' associations and family agricultural production units; and • establishes: <ul style="list-style-type: none"> • the value-added tax (“VAT”) credit regime for the operations of water transmission for agriculture and electricity used in pumping water for exclusively agricultural purposes; and • a cash VAT system for water transmission operations for agriculture and electricity used in pumping water for exclusively agricultural purposes, when the taxable persons purchasing the goods do not meet any of the legal requirements provided for in the Decree-Law.
Tax	Decree-Law No. 79/2020 (Legal Regime of Electronic Invoices) of 12 November 2020	Effective from 13 November 2020.	<p>The Decree-Law approves the Legal Regime establishing electronic invoices and electronic tax documents, as well as the conditions for their issuance, retention and archive.</p> <p>Please refer to the ENSAfrica Tax ENSight for further detail.</p>
Environmental	Decree No. 13/2020 of 18 December 2020	Effective from 19 December 2020.	The Decree approves Regulation C/REG.13/12/12 on the Quality Control of Fertilisers in the Economic Community of West African States (“ECOWAS”), adopted by the 69th Ordinary Session of the Council of Ministers, held in Abidjan from 30 November to 2 December 2012.

Cape Verde

sector	legislation	effective date/status	key points and impact
Tourism	Decree-Law No. 87/2020 (Procedure for approval of projects for the construction of projects in the Integrated Tourism Development Zones) of 18 December 2020	Effective from 19 December 2020.	The Decree-Law regulates the procedure for the approval of building projects in the Integrated Tourism Development Zones (“ZDTI”) and the licensing of the respective works.
Labour / Employment	Decree-Law No. 88/2020 (Amendment of the Legal Regime for Compulsory Insurance for Occupational Accidents and Occupational Diseases) of 28 December 2020	Effective from 29 December 2020.	The Decree-Law amends Decree-Law No. 58/2020 of 29 July, which establishes the Legal Regime for Compulsory Insurance for Occupational Accidents and Occupational Diseases, by providing that the said Decree-Law shall enter into force on 1 July 2021.
Energy	Ordinance No. 2/2021 (Characteristics of Fuel Oil 380) of 11 January 2021	Effective from 12 January 2021.	The Ordinance: <ul style="list-style-type: none"> • repeals Ordinance No. 71/2005 of 26 December, which specifies the technical characteristics with which fuel oil intended for the national market should comply; and • approves the specifications with which fuel oil 380 with 0.5% sulphur content intended for the domestic market must comply, as set out in Annex I of the Ordinance.
Maritime	Decree-Law No. 3/2021 (Derogation from the Prior Authorisation Scheme for the Registration of Industrial Fishing Vessels in the Conventional Register of Vessels) of 14 January 2021	Effective from 15 January 2021.	The Decree-Law repeals Article 4 of Decree-Law No. 48/2007 of 31 December, which establishes the authorisation regime prior to the registration of industrial fishing vessels in the conventional register of vessels.

Cape Verde

sector	legislation	effective date/status	key points and impact
Labour / Employment	Decree-Law No. 5/2021 of 15 January 2021	Effective from 15 December 2020.	<p>The Decree-Law:</p> <ul style="list-style-type: none"> • applies to all social protection schemes; and • establishes the measures for simplification and administrative modernisation necessary for digital interaction between employers, the insured, pensioners and other nationals or foreigners, with the managing body of the mandatory social protection system.
Applies to multiple sectors	Decree-Law No. 9/2021 (Cybersecurity Legal Regime) of 29 January 2021	Effective from 28 July 2021.	<p>The Decree-Law:</p> <ul style="list-style-type: none"> • establishes the Cape Verdean legal regime for cybersecurity, aimed at ensuring a high level of security of networks and information systems in Cape Verde; and • adopts the C/DIR Directives. 1/08/11 of the Economic Community of West African States (“ECOWAS”), aimed at its gradual regulatory convergence with the communities, organisations and other states with which Cape Verde maintains cooperation in this area.

Ghana

sector	legislation	effective date/status	key points and impact
Tax	Transfer Pricing Regulations, 2020, Legal Instrument No. 2412 of 2020	Published in November 2020.	<p>The Regulations incorporate many of the revisions introduced by the July 2017 edition of the Organisation for Economic Co-operation and Development's ("OECD") Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations (OECD Guidelines).</p> <p>Please refer to the ENSAfrica Tax ENSight for further detail.</p>
Real estate	Land Act, 2020 (Act 1036)	Effective from 23 December 2020.	<p>The Act:</p> <ul style="list-style-type: none"> • consolidates the existing laws on land and land administration and is aimed at harmonising these laws to ensure sustainable land administration and management and effective land tenure; and • introduces several reforms, including electronic conveyancing, to make it possible to transfer, create or register interests in land by electronic means.

Kenya

sector	legislation	effective date/status	key points and impact
Agriculture	The Crops (Fibre Crops) Regulations, 2020, Legal Notice No. 120 of 2020	<p>Effective from 1 January 2021.</p> <p>Published in the Kenya Gazette Supplement No. 110, Legislative Supplement No. 71 of 8 July 2020.</p>	<p>The Regulations:</p> <ul style="list-style-type: none"> • provide for the regulation, promotion and development of fibre crops and fibre crop products; and • apply to the: <ul style="list-style-type: none"> • procedure and conditions for registering and licensing of dealers; • standards and assurance of the quality of fibre crops and fibre crop products; • collection and maintenance of data related to fibre crops; • conduct of inspections and compliance aspects over fibre crops; • determination of the price of fibre crops and fibre crop products; • marketing of fibre crops and fibre crop products; • grading of fibre crops and fibre crop products; • basic requirements for agreements between growers and dealers; and • issuance of permits for exporting or importing of fibre crop products.

Mali

sector	legislation	effective date/status	key points and impact
Mining	Decree No. 2020-0177 PT-RM (Application of the Mining Code) of 12 November 2020	Published on 12 November 2020.	The Decree defines the conditions and methods of application of the Mining Code in Mali.

Mauritius

sector	legislation	effective date/status	key points and impact
Environmental	Climate Change Act No. 11 of 2020	<p>The Act shall come into operation on a date to be fixed by Proclamation.</p> <p>Different dates may be fixed for the coming into operation of different sections of the Act.</p> <p>Published in the Legal Supplement to the Government Gazette of Mauritius No. 145 of 28 November 2020.</p>	<p>The Act:</p> <ul style="list-style-type: none"> • establishes a legal framework towards making Mauritius a climate-change resilient, and low emission, country; and • provides for the establishment of: <ul style="list-style-type: none"> • an Inter-Ministerial Council on Climate Change; • the Department of Climate Change within the Ministry responsible for the subject of climate change; and • a Climate Change Committee.
Energy	Central Electricity Board (Amendment) Act No. 17 of 2020	<p>The Act shall come into operation on a date to be fixed by Proclamation.</p> <p>Different dates may be fixed for the coming into operation of different sections of this Act.</p>	<p>The Act amends sections 2, 3, 10 and 20 of the Central Electricity Board Act in order to:</p> <ul style="list-style-type: none"> • harmonise the Central Electricity Board Act and the Electricity Act, 2005 for the proper functioning of the electricity sector; • amend and clarify the functions of the Central Electricity Board; • remove from the Central Electricity Board the powers conferred upon it to grant permits for the supply of electricity and to fix the prices to be charged for electricity and thereby align the Act with the Electricity Act, 2005 which gives the Utility Regulatory Authority the power to issue licences and determine tariffs for electricity services; and • clarify some provisions of the Act.

Mauritius

sector	legislation	effective date/status	key points and impact
Energy	Electricity (Amendment) Act No. 18 of 2020	<p>The Act shall come into operation on a date to be fixed by Proclamation.</p> <p>Different dates may be fixed for the coming into operation of different sections of this Act.</p>	<p>The Act amends various sections of the Electricity Act, 2005 in order to:</p> <ul style="list-style-type: none"> • harmonise the Electricity Act, 2005 and the Central Electricity Board Act for the proper functioning of the electricity sector; • amend some of the types of licences which may be issued under the Act; • eliminate the concept of “eligible customer”; and • clarify some provisions of the Act.

Mozambique

sector	legislation	effective date/status	key points and impact
Banking / Finance	Law No. 20/2020 (Law of Credit Institutions and Financial Corporations) of 31 December 2020	Effective from 31 March 2021.	<p>The Law:</p> <ul style="list-style-type: none"> • establishes the legal framework for credit institutions and financial corporations; • regulates the establishment of and supervisory regime for credit institutions and financial corporations, as well as microfinance operators other than credit institutions; and • provides that insurance undertakings, pension fund management companies and real estate investment companies are not covered by this Law.

Namibia

sector	legislation	effective date/status	key points and impact
Corporate / Commercial	Amendment of Companies Administrative Regulations: Companies Act, 2004, Government Notice No. 294 of 2020	Published in the Namibia Government Gazette No. 7390 of 16 November 2020.	The Government Notice amends the Companies Administrative Regulations, Government Notice No. 173 of 1 November 2010 by substituting Annexure 3 with a new Annexure 3 containing forms CM 1 TO CM 52.
Banking	Regulations relating to unfair terms in transactions or contracts between banking institutions and customers or general public: Banking Institutions Act, 1998, Government Notice No. 296 of 2020	Published in the Namibia Government Gazette No. 7395 of 20 November 2020.	<p>The Government Notice provides for the Regulations relating to unfair terms in transactions or contracts between banking institutions and customers or the general public, which, <i>inter alia</i>:</p> <ul style="list-style-type: none"> • apply to a contract between a banking institution and its customer, regardless of whether that contract is subject to the laws of a foreign state or not; • define unfair terms; • provide for: <ul style="list-style-type: none"> • the assessment and effect of unfair terms; and • complaints about unfair terms in a contract by natural and juristic persons; • set out: <ul style="list-style-type: none"> • the powers of the Bank of Namibia to prevent continued use of unfair terms; and • indicative and non-exhaustive list of terms which may be regarded as unfair.
Environmental	Amendment of Schedule 3 of Export Levy Act: Export Levy Act, 2016, Government Notice No. 303 of 2020	Published in the Namibia Government Gazette No. 7401 of 30 November 2020.	The Government Notice provides for the amendment of Schedule 3 of the Export Levy Act, 2016 with a new Schedule 3 on “Export levy goods and export levy rates for forestry products”.

Namibia

sector	legislation	effective date/status	key points and impact
Health	Exclusion of certain medicines from operation of certain provisions: Medicines and Related Substances Control Act, 2003, Government Notice No. 304 of 2020	Published in the Namibia Government Gazette No. 7402 of 1 December 2020.	<p>The Government Notice provides that, when imported by the Department of Veterinary Services in the Ministry of Agriculture, Water and Land Reform, the vaccines against:</p> <ul style="list-style-type: none"> • foot and mouth disease (“FMD”); • contagious bovine pleurapneumonia (“CBPP”); • avian influenza (“AI”); and • rabies, <p>are excluded from the operation of sections 19 and 31(5)(c) of the Medicines and Related Substances Control Act, 2003 until 31 December 2021.</p>
Mining	Prohibition of prospecting operations and mining operations: Minerals (Prospecting and Mining) Act, 1992, Government Notice No. 308 of 2020	Published in the Namibia Government Gazette No. 7402 of 1 December 2020.	<p>The Government Notice provides that no person other than the holder of a reconnaissance licence shall, notwithstanding anything to the contrary in the Minerals (Prospecting and Mining) Act, 1992 or any other law, but subject to any right conferred upon the holder of any mining claim, exclusive prospecting licence, mineral deposit retention licence or mining licence by that Act before the date of this notice, and which exist on the date immediately before the date of this notice, carry on any prospecting operations or mining operations in, on or under any area in Namibia from 1 December 2020 until 31 August 2021.</p>

Namibia

sector	legislation	effective date/status	key points and impact
Energy	Regulations relating to prices for reselling of petrol: Petroleum Products and Energy Act, 1990, Government Notice No. 310	Published in the Namibia Government Gazette No. 7405 of 2 December 2020.	<p>The Government Notice:</p> <ul style="list-style-type: none"> repeals the regulations published under Government Notice No. 249 of 7 October 2020, with effect from 2 December 2020; and sets out the Regulations relating to the prices at which petrol may be resold, which provide a list of: <ul style="list-style-type: none"> licensed oil companies or traders that are regarded as wholesale distributors; and the prices at which 95 octane unleaded petrol may be sold by a reseller to any person at any place mentioned in the Annexure to the Regulations.
Agriculture	Amendment of regulations on registration of fertilizers, farm feeds, sterilising plants and agricultural remedies: Fertilizers, Farm Feeds and Agricultural Remedies Act, 1947, Government Notice No. 311 of 2020	Published in the Namibia Government Gazette No. 7409 of 9 December 2020.	<p>The Government Notice provides for the amendment of the Regulations published under Government Notice No. 112 of 25 June of 2007 by:</p> <ul style="list-style-type: none"> the insertion, after regulation 6, of regulation 6A on applications for an import or in transit permit and regulation 6B on the issuance of an import or in transit permit; and the insertion, after Form FF 5A-D of Annexure 1 of the Regulations, of Forms FF 6 to FF 14.
Banking / Finance	Regulations relating to penalties payable for non-compliance with Microlending Act: Microlending Act, 2018, Government Notice No. 320 of 2020	Published in the Namibia Government Gazette No. 7425 of 23 December 2020.	<p>The Government Notice provides for the Regulations relating to penalties payable for non-compliance with the Microlending Act, which sets out the administrative penalties which the Namibia Financial Institutions Supervisory Authority (“NAMFISA”) may impose.</p>

Nigeria

sector	legislation	effective date/status	key points and impact
Tax / Finance	Finance Act, 2020	Effective from 1 January 2021.	<p>The Act introduces amendments to 14 different laws in Nigeria. The amended laws include the:</p> <ul style="list-style-type: none"> • Companies Income Tax Act; • Capital Gains Tax Act; • Personal Income Tax Act; • Customs and Excise Tariff, Etc. (Consolidated) Act; • Value Added Tax Act; • Nigeria Export Processing Zones Act; • Stamp Duties Act; • Tertiary Education Trust Fund (Establishment) Act; and • Federal Inland Revenue Service (Establishment) Act.

Republic of the Congo

sector	legislation	effective date/status	key points and impact
Tax	Decree No. 2020-478 of 13 October 2020	Published on 13 October 2020.	The Decree provides for the ratification by the President of the Republic of Congo, of the Agreement for the Avoidance of Double Taxation and the Prevention of Tax Evasion entered into between the Republic of Congo and the People's Republic of China.

Rwanda

sector	legislation	effective date/status	key points and impact
Tax	Ministerial Order No. 003/20/10/TC of 11/12/2020 Establishing General Rules on Transfer Pricing	Effective from its publication in the Official Gazette of the Republic of Rwanda No. 40 of 14 December 2020.	<p>The Ministerial Order:</p> <ul style="list-style-type: none"> • repeals all prior provisions contrary to this Ministerial Order; • applies to controlled transactions or deemed controlled transactions in the specified circumstances; and • establishes general rules on transfer pricing between related persons involved in controlled transactions. <p>Please refer to the ENSAfrica ENSight for further detail.</p>
Fishing / Maritime resources	Ministerial Order No. 001/11.30 of 11/12/2020 Regulating Aquaculture and Fisheries	Effective from its publication in the Official Gazette of the Republic of Rwanda No. 40 of 14 December 2020.	<p>The Ministerial Order:</p> <ul style="list-style-type: none"> • repeals: <ul style="list-style-type: none"> • Ministerial Order No. 007/11.30 of 18/11/2010 determining the requirements for the issuance of fishing license and its period of validity; • Ministerial Order No. 010/11.30 of 18/11/2010 determining aquaculture and fishing zones; • Ministerial Order No. 011/11.30 of 18/11/2010 on the importation, marketing and distribution modalities of aquaculture and fisheries products, equipment and materials; and • all prior provisions contrary to this Ministerial Order; and • regulates activities related to aquaculture, fishing, processing, transportation, conservation and commercialisation of aquaculture and fishery products, equipment and inputs.

Uganda

sector	legislation	effective date/status	key points and impact
Excise	Excise Duty (Amendment) Act, 2020	This Act shall come into force on publication.	The Act amends Schedule 2 to the Excise Duty Act, 2014 to vary excise duty in respect of specified excisable goods.

Zambia

sector	legislation	effective date/status	key points and impact
Construction	National Council for Construction Act No. 10 of 2020	The Act was assented to on 26 November 2020 and shall come into operation on the date appointed by the Minister by statutory instrument.	<p>The Act:</p> <ul style="list-style-type: none"> • repeals the National Council for Construction Act, 2003; and • provides for: <ul style="list-style-type: none"> • the promotion, development and regulation of the construction industry so as to promote economic growth and competitiveness and create sustainable employment; • the continuation of the National Council for Construction and its functions; • the enhancement of contractor capacity development and technical compliance in the construction industry; • collaboration with professional bodies engaged in activities in the construction industry; • the continuation of the Construction School, renamed as the National Construction School; and • a complaints and appeals procedure.
Land / Real estate	Land (Perpetual Succession) (Amendment) Act No. 11 of 2020	The Act was assented to on 30 November 2020.	<p>The Act amends the Land (Perpetual Succession) Act (Cap. 186) by, <i>inter alia</i>:</p> <ul style="list-style-type: none"> • repealing the Schedule; • inserting new definitions; • repealing and replacing provisions relating to the application for a certificate of incorporation of a trust of a community, body or association of persons; and • inserting a requirement for a governing body of a trust of a community, body or association of persons to ensure compliance with regulatory requirements for the prevention and combatting of money laundering and financing of terrorism or proliferation or any other serious offence.



Zambia

sector	legislation	effective date/status	key points and impact
Corporate / Commercial	Companies (Amendment) Act No. 12 of 2020	The Act was assented to on 30 November 2020.	The Act amends the Companies Act, 2017 by: <ul style="list-style-type: none"> • deleting and substituting the definition of “beneficial owner” with a new definition; and • inserting new definitions of “substantial economic benefit” and “substantial interest”.
Banking / Finance	Financial Intelligence Centre (Amendment) Act No. 16 of 2020	The Act was assented to on 11 December 2020.	The Act amends the Financial Intelligence Centre Act, 2010 by, <i>inter alia</i> : <ul style="list-style-type: none"> • amending section 2 on definitions; • repealing and replacing provisions relating to: <ul style="list-style-type: none"> • the functions of Financial Intelligence Centre; • customer identification requirements; • risk management by a reporting entity; • internal programmes to combat money laundering, financing of terrorism or proliferation and other serious offences to be developed and implemented by a reporting entity; • ongoing due diligence to be exercised by a reporting entity; • obligations regarding wire transfers; and • compliance with obligations by foreign subsidiaries and branches; and • inserting administrative sanctions.
Customs and excise	Customs and Excise (Amendment) Act No. 21 of 2020	Effective from 1 January 2021.	The Act amends various provisions of the Customs and Excise Act (Cap. 322).

Zambia

sector	legislation	effective date/status	key points and impact
Labour / Employment	Skills Development Levy (Amendment) Act No. 24 of 2020	The Act was assented to on 18 December 2020.	The Act amends the Skills Development Levy Act, 2016 by the deletion, in section 4, of subsection (3) and the substitution thereof with the following: “(3) A levy payable by an employer shall not be deducted from the emoluments of an employee.”
Mining	Mines and Minerals Development (Amendment) Act No. 25 of 2020	The Act was assented to on 18 December 2020.	The Act amends the Mines and Minerals Development Act, 2015: <ul style="list-style-type: none"> in section 89: <ul style="list-style-type: none"> by inserting the following new subsection immediately after subsection (3): “(4) A mineral royalty may be paid in advance, as prescribed”; and renumbering subsection (4), (5), and (6) as subsection (5), (6), and (7); and deleting the words “Metal Bulletin” wherever they appear and substituting them with the words “Fastmarkets MB”.

Zimbabwe

sector	legislation	effective date/status	key points and impact
Tax / Finance	Finance Act, 2020 (No. 8 of 2020)	The Act was gazetted on 28 October 2020.	<p>The Act makes further provision for the revenues and public funds of Zimbabwe by amending the following Acts:</p> <ul style="list-style-type: none"> • the Finance Act [Chapter 23:04]; • the Income Tax Act [Chapter 23:06]; • the Capital Gains Tax Act [Chapter 23:01]; and • the Companies and Other Business Entities Act [Chapter 24:31] (No. 4 of 2019). <p>Please refer to the ENSAfrica Tax ENSight for further detail.</p>
Telecommunications	Postal and Telecommunications (Licensing, Registration and Certification) Regulations, 2021, Statutory Instrument 12 of 2021	Published in the Supplement to the Zimbabwean Government Gazette of 8 January 2021.	The Regulations provide for the licensing framework, requirements and conditions for various telecommunications licences, registrations and certifications.

other instruments



Multiple African jurisdictions

sector	instrument	effective date/status	key points and impact
Tax	ENSafrica: Africa Tax in Brief	Published on 3 December 2020.	For more detail on the latest tax developments across Africa, please refer to the ENSafrica Tax ENSight .

Angola

sector	instrument	effective date/status	key points and impact
Banking / Finance	Notice No. 22/20 (Forward exchange operations criteria and procedures to be observed by Banking Financial Institutions) of 27 November 2020	Effective from 27 November 2020. Issued by the National Bank of Angola.	The Notice provides: <ul style="list-style-type: none"> • for the establishment of the criteria and procedures that must be observed by Banking Financial Institutions when contracting forward exchange operations with their clients, being operations for the purchase (sale) of Kwanzas and sale (purchase) of foreign currency, in certain amounts, exchange rates and future maturity dates; • that commercial banks may only contract forward exchange operations with their clients, legal entities, importers, exporters, petroleum companies, diamond companies and state entities to cover the exchange risk related to specific, identified operations for the importation or exportation of goods; • that forward exchange transactions must have a maximum time frame of one year, and a forward exchange contract must be entered into with the client, in the format published in the Notices; and • for penalties applicable in the event of non-compliance.
Banking / Finance	Notice No. 23/20 (Rules and procedures for making receipts and transfers abroad) of 29 December 2020	Effective from 29 December 2020. Issued by the National Bank of Angola.	The Notice: <ul style="list-style-type: none"> • establishes the rules and procedures for making receipts and transfers abroad, of any nature, ordered by state bodies; and • regulates financial intermediation, exemption from licensing, validation of transactions, registration of foreign exchange transactions and penalties.

Ghana

sector	instrument	effective date/status	key points and impact
Banking	Notice: Requirements and Responsibilities of Primary Dealers and Bond Market Specialists	Published on 21 December 2020 by the Bank of Ghana.	The Notice sets out the requirements and responsibilities of Primary Dealers and Bond Market Specialists, including those relating to eligibility, performance monitoring, evaluation, sanctions and penalties.
Banking	Guidelines for the Government Securities Market, Primary Dealers and Bond Market Specialists	Published on 21 December 2020 by the Bank of Ghana.	<p>The Guidelines:</p> <ul style="list-style-type: none"> • apply to Primary Dealers and the newly formed Bond Market Specialists; and • seek to guide the purchase of government securities in the domestic market pursuant to the provisions in the Public Financial Management Act, 2016 and the Public Financial Management Regulations, 2019.
Banking / Finance	Notice No. BG/GOV/SEC/2020/14: to Banks, E-Money Issuers, Payment Service Providers and the General Public: Licensing of Payment and Financial Technology Service Providers	Issued on 26 November 2020 by the Bank of Ghana.	<p>The Notice:</p> <ul style="list-style-type: none"> • provides for the establishment of a licensing category for Critical Service Providers in the financial service industry called the Payment and Financial Technology Service Providers (“PFTSP”), who provide the following services: <ul style="list-style-type: none"> • digital product development, delivery and support services for payment, savings, insurance, investment and loyalty schemes; • credit scoring predictive analytics; • anti-money laundering/combating the financing of terrorism (“AML/CFT”) centralised platform; • fraud management; and • Know Your Customer (“KYC”) and Customer Due Diligence (“CDD”) authentication; and • sets out the rationale and requirements for licensing of PFTSPs.

Ghana

sector	instrument	effective date/status	key points and impact
Capital markets	Directive No. SEC/DIR/001/01/2021: Adoption and Implementation of Minimum Standardised Know Your Client Forms for all Capital Market Operators	Effective from 1 January 2021. Issued on 1 January 2021 by the Securities and Exchange Commission (“SEC”).	The Directive requires capital market operators to: <ul style="list-style-type: none"> • implement the Minimum Standardised Know Your Customer (“KYC”) forms with their new clients; • ensure that all existing clients’ records are updated to reflect the Minimum Standardised KYC forms by 31 December 2021; and • use the KYC forms as a guide to design KYC policies and procedures for their institutions, by the end of June 2021, incorporating the following items: <ul style="list-style-type: none"> • Customer Acceptancy; • Customer Identification Procedures; • Monitoring of Customer Transactions; and • Risk Management.
Banking	Notice No. BG/FMD/2021/03: Netting Arrangements Under the Bank and Specialised Deposit-Taking Institutions Act, 2016 (Act 930)	Effective from 15 January 2021. Issued on 15 January 2021 by the Bank of Ghana.	The Notice provides that all “global standard documentation” for all transactions in derivatives, securities repurchase and lending transactions, as well as commodities transacted in Ghana, qualify as eligible financial contracts to which netting arrangements described under section 134 (5) of the Bank and Specialised Deposit-Taking Institutions Act, 2016 shall apply.

Kenya

sector	instrument	effective date/status	key points and impact
Banking	Press Release: Expiry of Emergency Measures to Facilitate Mobile Money Transactions and the Introduction of Principles to Guide Pricing	Issued on 17 December 2020 by the Central Bank of Kenya (“CBK”).	<p>The Press Release provides that:</p> <ul style="list-style-type: none"> • Payment Service Providers (“PSPs”) will introduce revised pricing structures from 1 January 2021, with the following elements: <ul style="list-style-type: none"> • no charge for person-to-person transfers of up to KES100 to any customer and network; • no charges for transfers between mobile money wallets and bank accounts; • Savings and Credit Societies (“SACCOs”) regulated by the Sacco Societies Regulatory Authority (“SASRA”) may levy a charge for transfers between SACCO accounts and mobile money wallets to facilitate the integration of SACCOs with the mobile money ecosystem; and • going forward, PSPs will propose pricing structures that reflect the “Pricing Principles”, introduced by the CBK and annexed to the Press Release; and • the wallet and transactions limits that were announced on 16 March 2020, will remain in force as previously communicated.
Corporate / Commercial	Notice: Beneficial Ownership Information Submission - Deadline Extension for a Period of Six Months With Effect from 1 February 2021	Issued on 27 January 2021 by the Business Registration Service (“BRS”).	The Notice provides that the deadline for the submission of Beneficial Ownership registers, previously set at 31 January 2021, has been extended for six months, ending on 31 July 2021.

Mauritius

sector	instrument	effective date/status	key points and impact
Tax	Communiqué: Deferment of Tax Payment (APS/CPS) and Renewal of Tax Arrears Settlement Scheme (TASS)	Issued on 6 November 2020 by the Mauritius Revenue Authority (“MRA”).	<p>The Communiqué provides for measures that have been taken to assist taxpayers and employers in improving their cash flow by deferring tax payments.</p> <p>Please refer to the ENSAfrica Tax ENSight for further detail.</p>
Insurance	Circular Letter CL291220: Submissions Under the Insurance (Risk Management) Rules 2016	Issued on 29 December 2020 by the Financial Services Commission (“FSC”).	<p>The Circular:</p> <ul style="list-style-type: none"> • informs all Licensed insurers that the Insurance (Risk Management) (Amendment) Rules 2020 and the Financial Services (Administrative Penalties) (Amendment No. 2) Rules 2020 were issued on 24 October 2020; • provides that all insurers licensed under section 11 of the Insurance Act, 2005 are required to submit, via the FSC’s Online Data Capture System (“ODCS”), their documentation and reports in relation to their risk management framework (together referred as “RMF Returns”) pursuant to rules 3(3) and 5(7) of the Insurance (Risk Management) Rules 2016; and • provides that the filing of the RMF Returns via the ODCS shall be mandatory for all insurers having a financial year ending on or after 24 October 2020.

Namibia

sector	instrument	effective date/status	key points and impact
Corporate / Commercial	Registrar's Directive (RD No. 5 of 2020) Amendment to Company Files / Records	Issued on 11 November 2020 by the Business and Intellectual Property Authority ("BIPA").	The Directive provides that with effect from 1 December 2020, amendments to company records will only be processed if such company is in good standing with respect to annual return submissions, as well as payment of the associated annual duties, from 2012 to date.

Nigeria

sector	instrument	effective date/status	key points and impact
Banking	Circular No. BSD/DIR/GEN/LAB/131086: Introduction of Central Bank of Nigeria Special Bills	Issued on 1 December 2020 by the Central Bank of Nigeria ("CBN").	<p>The Circular provides for the introduction of the CBN Special Bills with the following features:</p> <ul style="list-style-type: none"> • tenor of 90 days; • zero coupon, applicable yield at issuance will be determined by the CBN; • the instrument will be tradable amongst banks, retail and institutional investors; • the instrument shall not be accepted for repurchase agreement transactions with the CBN and shall not be discountable at the CBN window; and • the instrument will qualify as liquid assets in the computation of liquidity ratio for deposit money banks.
Capital markets	Circular To All Brokers/Dealers	Issued on 3 December 2020 by the Securities and Exchange Commission ("SEC").	<p>The Circular requires:</p> <ul style="list-style-type: none"> • in line with Rule 56(1&2)(c) of the Rules and Regulations of the SEC which provides that "[r]egistered brokers/dealers shall disclose to the Commission any dealings in a Security valued at a minimum of 500,000 units executed in a single deal or in multiple deals on the same day on behalf of his clients or on his own account not later than 24 hours after such activity", that all Capital Market Operators registered as Brokers, Dealers or Broker Dealers to comply with the Rule and forward the required returns; and • the returns to be sent in the Excel csv template and email address provided for in the Circular. The implementation of the template took effect from 2 January 2021.

Nigeria

sector	instrument	effective date/status	key points and impact
Banking	Circular No. PSM/CIR/GEN/CIR/01/22 to all Payment Service Providers, banks and Other Financial Institutions: New Licence Categorisation for the Nigerian Payments System	Issued on 9 December 2020 by the Central Bank of Nigeria (“CBN”).	<p>The Circular:</p> <ul style="list-style-type: none"> • sets out a new licensing framework which offers clarity for new and existing market participants; • provides for payments system licensing which has been streamlined according to permissible activities in the following broad categories: <ul style="list-style-type: none"> • switching and processing; • Mobile Money Operations (“MMOs”); • Payment Solution Services (“PSSs”); and • Regulatory Sandbox; and • outlines rules applicable to permissible activities in the above categories.
Banking	Circular No. PSM/DIR/CON/CWO/16/119 to International Money Transfer Operators (IMTOs) and Payment Service Providers (PSPs): Receipt of Diaspora Remittances: Additional Operational Guidelines	Issued on 16 December 2020 by the Central Bank of Nigeria (“CBN”).	The Circular sets out additional operational guidelines in relation to procedures for receipt of diaspora remittances, which all licensed institutions are required to comply with.
Banking	Circular No. PSM/DIR/CON/CWO/16/126 to all Deposit Money Banks (“DMBs”), Payment Service Providers (PSPs) and International Money Transfer Operators (IMTOs): Receipt of Diaspora Remittances: Additional Operational Guidelines 2	Issued on 18 December 2020 by the Central Bank of Nigeria (“CBN”).	The Circular sets out further requirements relating to diaspora remittances, which DMBs must comply with.

Nigeria

sector	instrument	effective date/status	key points and impact
Banking	PSM/DIR/CON/INM/08/118: Framework for Quick Response (QR) Code Payments in Nigeria	Published on 13 January 2021 by the Central Bank of Nigeria (“CBN”).	<p>The Framework:</p> <ul style="list-style-type: none"> • provides regulatory guidance for the operation of Quick Response (“QR”) Code payment services in Nigeria; • aims to ensure the adoption of appropriate QR Code standards for safe and efficient payments services in Nigeria; and • provides for the following in Nigeria: <ul style="list-style-type: none"> • acceptable QR Code Standards for implementing QR Code payments; • interoperability of QR payments; • roles and responsibilities of participants in QR Code payments; and • risk management principles for QR Code payments.
Banking	PSM/DIR/CON/INM/08/117: Framework for Regulatory Sandbox Operations	Published on 13 January 2021 by the Central Bank of Nigeria (“CBN”).	<p>The Framework:</p> <ul style="list-style-type: none"> • provides standards for the operations of a Regulatory Sandbox; and • prescribes the processes and procedures for analysing, collecting, updating, integrating, and storing of consumer data and information.

Nigeria

sector	instrument	effective date/status	key points and impact
Capital markets	New Rules and Sundry Amendments to the Securities and Exchange Commission's Consolidated Rules and Regulations	Published on 21 January 2021 by the Securities and Exchange Commission ("SEC").	<p>Pursuant to the Investments and Securities Act, 2007, the SEC reviewed and approved the following new Rules and Amendments to its existing Rules and Regulations:</p> <ul style="list-style-type: none"> • New Rules: <ul style="list-style-type: none"> • Rule on Regulation of Fund Management Products; • Rule on Nominee Companies; • Rule on General Rules for Collective Investment Schemes (CIS); • Rule on Annual Supervision Fees for Collective Investment Schemes; • Rule on Payment of Administrative Charges for Review of Supplemental Deeds and Amendments to Sundry Agreements; • Rules on Crowdfunding; and • Sundry Amendments; • Amendments: <ul style="list-style-type: none"> • Amendment to Rule 465(d) and (e) – Content of a Trust Deed; • Amendment to Rule 497 – Investment by Collective Investment Schemes in Unlisted Securities / Additional Disclosure; • Amendment to Rule 517- Amount to be Underwritten and Rule 519 – Time Amount Underwritten is to be made Available; and • Amendment to Rule 522 – Valuation Report.

Nigeria

sector	instrument	effective date/status	key points and impact
Banking / Finance	Circular No. TED/FEM/FPC/PUB/001/001 to all Authorised Money Dealers and International Money Transfer Operators (“IMTOs”): Modalities For Payout Of Diaspora Remittances	Published on 22 January 2021 by the Central Bank of Nigeria (“CBN”).	<p>The Circular, further to a previous circular titled ‘Receipt of Diaspora Remittances: Additional Operational Guidelines’, provides the CBN’s clarification that:</p> <ul style="list-style-type: none"> • only licensed IMTOs are permitted to carry on the business of facilitating diaspora remittances into Nigeria; • all diaspora remittances must be received by beneficiaries in foreign currency only (cash and/or transfers to domiciliary accounts of recipients); and • IMTOs are not permitted, under any circumstances, to disburse diaspora remittances in Naira (either in cash or by electronic transfers), be it through Naira remittance settlement accounts (which had been earlier directed to be closed), third party accounts or via any other payment platforms within and/or around the Nigerian financial system.

Seychelles

sector	instrument	effective date/status	key points and impact
Banking / Finance	Press Communiqué: CBS releases its 2021 Procurement Plan	Issued on 22 January 2021 by the Central Bank of Seychelles (“CBS”).	<p>The Communiqué provides that:</p> <ul style="list-style-type: none"> • the CBS abridged Procurement Plan for 2021 sets out details of various projects planned for this year, which will require expertise not available in the Bank. This is in line with the CBS Procurement Policy; and • a copy of the abridged Procurement Plan and the abridged Procurement Policy are accessible on the CBS website.

Uganda

sector	instrument	effective date/status	key points and impact
Banking	Financial Intelligence Authority International Wire Transfer Reporting Guidelines, 2021	Effective from 1 April 2021. Published on 6 January 2021 by the Financial Intelligence Authority (“FIA”).	<p>The Guidelines:</p> <ul style="list-style-type: none"> • apply to all accountable persons that facilitate international wire transfers, as specified in the second schedule of the Anti-Money Laundering Act, 2013, as amended; • do not apply to financial institution-to-financial institution transfers and settlements, where both the originator person and the beneficiary person are financial institutions acting on their own behalf; • inform concerned accountable persons of the requirement to report international wire transfers; and • set out the steps to be followed to submit an International Wire Transfer Report (“IWTR”).

Zambia

sector	instrument	effective date/status	key points and impact
Labour / Employment	Minimum Wages and Conditions of Employment (Truck and Bus Drivers) Order, 2020, Statutory Instrument No. 106 of 2020	Effective from 18 December 2020.	The Order: <ul style="list-style-type: none"> identifies truck and bus drivers as vulnerable workers in Zambia; and sets a minimum wage of MWK3 000 for truck drivers and MWK2 000 for bus drivers.
Tourism	Tourism and Hospitality (Tourism Levy) (Amendment) Regulations, Statutory Instrument No. 121 of 2020	Effective from 31 December 2020.	The Regulations provide that a tourism enterprise or tourism facility that either omits or understates a tourism levy on the enterprise's or facility's return shall pay a penalty of 5% of the amount omitted or understated, and for the purposes of recovery and collection, that penalty is deemed to be part of the tourism levy.

bills



Kenya

sector	bill	effective date/status	key points and impact
Alcohol	Alcoholic Drinks and Control (Amendment) Bill, 2020	Published in the Kenya Gazette Supplement No. 183 (National Assembly Bills No. 35) on 15 October 2020.	The Bill seeks to: <ul style="list-style-type: none"> • amend the Alcoholic Drinks Control Act, No.10 of 2010 in order to ensure that alcoholic drinks are packaged in quantities not below 750 millilitres; and • provide for deposit refund for the purchase of alcoholic drinks in glass bottles.
Public sector / Finance	Public Debt Management Authority Bill, 2020	Published in the Kenya Gazette Supplement No. 187 (National Assembly Bills No. 36) on 29 October 2020.	The Bill seeks to establish the Public Debt Management Authority (the “ Authority ”) as an independent body to manage the public debt in the country at both levels of government. The Authority shall succeed the Public Debt Management Office, established under the Public Finance Management Act, 2012.
Construction	National Construction Authority (Amendment) Bill, 2020	Published in the Kenya Gazette Supplement No. 208 (National Assembly Bills No. 45) on 20 November 2020.	The Bill seeks to amend the National Construction Authority Act, No.41 of 2011 to ensure women, youth and persons living with disabilities with start-up businesses who apply to be registered as contractors under category six, seven and eight are exempted from paying the prescribed fee.
Corporate / Commercial	Business Laws (Amendment) (No. 2) Bill, 2020	Published in the Kenya Gazette Supplement No. 228 (National Assembly Bills No. 50) on 14 December 2020.	The Bill seeks to amend various statutes to facilitate the ease of doing business in Kenya.

Seychelles

sector	bill	effective date/status	key points and impact
Tax	Business Tax (Amendment) Bill, 2020	Published in the Supplement to Official Gazette of 7 December 2020.	<p>The Bill, <i>inter alia</i>, seeks to amend the Business Tax Act (Cap 20) (the “Act”) in order to:</p> <ul style="list-style-type: none"> • insert sections 2A to 2C to replace the existing definition of “permanent establishment” with a definition that is closely aligned with the one that is used in the latest Model Tax Convention of the Organisation for Economic Co-operation and Development; • insert a new section 5(1A) to lay down what income is deemed sourced in the Seychelles for the purposes of the Act; and • insert a new Schedule, relating to qualifying companies, after the Tenth Schedule to the Act.

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