

BILL

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dated 3rd November, 2023

No.



Sierra Leone

2023

A BILL ENTITLED

THE FINANCE ACT, 2024

Short title.

Being an Act to provide for the imposition and alteration of taxes, to give effect to the financial proposals of the Government and to provide for other related matters for the financial year 2024

[

] Date of commencement.

ENACTED by the President and Members of Parliament in this present Parliament assembled.

Date of commencement 1. Unless otherwise provided, this Act shall be deemed to come into operation on the 1st day of January, 2024

STAMP DUTY ACT CAP274

Amendment of Schedule A of Cap 274. 2. Schedule A of the Stamp Duty Act Cap 274 is amended in paragraph (i) by deleting the rate indicated in that paragraph and inserting the following new rate

Conveyance Section	Rate (effective 1st Jan. 2023)
Stamp Duty Fees for conveyances and other assignments of property, real and personal, mortgages debentures and transfers thereof, and liquidations, of the value of the property	0.01 or 1% of consideration for properties other than financial instruments
	0.002 or 0.2% of consideration for financial instruments

CUSTOMS TARIFF ACT, 1978

Amendment of Schedule A of Act No 16 of 1978 3. Part II of Schedule A of the First Schedule of the Customs Tariff Act 1978 is amended by deleting the rate indicated under paragraph (i) and inserting the following new rate.

HSCODE	Description	Rate
1006	Cement	20%
2523	Rice	5% (effective 1st January 2024)
		10% (effective 1st January 2025)
7215	Iron Rod	10%
7311	Cooking Gas	5%

EXCISE ACT 1982

4. The First Schedule of the Excise Act 1982 is amended by -
- (a) deleting the excise rates under the heading 2203 and inserting the following new excise rates: -

Amendment
of First
Schedule
to Act No 6
of 1982

Heading	H. S. Code	Description/ Goods specification	Alcoholic content per solution (%)	Rate
2203	Beer made from malt			
	220300.10.000	Stout & Porter	<10	NLe0.2 per cl or NLe20 per litre
	220300.20.000	Beer	<10	NLe0.2 per cl or NLe20 per litre
		Non-alcoholic not>5%	<10	NLe0.2 per cl or NLe20 per litre
	220300.90.000	Other forms of Beeror	<10	NLe0.2 per cl NLe20 per litre

- (b) deleting the excise rates under the heading 2204 and inserting the following new excise rates: -

Heading	H. S. Code	Description/ Goods specification	Alcoholic content per solution (%)	Rate
2204	Wine of fresh Grapes including fortified grapes, grape must not of Heading 20.09			
	220410.10.000	Sparkling wine	<10	NLe0.2 per cl or NLe20 per litre
	220410.90.000	Sparkling wine >10% p.v.a	>10 but <20	NLe0.4 per cl or NLe40 per litre
		>=20<30		NLe0.6 per cl or NLe60 per litre
	220421.10.000	Other Sparkling wine must <10%	<10	NLe0.2 per cl or NLe20 per litre
	220410.50.000	"	<10	NLe0.2 per cl or NLe20 per litre
	220429.10.000	>10% p.v.a in 2 ltrs or less	>10 but <20	NLe0.4 per cl or NLe40 per litre
			>=20<30	NLe0.6 per cl or NLe60 per litre
			>=30<40	NLe0.8 per cl or NLe80 per litre
			>40	NLe1.0 per cl or NLe100 per litre

Heading	H. S. Code	Description/ Goods specification	Alcoholic content per solution (%)	Rate
	220429.50.000		>10 but <20	NLe0.4 per cl or NLe40 per litre
			>=20<30	NLe0.6 per cl or NLe60 per litre
			>=30<40	NLe0.8 per cl or NLe80 per litre
			>40	NLe1.0 per cl or NLe100 per litre
	220430.10.000	Other Grape must	<10	NLe0.2 per cl or NLe20 per litre
	220430.90.000	In containers >2ltrs	>10 but <20	NLe0.4 per cl or NLe40 per litre
			>=20<30	NLe0.6 per cl or NLe60 per litre
			>=30<40	NLe0.8 per cl or NLe80 per litre
			>40	NLe1.0 per cl or NLe100 per litre

- (c) deleting the excise rates under the heading 2205 and inserting the following new excise rates: -

Heading	H. S. Code	Description/ Goods specification	Alcoholic content per solution (%)	Rate
2205 Vermouth & Other wine of Fresh Grapes				
	220510.10.000	Wine of Fresh Grapes	>10 but <20	NLe0.4 per cl or NLe40 per litre
			>=20<30	NLe0.6 per cl or NLe60 per litre
	220590.10.000		>10 but <20	NLe0.4 per cl or NLe40 per litre
			>=20<30	NLe0.6 per cl or NLe60 per litre
			>=30<40	NLe0.8 per cl or NLe80 per litre
			>40	NLe1.0 per cl or NLe100 per litre

- (d) deleting the excise rates under the heading 2206 and inserting the following new excise rates: -

Heading	H. S. Code	Description/ Goods specification	Alcoholic content per solution (%)	Rate
2206 Other fermented Beverages (Cider, Perry, etc.); Mixture of fermented beverages and non-alcoholic beverages, NES				
	220600.10.000	Cider, Perry & Mead	<10	NLe0.2 per cl or NLe20 per litre
	220600.20.000	of alcoholic content<10%	<10	NLe0.2 per cl or NLe20 per litre
	220600.30.000	of alcoholic content>10%	>10 but <20	NLe0.4 per cl or NLe40 per litre
			>=20<30	NLe0.6 per cl or NLe60 per litre
			>=30<40	NLe0.8 per cl or NLe80 per litre
			>40	NLe1.0 per cl or NLe100 per litre
	220600.40.000	Rasin wine	<10	NLe0.2 per cl or NLe20 per litre
	220600.50.000	Rice wine	<10	NLe0.2 per cl or NLe20 per litre
	220600.70.000	Mixture of fruit juice with alcoholic ontentor	<10	NLe0.2 per cl NLe20 per litre

Heading	H. S. Code	Description/ Goods specification	Alcoholic content per solution (%)	Rate
	220600.80.000	Mixture of fruit juice with alcoholic content	>10 but <20	NLe0.4 per cl or NLe40 per litre
			≥20= <30	NLe0.6 per cl or NLe60 per litre
			≥30=<40	NLe0.8 per cl or NLe80 per litre
			>40	NLe1.0 per cl or NLe100 per litre
	220600.90.000	of alcoholic content <10%	<10	NLe0.2 per cl or NLe20 per litre
	220600.100.000	Others	<10	NLe0.2 per cl or NLe20 per litre

(e) deleting the excise rates under the heading 2206 and inserting the following new excise rates: -

Heading	H. S. Code	Description/ Goods specification	Alcoholic content per solution (%)	Rate
2208	Ethyl Alcohol with less than 80%; Spirits and Spiritous Beverages			
	220820.10.000	Brandy	$\geq 20 < 30$	NLe0.6 per cl or NLe60 per litre
	220820.90.000	Others	> 10 but ≤ 20	NLe0.4 per cl or NLe40 per litre
			$\geq 20 < 30$	NLe0.6 per cl or NLe60 per litre
	220830.00.000	Whiskies	$\geq 20 < 30$	NLe0.6 per cl or NLe60 per litre
			$\geq 30 < 40$	NLe0.8 per cl or NLe80 per litre
			> 40	NLe1.0 per cl or NLe100 per litre
	220840.00.000	Rum and other Spirit	> 10 bu ≤ 20	NLe0.4 per cl or NLe40 per litre
			$\geq 20 < 30$	NLe0.6 per cl or NLe60 per litre
			$\geq 30 < 40$	NLe0.8 per cl or NLe80 per litre

			>40	NLe1.0 per cl or NLe100 per litre
	220850.00.000	Gin & Cordials	>10 but <=20	NLe0.4 per cl or NLe40 per litre
			>=20<30	NLe0.6 per cl or NLe60 per litre
			>=30<40	NLe0.8 per cl or NLe80 per litre
			>40	NLe1.0 per cl or NLe100 per litre
	220860.00.000	Vodka	>=20<30	NLe0.6 per cl or NLe60 per litre
			>=30<40	NLe0.8 per cl or NLe80 per litre
			>40	NLe1.0 per cl or NLe100 per litre
	220870.90.000	Liqueurs	>10 but <=20	NLe0.4 per cl or NLe40 per litre
			>=20<30	NLe0.6 per cl or NLe60 per litre
			>=30<40	NLe0.8 per cl or NLe80 per litre

Heading	H. S. Code	Description/ Goods specification	Alcoholic content per solution (%)	Rate
			>40	NLe1.0 per cl or NLe100 per litre
	220890.10.000	Other Forms of Spiritous beverages	>10 but <=20	NLe0.4 per cl or NLe40 per litre
			>=20<<30	NLe0.6 per cl or NLe60 per litre
			>=30<=40	NLe0.8 per cl or NLe80 per litre
			>40	NLe1.0 per cl or NLe100 per litre
	220890.20.000	Schnapps.	>10 but <=20	NLe0.4 per cl or NLe40 per litre
			>=20<=30	NLe0.6 per cl or NLe60 per litre
			>=30<=40	NLe0.8 per cl or NLe80 per litre
			>40	NLe1.0 per cl or NLe100 per litre

Heading	H. S. Code	Description/ Goods specification	Alcoholic content per solution (%)	Rate
	220890.50.000	Alcohol de menthe	>10 but ≤20	NLe0.4 per cl or NLe40 per litre
			≥20 <30	NLe0.6 per cl or NLe60 per litre
	220890.90.000	Others	>10 but ≤20	NLe0.4 per cl or NLe40 per litre
			≥20 <30	NLe0.6 per cl or NLe60 per litre
			≥30 <40	NLe0.8 per cl or NLe80 per litre
			>40	NLe1.0 per cl or NLe100 per litre

- (f) deleting the excise rates under the heading 2207 and inserting the following new excise rates: -

Heading	H. S. Code	Description/ Goods specification	Alcoholic content per solution (%)	Rate
2207	Ethyl Alcohol with more than 80% (if imported as raw materials excise to be paid on sales of finished product)			
	22071090	Extra Neutral Alcohol (when used to produce other alcohols)	≥95	NLe0.6 per cl or NLe60 per litre

(g) deleting the whole of Heading 20.09 and inserting the following: -

Heading	H. S. Code	Description/ Goods specification	Alcoholic content per solution (%)	Rate
20.09	Non-Alcoholic, carbonated, and sweetened beverages; fruit juice (including grape must) and vegetable Juices, unfermented and not containing added spirit, containing added sugar, or other sweetening matter (excluding natural milk containing no added sugar; beverages for medical use such as oral nutritional therapy; infant or baby formula; water for human consumption but not flavoured or carbonated)			
	Non-Alcoholic beverages (with added sugar content less than 10 gram per litre)			NLe0.0 per gram of sugar
	Non-Alcoholic beverages (with added sugar content of at least 10 gram per litre)			NLe0.03 per gram of sugar

- (h) deleting the whole of tariff items Nos.24.01, 24.02 and 24.03, and inserting the following

Tariff Item No.	Description/Goods specification	Rate
24.01	Unmanufactured tobacco	NLe50 per kg
24.02	Cigars, cheroots, cigarillos, containing tobacco or tobacco substitutes	NLe20 per packet
24.03	Cigarette containing tobacco	NLe2 per packet of 20 sticks
	Other manufactured tobacco and manufactured tobacco substitutes; "homogenous" and "reconstituted tobacco"; tobacco extracts and essences	NLe50 per kg

- (i) inserting the following new tariff item number, 24.04 immediately after tariff item 24.03-

Tariff Item No.	Description/Goods specification	Rate
24.04	Electronic cigarettes (device)	NLe0.2 per ml
	Cartridge for use in electronic cigarettes	NLe0.4 per unit

- (j) by deleting the whole of tariff item 27.10 and inserting the following-

Tariff Item No.	Description	Rate
27.1	Petroleum oils and oils being the basic constituents of the preparations:	
	A. Kerosene	NLe 0.81 per litre
	B. Petrol	NLe 2.80 per litre
	C. Diesel	NLe 1.22 per litre effective 1st January 2024
		NLe 1.62 per litre effective 1st April 2024
		NLe 2.01 per litre effective 1st July 2024
D. Fuel oil	NLe 2.4 per litre effective 1st October 2024	
E. Lubricating oils	NLe 4.14 per litre	
		NLe 2.20 per litre

- (k) by deleting the whole of tariff items No 39.01 to 39.26 and inserting the following-

Tariff Item No.	Description	Rate
3923	Articles of materials described in heading number 39.23 A. polyethene (plastic) bags B. plastic bottle (packed with beverage, excluding water)	NLe16.0 per kg

(l) by inserting the following new tariff item No 98.01 immediately after tariff item 97.01

Tariff Item No.	Description	Rate
98.01	Gambling, betting and lottery services	5% of the net wagered lottery (gross gambling revenue less winnings)

FORESTRY ACT 1988

5. Section 25A of the Forestry Act 1988 is amended by repealing and replacing that section with the following new sections-

Amendment
of Section
25A of Act
No. 7 of
1988

"25 A. (1) An exporter of timber log, timber and timber products shall pay to the National Revenue Authority the following timber royalties

<i>Timber and Timber Product Type</i>	<i>Timber Category</i>	<i>Scope</i>	<i>Rate</i>
Timber Log	Class I	per any 33.2 cubic metres	\$3,000 plus five percent (5%) of its market price of the log, FOB Freetown
	Class II		\$3,000 plus two and half percent (2.5%) of its market price of the log, FOB Freetown
	Class III		\$3,000 plus one and half a percent (1.5%) of its market price of the log, FOB Freetown
Other timber products other logs (unprocessed timber boards other than timber logs, loaded on transporting trucks, lorries and trailers for exports through land border crossing points	Class I	20-foot container or equivalent	NLe25,000 plus five percent (5%) of its market price of the log, FOB Freetown
	Class II		NLe25,000 plus two and half percent (2.5%) of its market price of the log, FOB Freetown
	Class III		NLe25,000 plus one and half a percent (1.5%) of its market price of the log, FOB Freetown

(2) The market value of timber exported shall be -

- (a) the realised gross price (without discount, commission or deduction) for a sale free-on-board (fob) at the point of export from Sierra Leone; and
- (b) determined using-
 - (i) the actual terms of sale; or
 - (ii) in the case of a transaction between associated persons or where the timber is not sold within 12 months, using the arm's length standard as prescribed by section 95 of the Income Tax Act, 2000 (Act No. 8 of 2000).

(3) Royalties imposed under subsection (1) shall be payable to the National Revenue Authority before export;

(4) For the avoidance of doubt, a truck or lorry carrying above 20-foot container equivalent of other timber products and timber logs shall attract the appropriate royalty imposed.

(5) In this section, "timber" means timber log, timber and timber products with an origin in Sierra Leone but excludes furniture, edge glue boards, plywood and wooden transmission poles from planted forests.

INCOME TAX ACT 2000

Amendment
of Section 3
of Act No 8
of 2000

6. Section 3 of the Income Tax Act 2000 is amended by inserting the following new subsection immediately after subsection

(6)

"(7) For the avoidance of doubt, a person involved in the provision of the digital products and services referred to under paragraph (m) of subsection (1) of Section 89 whether resident or not shall pay income tax on all the income derived from a source in Sierra Leone.

7. Section 6A of the Income Tax Act 2000 is amended by inserting the words "and non" immediately after the word "resident"

Amendment
of Section 6A
of Act
No 8 of 2000

8. Section 7A of the Income Tax Act 2000 is amended by repealing and replacing that section with the following new section

Amendment
of Section 7A
of Act
No 8 of 2000

Minimum
Alternate
Tax

7A (1), Notwithstanding section 3, where a company (whether resident or non-resident) makes an allowable loss under section 32A for a year of assessment beginning on or after 1st day of January 2023, the company shall pay minimum alternate tax, being the percentage specified in Part III of the First Schedule applied to the company's turnover for the year.

(2) Where a company pays minimum alternate tax for a year of assessment in accordance with subsection (1), the company is entitled to a minimum alternate tax credit equal to the minimum alternate tax paid for that year of assessment.

(3) Minimum alternate tax credits granted under subsection (2) shall

(a) be available to carry forward and may reduce income tax (but not minimum alternate tax) payable in any of the ten years of assessment following the year with respect to which they are granted;

(b) not be refundable; and

(c) be used in the order in which they are granted.

(4) Subsection (1) shall not apply-

(a) for the first three years of assessment after a company is incorporated;

(b) for the first two years of assessment after a company goes into liquidation; or

- (c) to mineral or petroleum operations referred to in the Extractive Industries Revenue Act, 2018.
- (5) For the purposes of subsection (1), turnover takes its meaning from section 2 but excludes any amount-
 - (a) subject to final withholding tax; or
 - (b) in the case of a non-resident company, that has a foreign source unless it is effectively connected with a permanent establishment in Sierra Leone.

Amendment of Section 89 of Act No 8 of 2000.

9. Section 89 of the Income Tax Act 2000 is amended under subsection (1) by-

- (a) deleting the two existing paragraphs (k) and inserting the following two paragraphs

"(k) a premium for a general insurance paid in respect of the insurance of any risk in Sierra Leone".

"(l) if derived from fees paid for providing managerial, technical or consultancy services in Sierra Leone".

- (b) inserting the following new paragraph immediately after paragraph (l) as follows-

"(m) derived from the provision of digital products and services to consumers in Sierra Leone by residents and non-residents, in any year of assessment, including but not limited to the following-

-
- (i) digital products, including subscription-based, downloadable and stream-able digital contents- satellite TVs, movies, music, apps, games, and e-books; software programs;
 - (ii) Services such as management and technical advisory, architectural or legal services
 - (iii) electronic data management, including transmission or collection of data about users in Sierra Leone;
 - (iv) sale of goods or services directly, including online tickets and other services intermediating suppliers and customers, through a digital platform;
 - (v) purchased via non-resident market places or payment aggregators;
 - (vi) digital gambling and betting activities;
 - (vii) search engines and automated help desk services, e-learning platforms, audio, vision or digital media, transport hailing platforms, among others

10. Section 97 of the Income Tax Act 2000 is amended by inserting the following new subsection (13) immediately after subsection (12)

Amendment
of Section 97
of Act No 8
of 2000.

"13. The automated system installed or used by taxpayers in compliance with the administration of income taxes and other revenues shall be compatible to interface with the automated system administered by or on behalf of the National Revenue Authority at the cost of each taxpayers".

Amendment
of First
Schedule
of Act No.8
of 2000.

11. The First Schedule of the Income Tax Act 2000 is amended as follows-

- (a) in Part III by inserting the following new paragraph immediately after the line relating to the 25% rate of tax for companies: -

"Rate of minimum alternate tax applicable to companies reporting losses the previous year including companies under section 21, resident in Sierra Leone for any year of assessment.

Rate of minimum alternate tax - 2% (two percent)"

- (b) by repealing and replacing Part IV with the following new Part IV

PART IV

(Sections 117, 118, 119, 120 and 121)

Rates of tax to be withheld from payments made to residents

Type of payment	Rate
Payments to contractors (section 117)	5%
Dividends (section 118)	15%
Interests (section 119)	15%
Management/professional fees	15%
Rents	15%
Royalties (section 120)	15%
Pensions and annuities (section 121(2)(a))	15%
Natural resource payments (122)	15%
Real property (section 123)	15%
Winnings of NLe1000 and above from any lottery	15%

12. The Second Schedule of the Income Tax Act 2000 is amended in -

Amendment
of Second
Schedule
Of Act No 8
of 2000

- (a) Part I by inserting the following new paragraph immediately after the line relating to 25% rate of tax on chargeable income of nonresident-

"The rate of minimum alternate tax applicable to nonresident companies is 2% of turnover"

- (b) Part II by repealing and replacing that part with the following new Part II-

PART II

(Sections 116, 117, 118, 119, 120, 121, 122 and 123)

Rates of tax to be withheld from payments made to non-residents:

Type of payment	Rate
Employment income (section 116)	25%
Payments to contractors (section 117)	10%
Dividends (section 118)	15%
Interest (section 119)	15%
Management/professional fees	15%
Rents and royalties (section 120)	15%
Pensions and annuities (section 121)	15%
Natural resource payments (section 122)	15%
Payments to or applications for the benefit of non-resident beneficiaries (section 123)	15%

GOODS AND SERVICES TAX ACT, 2009

Amendment of Section 15 of Act No 6 of 2009 13. Section 15 of the Goods and Services Tax Act 2009 is amended under subsection (2) by deleting the registration threshold amount of "Le100,000,000" and inserting the following new registration threshold amount of "NLe500,000"

FINANCE ACT 2011

Amendment of Section 90 of Act No 6 of 2009 14. Section 90 of the Goods and Services Tax Act 2009 is amended by inserting the following new subsection (3) immediately after subsection (2)-

"(3) Notwithstanding any law to the contrary, for the purpose of this section, commercial banks and other financial institutions shall provide periodic access to taxpayers banking information on terms and conditions prescribed by the Commissioner General of the National Revenue Authority to a specific bank or financial institution".

Amendment of Second Schedule of Act No 6 of 2009. 15. The Second Schedule of the Goods and Services Tax Act 2009 is amended by inserting the following new items 27 and 28 immediately after item 26 as follows-

"27. **Supply: Machinery**

Description: Machinery, plant, equipment designed for use exclusively in-

- I. Agriculture;
- II. Manufacturing; and
- III. Mining and upstream petroleum operations.

28. **Supply: Telecommunication Services**

Description: Allowable free calls and free data use for and promotional purposes to the extent that the value of such supply does not exceed 15 percent of the total billable and unbillable calls used in that period

16. Section 6 of the Finance Act 2011 is amended by repealing and replacing subsection (2) with the following new subsection (2)

Amendment
of Section 6
of Act No 7
of 2011.

"(2) A shipping agent who contravenes subsection (1) shall be liable to a fine of-

(a) not less than NLe500,000 and not more NLe1,000,000 for first offender; and

(b) not less than NLe1,000,000 and not more NLe2,000,000 for repeated offender.

FINANCE ACT 2016

17. Section 36 of the Finance Act 2016 is amended by repealing and replacing that section with the following new section -

Amendment
of Section
36 of Act
No 6 of
2016

"36. (1) Notwithstanding any other law to the contrary, there shall be imposed on the value of all contracts relating to the supply of goods, services and works:

(a) a national health insurance levy at a rate of 0.5% in support of the Free Health Care Programme; and

(b) an education levy at a rate of 1% in support of the Education Sector.

(2) The implementation of the levies referred under subsection (1) shall operate as a final withholding tax and shall be subject to the Income Tax Act, 2000 requirements for registration; filing and assessment; audit and enforcement; and collection."

EXTRACTIVE INDUSTRIES REVENUE ACT, 2018

Amendment
of Section 1
of Act
No 11 of
2018

18. Section 1 of the Extractive Industries Revenue Act 2018 is amended by inserting the following new definition immediately after the words "revenue law"

"royalty return" means a return, including an amended return, that a taxable person is required to lodge under this Act, or any other enactment relating to the administration of this Act.

Amendment
of Section 43
of Act
No 11 of
2018

19. Section 43 of the Extractive Industries Revenue Act 2018 is amended by inserting the following new subsection (5) immediately after subsection (4)-

"(5) A person who fails to file a royalty return by the due date shall be liable to pay a penalty equal to the greater of-

(a) NLe100,000; or

(b) 5% of the royalty amount payable for the period to which the return relates, for each month in which the return remains outstanding, until the return is filed or an assessment is issued in respect of the period to which the return relates.

Amendment
of First
Schedule of
Act No 11 of
2018.

20. The First Schedule of the Extractive Industries Revenue Act 2018 is amended by repealing and replacing paragraph I with the following new paragraph-

"1. (1) Subject to paragraph (2), the following shall be the royalty rates for minerals-

- (a) in the case of minerals obtained pursuant to an artisanal and small-scale mining licence-
 - (i) 3% for precious stones (excluding gold) other than special stones;
 - (ii) 8% for special stones;
 - (iii) 1% for gold; and
 - (iv) 3% for other cases, including bulk minerals."
- (b) in the case of minerals obtained pursuant to mineral rights other than artisanal and small-scale mining licence-
 - (i) 6.5% for precious stones (including gold) other than special stones;
 - (ii) 8% for special stones;
 - (iii) 5% for precious metals;
 - (iv) 3% for other cases, including bulk minerals."

Provided the exporter of the minerals in sub-paragraph (iii) of sub-paragraph (a) shall obtain prior commitment from the Bank of Sierra Leone to repatriate through the commercial banking system, 100% of the export proceeds within a period of 45 days from the day of export.

21. Paragraph 2 of the First Schedule of the Extractive Industries Revenue Act, 2018 is repealed and replaced by the following new paragraph -

Amendment
of First
Schedule of
Act No 11 of
2018

"(1) Subject to the remainder of this paragraph, the market value of minerals obtained is-

-
- (a) the realised gross price (without discount, commission or deduction) for a sale free-on-board (fob) at the point of export from Sierra Leone or at the point of processing or delivery within Sierra Leone, as the case requires; and
- (b) determined by using-
- (i) the actual terms of sale; or
 - (ii) in the case of a transaction between associated persons or where the minerals are not sold within 12 months, using the arm's length standard as prescribed by section 95 of the Income Tax Act, 2000 (Act No. 8 of 2000).
- (2) The market value of a precious stone shall be-
- (a) based on the current market prices for wholesale rough precious stones of that nature; and
 - (b) determined as the highest of the values ascribed to the precious stone on evaluation by-
 - (i) the mineral right holder;
 - (ii) the Government evaluators; and
 - (iii) an independent evaluator.
- (3) The market value of gold shall be the weekly average of the London PM Fix Price of the London Bullion Market Association in United States Dollars per fine troy ounce for the week in which the gold is obtained.

(4) The market value of precious metals (other than gold) and bulk minerals shall be determined as the higher of-

- (a) the amount referred to in subparagraph (1); and
- (b) 97 percent of the average of relevant international reference prices for the period in which the minerals are obtained as determined in accordance with subparagraph (5).

(5) For the purposes of subparagraph (b) of paragraph 4-

- (a) an international reference price for a mineral (other than gold) shall be determined using the following indices:
 - (i) S&P Global;
 - (ii) London Metal Exchange;
 - (iii) Asian Metal;
 - (iv) Commodity and Derivative Exchanges; and
 - (v) Bloomberg; and
- (b) regulations may-
 - (i) add to or subtract from the list in subparagraph (a);
 - (ii) specify the period to be used for pricing a particular mineral or terms for using a particular index; and
 - (iii) incorporate other rules for determining the average and amount of relevant international reference prices.

(6) Where minerals (other than precious stones or precious metals) shall be supplied under a contract over a period exceeding one year-

- (a) the method for determining the value of minerals to produce a result in accordance with subparagraph (1) may be agreed with the Commissioner General, in consultation with the Minister responsible for finance and the National Minerals Agency (advance pricing agreement); and
- (b) the agreement referred in sub paragraph (a) shall be issued in accordance with section 8 of the Income Tax (Transfer Pricing) Regulations 2021.

FINANCE ACT 2019

Amendment
of Section 29
of Act
No 2 of 2019

22. Section 29 of the Finance Act 2019 is amended by

- (a) inserting subsection "(1) before the word "Public" at the start of the provision
- (b) inserting the following new subsections (2) and (3) immediately after subsection (1)
 - (2) Sub-section (1) shall not apply to the following public servants posted by the ministry relating to foreign affairs, or other central government foreign service and are assigned to duty stations abroad, upon disengagement from the public service-
 - (a) Minister Plenipotentiary;
 - (b) Minister Counselor;
 - (c) Chancellor;
 - (d) First Secretary;

- (e) Second Secretary;
 - (f) Third Secretary;
 - (g) Financial Attaché;
 - (h) Défense Attaché;
 - (i) Other non-political appointees.
- (3) For the avoidance of doubt, public servants referred to under subsection (2), shall upon disengagement from the public service be entitled to one month's gross salary for every year served computed on the basis of the local salary grade level, to which they were entitled if they had continued working in Sierra Leone until their disengagement and not on the basis of the aggregate emoluments received while assigned to duty stations abroad.

FINANCE ACT 2021

23. Section 52 of the Finance Act 2021 is amended by repealing and replacing that section with the following new section 52-

Amendment
of Section
52 of Act
No 1 of
2021.

Repatriation 52
of export
proceeds

(1) Notwithstanding any other law to the contrary an exporter of-

- (a) mining and Mineral products;
- (b) quarrying products;
- (c) agricultural products;
- (d) forest and forestry products;
- (e) fisheries and marine products;
- and
- (f) other products,

shall from the 1st day of January 2024 repatriate for utilisation through the commercial banking system, the minimum of 30 percent of his export proceeds to Sierra Leone within a period of 45 days from the day of export.

(2) The exporter referred to under sub-section (1) shall obtain prior commitment from the Bank of Sierra Leone to repatriate through the commercial banking system and must submit copies of the repatriation documents to the Bank of Sierra Leone as evidence of export.

(3) Where the exporter referred to under sub-section (1) fails to-

- a) repatriate as specified under subsection (1), he shall be liable to pay as penalty an accrued interest applied on the minimum amount to be repatriated at the prevailing LIBOR rate; and
- b) submit evidence of repatriation referred to under sub-section (2) it shall be presumed that the exporter has contravened sub-section (1) and shall not be issued renewal of annual license and export clearance certificate unless the contrary is proved

FINANCE ACT 2023

Amendment
of Section 13
of Act
No 1 of 2023

24. Section 13 of the Finance Act 2023 is amended by repealing and replacing that section with the following new section 13

Cellular 13 There shall be imposed on telecommunication
Services operators the following charges on cellular
services-

- (a) NLe0.1 on billable on-net mobile voice calls per minute;
- (b) NLe0.05 on billable off-net mobile voice calls per minute;
- (c) NLe0.2 on outgoing international voice calls per minute;

- (d) 2% of the total commission, fees or charges derived on mobile money transactions; and
- (e) not exceed 5% on mobile data (recharge and bundles) sales value."

25. The Tax and Duty Exemptions Act 2023 is amended by inserting the following new section immediately after section 22

Duty free exemption for plant, machinery etc.

"22A. Any person importing plant, machinery or equipment for the manufacturing of paper bags cotton bags, compostable bags, or any biodegradable plastic bag alternatives for his manufacturing business purpose and not for resale, shall be entitled to import them duty-free for a period of five years effective from the date of first import registration".

Amendment of Section 22 Act No 25 of 2023

26. Section 34 of the Tax and Duty Exemption Act 2023 is amended in subsection (4) by repealing and replacing that subsection with the following new subsection.

Amendment of Section 34 Act No. 25 of 2023

- (a) item (w) of Part II of the Schedule to the Custom Tariff Act 1978,
- (b) tariff item No. 22. 09 in First Schedule of the Excise Act 1982
- (c) Goods and Services Tax Act 2009
- (d) Section 48 of the Finance Act 2021, and providing for a grant of an exemption is hereby repealed.

GENERAL PROVISIONS

27. (1) Subject to subsection (2) there shall be a fixed set number of demurrage free days for importers and exporters after which shipping lines shall apply charges such as, but not limited to, demurrage and detention charges per container per calendar days, excluding weekend and public holidays.

(2) The number of demurrage free" days referred to under subsection (1) shall apply in the case of -

- (a) importers, seven (7) official working days (calendar days, excluding weekends and holidays; and
- (b) in the case of exporters, ten (10) official working days (calendar days, excluding weekends and holidays)

(2) For the purpose of this section, demurrage caused by delays on the part of carriers shall not be counted as part of the allowable demurrage free days referred in subsection (1).

Fees, rates
and charges
for MDAs.

28. Fees, rates and charges for outlined services relating to
- (a) the Petroleum Regulatory Agency;
 - (b) the ministry responsible for forestry;
 - (c) the ministry responsible for tourism; and
 - (d) the office of the Administrator and Registrar General

shall be as set out in the Schedule

SCHEDULES FOR NON-TAXREVENUE FEES AND LEVIES

1. PETROLEUM REGULATORY AGENCY (PRA)

A: Registration Fee (New Entrants)

No.	Category	Fees (NLe)
1.	Import, refinery, offshore bunkering, bulk depot storage, OMC/traders, bunkering services, tank farm, etc	50,000
2.	Gas Stations	15,000
3.	Storage tank fabrication companies	15,000-

B: Registration Fee

No.	Registration	Fees (NLe)	Renewal (NLe)
1.	Storage tank fabrication companies	30,000	30,000
2.	Tank farm (bulk storage depot)	30,000	30,000

C. License

No.	Category	New Entrants		Existing
		Provisional	Confirmation/ Authorization	Renewal
1	Gas Station Construction Firms	NLe20,000	0	(NLe) 20,000
2	Refiners	US\$50,000	US\$100,00	US\$100,000
3	Bunkering companies (service/ agents)	NLe25,000	NLe15,000	NLe6,500
4	Off-shore bunkering companies	US\$25,000	US\$15,000	US\$10,000
5	Transportation by vessel (none importer/ off-shore bunker)	US\$20,000	US\$10,000	US\$10,000
6	Bulk storage depot (Mining companies)	US\$10,000	US\$10,000	US\$10,000
7	Bulk storage depot (Oil Marketing Companies)	NLe100,000	NLe100,000	NLe75,000

No.	Category	New Entrants		Existing
		Provisional	Confirmation/ Authorization	Renewal
8.	Pipeline License per km	NLe20,000	NLe10,000	NLe10,000
9.	Import (Mining Companies)	NLe300,000	NLe300,000	NLe300,000
10.	Import (Other Operators)	NLe50,000	NLe20,000	NLe20,000
11.	Dealers for service stations (Regional)	0	0	NLe4,200
12.	Dealers for service stations (Western Area)	0	NLe20,000	NLe4,200
13.	Dealers for filling stations (Regional)	0	0	NLe3,200
14.	Dealers for filling stations (Western Area)	0	NLe15,000	NLe4,200

D: Petroleum Regulatory Agency Fund

No.	Category	Fees (NLe)
1	Regulatory fees per litre	0.25

E: Site Inspections Fee

No.	Category	Fees (NLe)
1	Wester Area	10,000
2	Regional	5,000

**2. MINISTRY OF ENVIRONMENT
FORESTRY DEPARTMENT
PERMIT, LICENCE AND FEES**

No	Forest Produce	Previous Rate	Proposed Rate	
			NLe	US \$
1.	Forest Clearance Licence/ha	Le 100,000/acre	2,500	155
2.	Concession Rent (Land Lease) ha/year	\$12.5/ha	830	50
3.	Timber Harvest Licence/year	Le5,000,000	6,000	365
4.	Property Mark/Concession	\$1,000	8,300	1,500
5.	Registration of Power Saw	Le1,000,000	2,000	125
6.	Timber Depot Fee	-	16,580	1,000

No	Forest Produce	Previous Rate	Proposed Rate	
			NLe	US \$
7.	Timber Factory Fee		33,160	2,000
8.	Charcoal Production Licence year (Large scale)	-	8,300	1,500
9.	Royalty on Charcoal Export/33.2 cubic meter	\$20/ton	33,160	2,000
10.	Charcoal Production Fee/month (Domestic use)	Le 50,000	200	15
11.	Timber retailer Fee/year	Le 500,000	1,000	60
12.	Timber Transport Permit			
	Trailer	Le600,000	1,000	60
	Ten tyre truck	Le400,000	600	35
	Six tyre truck	Le300,000	500	32
	Van	Le200,000	300	20
	Boat	-	600	37
13.	Poles Transport Permit			
	Trailer	Le250,000	300	20
	Ten tyre truck	Le150,000	200	15
	Six tyre truck	Le100,000	150	10
	Van	Le 100,000	120	8
	Boat	-	120	8

No	Forest Produce	Previous Rate	Proposed Rate	
		Le	NLe	US \$
14.	Charcoal Transport Permit			
	Trailer	Le250,000	300	20
	Ten tyre truck	Le150,000	200	15
	Six tyre truck	100,000	150	10
	Van	100,000	120	8
	Boat	-	120	8
15.	Fuel Wood/Farm Wood Transport Permit			
	Trailer	Le 250,000	300	20
	Ten tyre truck	Le 150,000	200	15
	Six tyre truck	Le 100,000	150	10
	Van	-	120	8
	Boat	-	120	8

MINOR FOREST PRODUCT FEES

Forest Produce	Means of transportation	Proposed Rate	
		NLe	US\$
Rattan	Trailer	300	20
	Ten tyre truck	200	15
	Six tyre truck	150	10
	Van	120	8
	Boat	120	8
Tie-tie	Trailer	300	20
	Ten tyre truck	200	15
	Six tyre truck	150	10
	Van	120	8
	Boat	120	8
Bamboo Poles	Trailer	300	20
	Ten tyre truck	200	15
	Six tyre truck	150	10
	Van	120	8
	Boat	120	8

**3. OFFICE OF ADMINISTRATOR AND REGISTRAR GENERAL
REVISED CHARGES****A. Marriage Registry**

No.	Services Offered	Current Prices (NLe)	Proposed Prices (NLe)
1.	Muslim Sales of Certificate	75	150
2.	Christian Sales of Certificate	75	150
3.	Civil Marriage	600	1,500
4.	Search Fees	20	50
5.	Certified True Copy	30	100
6.	Divorced	75	150
7.	Muslim Registered of Certificate	75	150
8.	Christian Registered of Certificate	75	150
9.	Non-Impediments	375	500
10.	Christian Licences Certificate	375	500
11.	Civil Marriage Sales of Certificate	300	500

B. Business Registry

No.	Services Offered	Current Prices (NLe)	Proposed Prices (NLe)
1.	Sole Proprietorship	165	220
2.	Partnership	172.5	300
3.	Change of Business Name	67.5	150
4.	Change of Business Address	67.5	150
5.	Change of Business Nature	67.5	150
6.	Certified True Copy	37.5	100
7.	Filing Fees	7.5	50
8.	Closure of Business	7.5	50
9.	Search/ Verification	15	50
10.	Opening of New Branch	97.5	150

C. Land Registry

No.	Services Offered	Current Prices (NLe)	Proposed Prices (NLe)
1.	Will Deposited	100	250
2.	Will Registered	200	400
3.	Will Withdrawn	100	250
4.	Conveyance per copy	200	400
5.	Conveyance Extra copy	100	100
6.	Voluntary Conveyance per copy	200	400

No.	Services Offered	Current Prices (NLe)	Proposed Prices (NLe)
7.	Voluntary Conveyance Extra copy	100	100
8.	Leases per copy	200	400
9.	Leases Extra copy	100	100
10.	Power of Attorney per copy	200	400
11.	Power of Attorney Extra copy	100	100
12.	Mortgage per copy	200	400
13.	Mortgage Extra copy	100	100
14.	Miscellaneous Instruments per copy	200	400
15.	Miscellaneous Instruments Extra copy	100	100
16.	Statutory Declaration per copy	200	400
17.	Statutory Declaration Extra copy	100	100
18.	Mining Leases per copy	200	400
19.	Mining Leases Extra copy	100	100
20.	Release of Mortgage per copy	200	400
21.	Release of Mortgage Extra copy	100	100
22.	Friendly Society per copy	200	400
23.	Friendly Society Extra copy	100	100
24.	Memorial of Judgement per copy	200	400
25.	Memorial of Judgement Extra copy	100	100
26.	Adoption Agreement per copy	200	400
27.	Adoption Agreement Extra copy	100	100

D. Land Tax Category

No.	Services Offered	Current Prices (NLe)	Proposed Prices (NLe)
1.	Central of Freetown	200	400
2.	Other Area in the West	100	200
3.	Farmland	10	50
4.	Provincial Headquarter Towns	100	200

E. Intellectual Property

No.	Services Offered	Current Prices (NLe)	Proposed Prices (NLe)
1.	Application & Registration of Trademarks Applications	300	600
2.	Renewals of Trademarks Applications	300	600
3.	Assignment of Trademarks Applications	150	300
4.	Change of Proprietor's Address	100	200
5.	Change of Proprietor's Name	100	200
6.	Re-registration of Patent	100	200
7.	Industrial Design	1,000	2,000
8.	Merger	100	200
9.	Amendments	100	200
10.	Certify copy	50	100
11.	Re-classification	200	400

No.	Services Offered	Current Prices (NLe)	Proposed Prices (NLe)
12.	Copyright	800	1,600
13.	Registration of National Patent	Nil	5,000
14.	Assignment of Patent	Nil	250
15.	Search Fees	10	50
16.	Registration of Series of Trademarks	300	600
17.	Licenses of Trademark	Nil	300
18.	Certificate of Registration to be use in Legal Proceeds	Nil	250

4. NATIONAL TOURIST BOARD

Proposed Licence Fees

A. HOTEL CATEGORY

Category	Current License Fees 2023			Proposed License Fees 2024		
	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount (NLe)
Class 1	14,960	5,040	20,000	29,920	10,080	40,000
Class 2	13,464	4,536	18,000	26,928	9,072	36,000
Class 3	11,220	3,780	15,000	22,440	7,560	30,000
Class 4	8,976	3,024	12,000	17,952	6,048	24,000
Class 5	7,840	2,160	10,000	15,680	4,320	20,000

B. GUEST HOUSE

Current License Fees 2023				Proposed License Fees 2024		
Category	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount (NLe)
Class 1	5,518	2,041	7,560	11,037	4,082	15,120
Class 2	4,139	1,530	5,670	8,278	3,061	11,340
Class 3	1,917	783	2,700	3,834	1,566	5,400
Class 4	1,116	413	1,530	2,233	826	3,060
Class 5	657	243	900	1,314	486	1,800

C. RESTURANTS

Current License Fees 2023				Proposed License Fees 2024		
Category	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount (NLe)
Class 1	1,496	504	2,000	2,992	1,008	4,000
Class 2	1,122	378	1,500	2,244	756	3,000
Class 3	748	252	1,000	1,496	504	2,000
Class 4	673	226	900	1,346	453	1,800
Class 5	347	153	500	694	306	1,000

D. SNACKS BAR

Current License Fees 2023				Proposed License Fees 2024		
Category	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount (NLe)
Class 1	-	-	500	-	-	1,000

E. CASINOS

Current License Fees 2023				Proposed License Fees 2024		
Category	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount (NLe)
Class 1	14,960	10,040	25,000	29,920	20,080	50,000
Class 2	13,464	4,536	18,000	26,928	9,072	36,000
Class 3	11,220	3,780	15,000	22,440	7,560	30,000
Class 4	5,256	1,944	7,200	10,512	3,888	14,400
Class 5	4,139	1,530	5,670	8,278	3,061	11,340

F. TRAVEL AGENCIES/TOURISM HANDLING AGENCIES

Current License Fees 2023				Proposed License Fees 2024		
Category	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount (NLe)
Class 1	1,870.00	630	2,500	3,740	1,260	5,000
Class 2	1,346.40	453	1,800	2,692	907	3,600
Class 3	935.00	315	1,250	1,870	630	2,500
Class 4	657.00	243	900	1,314	486	1,800
Class 5	591.00	219	810	1,182	438	1,620

G. NIGHT CLUBS

Current License Fees 2023				Proposed License Fees 2024		
Category	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount (NLe)
Class 1	1,870	630	2,500	3,740	1,260	5,000
Class 2	1,346	453	1,800	2,692	907	3,600
Class 3	935	315	1,250	1,870	630	2,500
Class 4	657	243	900	788	292	1,080
Class 5	591	219	810	657	243	900

PROVINCES**HOTELS**

Current License Fees 2023				Proposed License Fees 2024		
Category	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount (NLe)
Class 1	5,518	2,041	7,559	6,346	2,347	8,693
Class 2	4,139	1,530	5,669	4,760	1,760	6,520
Class 3	1,971	729	2,700	2,266	838	3,105
Class 4	1,116	413	1,530	1,284	475	1,759
Class 5	657	243	900	755	279	1,035

GUESTHOUSES

Category	Current License Fees 2023			Proposed License Fees 2024		
	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount (NLe)
Class 1	2,759	1,020	3,780	3,173	1,173	4,347
Class 2	1,839	680	2,520	2,115	782	2,898,
Class 3	985	364	1,350	1,133	419	1,552
Class 4	657	243	900	755	279	1,035
Class 5	394	145	540	453	167	621

RESTAURANTS

Category	Current License Fees 2023			Proposed License Fees 2024		
	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount (NLe)
Class 1	657	243	900	755	279	1,035
Class 2	591	219	810	679	251	931
Class 3	459	170	630	528	195	724
Class 4	328	121	450	377	139	517
Class 5	197	72	270	226	83	310

SNACKS

Current License Fees 2023				Proposed License Fees 2024		
Category	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount	Proprietor Fee (NLe)	Manager Fee (NLe)	Total Amount (NLe)
SNACKS	-	-	270,000	-	-	486,000

LUMLEY BEACH DEVELOPMENT PROJECT

Town Lots	Old Price	Proposed Price
1 Town Lots	3,000,000	35,000,000
2 Town Lots	6,000,000	70,000,000
3 Town Lots	9,000,000	105,000,000
4 Town Lots	12,000,000	140,000,000

Note: Land Development Fees for each development site = Number of town x L = 35,000,000

BEACH FRONT

Town Lots	Old Price	Proposed Price
35 Feet	1,500	25,000
70 Feet	3,000	50,000
105 Feet	4,500	75,000
140 Feet	6,000	100,000

Note: Land Development Fees for each development site = Number of town x L = 25,000

USE OF CAR PARKS AND OTHER OPEN SPACES ALONG THE LUMLEY BEACH AREA PER DAY

Town Lots	Old Price	Proposed Price
Faith Based Organization	500	1,500
School Activities	500	1,500
Small Group/Family	500	1,500
Big Events/Shows	1,500	2,500
Corporate Institutions	2,500	5,000

MEMORANDUM OF OBJECTS AND REASONS

The object of this Bill is mainly to provide for the imposition and alteration of taxation in support of the Government's fiscal policies for the year 2024.

DATED THE DAY OF 2023

SHEKU AHMED FANTAMADI BANGURA

Minister of Finance

NOVEMBER 2023
FREETOWN
SIERRA LEONE