

H.B. 9, 2020.]

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**FINANCE (No. 2) BILL, 2020****MEMORANDUM**

This Bill will amend the Finance Act [*Chapter 23:04*], the Income Tax Act [*Chapter 23:06*], the Value Added Tax Act [*Chapter 23:12*], the Customs and Excise Act [*Chapter 23:02*] and other Acts. These amendments will give effect to certain fiscal measures mentioned by the Minister of Finance in the National Budget Statement delivered on the 26th November, 2020, and make certain modifications to improve revenue collection and administration. In more detail, the individual clauses of the Bill provide as follows:

*Clause 1*

This clause sets out the Bill's short title.

*Clause 2*

Businesses that trade in local and foreign currency are obligated to pay corporate tax in proportion to the gross income that is earned in either currency, without regard to the prevailing retention or liquidation thresholds operated by the Reserve Bank of Zimbabwe. At the present time, exporters are liable to a standard retention threshold of 30% of export earnings while local traders are compelled to liquidate 20% of foreign currency receipts at the prevailing foreign exchange auction rate. This amendment to section 4A of the Finance Act will entail that businesses pay corporate income tax in foreign currency on the basis of gross foreign currency receipts remaining after deducting the prescribed retention or liquidation thresholds.

In addition, given that assessed losses and capital allowances are deductible against gross revenue in the determination of taxable income, companies that were using the provisions of the 4th and 5th Schedules to the Income Tax for this purpose were prejudiced by the promulgation of Statutory Instrument 33 of 2019, in that allowances and assessed losses that were denominated in United States dollars were converted and carried forward as RTGS dollars on a one to-one basis. Most of the affected companies are recording artificial profits because of inflation since the conversion to the local currency, thereby increasing their tax liability. In order to minimise the tax burden on them, unredeemed capital allowances as at 1st January, 2021, will be rebased to the local currency equivalent of the outstanding foreign currency invoice value at the beginning of each financial year.

*Clause 3*

In our income taxation system, specified tax credits are given by a deduction of an actual amount of tax, that is, the credits are deducted from the actual tax payable. Generally speaking, no credits are deductible from the income tax with which a company or trust is chargeable in any year of assessment. However, an exception is sought to be made in the case of the youth employment credit, which was introduced by the Finance (No. 3) Act of 2019.

*Clauses 4 and 5*

The effect of these clauses will be to alter the income 'bands' on the basis of which rates of income tax are calculated in terms of section 14 of the Finance Act. The recent salary and wage adjustments for public and some private sector employees necessitates a corresponding review in the personal income tax framework. It is proposed by these clauses to review the Tax-Free Threshold from ZWL\$5 000 per month to ZWL\$10 000 per month, and to adjust the tax bands to begin at ZWL\$10 001 and end at ZWL\$250 000 per month, above which the Highest Marginal Tax rate of 40%. In addition, the lower general corporate tax rate of 24% will also apply to corporate taxpayers who are licensed investors, mining companies, industrial park developers and operators of tourist facilities.

*Clause 6*

This clause seeks to review the youth employment tax credit (mentioned earlier) for each employee hired from ZWL\$500 to ZWL\$1 500 per month, and the limit on the maximum credit from ZWL\$60 000 to ZWL\$180 000 in a year of assessment.

*Clauses 7 and 21*

With a view to revising the rates of presumptive tax, clause 7 will replace s. 22C of the Finance Act, which imposes a general tax on the basis of the presumed income (commonly known as a “presumptive tax”) of such of those persons engaging in any of the undertakings specified in the Twenty-Sixth Schedule to the Income Tax Act as did not furnish a return under section 37 of the Income Tax Act in any year of assessment prior. The classes of persons upon whom it is proposed to charge the presumptive tax will be enlarged to include specified “self-employed professionals”.

*Clause 8 and 10*

In line with the equalisation of excise duty rates of diesel and petrol to US\$0.30 per litre, it is proposed by these clauses to review taxes and levies on diesel to align with rates applicable on petrol. The affected taxes are the Carbon Tax, and the NOCZIM Debt Redemption and Strategic Reserve levies.

*Clauses 9 and 22*

The effect of these clauses is to review the Tax-Free Threshold for Intermediated Money Transfer Tax from the current ZWL\$300 to ZWL\$500 and the maximum tax payable per transaction by corporates from the current ZWL\$25 000 to ZWL\$800 000 on transactions with values exceeding ZWL\$40 million, with effect from 1st January, 2021, (for transactions in foreign currency, the Tax-Free Threshold remains at US\$5).

*Clause 11*

The Finance (No. 2) Act of 2010 introduced a Petroleum Importers Levy in response to an increase in the amount of fuel that is being imported through road, thereby causing significant damage to road infrastructure. The Petroleum Importers’ Levy, which is currently pegged at ZW\$1.147 and ZW\$3.441 per litre of diesel and petrol, respectively, is intended to discourage importation of fuel by road. In order to encourage importation of fuel by pipeline, it is proposed to review the Petroleum Importers’ Levy to USD\$0.05 a litre on both diesel and petrol.

*Clause 12*

The Finance Act, 2009, introduced a generalised mechanism for the uniform, simultaneous and comprehensive review of statutory fees charged by the various department of Government for the services rendered by them, review (Chapter XI (“Statutory Fees & Charges”) of the Finance Act [*Chapter 23:04*]). In order to lessen the administrative burden of reviewing fees, it is proposed that fees will be reviewed bi-annually in line with the Consumer Price Index, according to a set formula.

*Clause 14*

In terms of paragraph (f) of the definition of ‘gross income’ in section 8(1) of the Income Tax Act, the value of certain benefits granted to a taxpayer in respect of his or her employment, such as the provision of motor vehicles low-interest loans, forms part of his or her gross income and may be taxed accordingly. The effect of this clause is to revise the levels at which these benefits become taxable.

*Clauses 16 and 19*

In order to accelerate infrastructure rehabilitation and development, it is proposed to extend the scope of infrastructure whose expenditure can be capitalised and deducted

against taxable income to prescribed Build Operate and Transfer (BOT) or Build Own Operate and Transfer (BOOT) Projects. It is also proposed to exempt companies that operate such projects from Non-Residents Shareholders' Tax.

*Clause 17*

The Third Schedule to the Income Tax Act sets out amounts which are exempt from income tax. Among other amendments, it is proposed to exempt (under stringent conditions) income accruing to Real Estate Investment Trust (REITs) from corporate income tax, another amendment reviews upwards, the bonus Tax-Free Threshold from ZWL\$5 000 to ZWL\$25 000, with effect from 1st November, 2020.

*Clause 20*

The substituted Eleventh Schedule specifying the decisions of the Revenue Commissioner to which a person may object enlarges the scope of that Schedule to cover new provisions enacted since the last revision of the Statutes in 1996.

*Clause 24*

The Financial Laws Amendment Act of 2004 introduced a Schedule to Chapter IV of the Finance Act [*Chapter 23:04*] that imposed rates of VAT on the services of bookmakers, pool promoters, totalizators and casino operators are deemed to be taxable supplies for the purposes of the VAT Act. The effect of this clause is to revise the rates thereof.

*Clause 25*

In recognition of the immense benefits that can accrue to the country from medicinal cannabis exports, Government promulgated legislation to govern the production, procurement, distribution, possession, sale, provision and transportation of the crop. The effect of this clause is to introduce a Cannabis Levy, chargeable on the value of exports, at varied rates of tax that correspond to the level of processing:

*Clauses 29, 30, 31, 32 and 33*

These clauses introduce various measures to improve customs and excise administration and enforcement. In particular, in order to reduce malpractices in the registration of motor vehicles, thereby enhancing national security and safeguarding revenue to the Fiscus, clause 27 makes the Zimbabwe Revenue Authority (on behalf of the CVR) responsible for registering imported motor vehicles at the Port of Entry or at the time the vehicle is taken out of bond, after payment of duty.

*Clause 35*

This clause validates the existing practice whereby ZINARA accepts tolls in foreign currency in respect of domestically registered vehicles from motorists who voluntarily opt to pay toll fees using other currencies.

*Part VI*

This Part amends various other Acts by amending or adding provisions having a direct or indirect impact on the revenues. Of particular note is the amendment of the Banking Act bearing on the proposed establishment of an international financial services centre where foreign-based banking and financial institutions and locally-based banking and financial institution may carry on their business under conditions to be prescribed by the Minister responsible for finance.



**FINANCE (No. 2) BILL, 2020**

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

*Section*

1. Short title.

PART II

INCOME TAX

*Amendments to Chapter I of Finance Act [Chapter 23:04]*

2. Amendment of section 4A of Cap. 23:04.
3. Amendment of section 5 of Cap. 23:04.
4. Amendment of section 14 of Cap. 23:04.
5. Amendment of Schedule to Chapter I of Cap. 23:04.
6. Amendment of section 13A of Cap. 23:04.
7. New section substituted for section 22C of Cap. 23:04.
8. Amendment of section 22E of Cap. 23:04.
9. Amendment of section 22G of Cap. 23:04.
10. Amendment of section 22H of Cap. 23:04.
11. Amendment of section 22K of Cap. 23:04.
12. New section inserted after section 47 of Cap. 23:04.

*Amendments to Income Tax Act [Chapter 23:06]*

13. Amendment of section 2 of Cap. 23:06.
14. Amendment of section 8 of Cap. 23:06.
15. Amendment of section 12A of Cap. 23:06.
16. Amendment of section 15 of Cap. 23:06.
17. Repeal of section 97C of Cap. 23:06.
18. Amendment of Third Schedule to Cap. 23:06.
19. Amendment of Ninth Schedule to Cap. 23:06.
20. Substitution of Eleventh Schedule to Cap. 23:06.
21. Amendment of Thirteenth Schedule to Cap. 23:06.
22. Amendment of Twenty-Sixth Schedule to Cap. 23:06.
23. Amendment of Thirtieth Schedule to Cap. 23:06.

PART III

VALUE ADDED TAX

*Amendment to Chapter IV of Finance Act [Chapter 23:04]*

24. Amendment of Schedule to Chapter IV of Cap. 23:04.

*Amendment to Value Added Tax Act [Chapter 23:12]*

*Section*

- 25. New section inserted after section 12E in Cap. 23:12.
- 26. Amendment of section 13 of Cap. 23:12.
- 27. Amendment of section 23 of Cap. 23:12.
- 28. Amendment of section 50A of Cap. 23:12.

PART IV

CUSTOMS AND EXCISE

- 29. New section inserted after section 49C of Cap. 23:02.
- 30. Amendment of section 98E of Cap. 23:02.
- 31. Amendment of section 188 of Cap. 23:02.
- 32. New sections substituted for section 223 of Cap. 23:02.
- 33. New sections substituted for section 223A of Cap. 23:02.
- 34. Substitution of Schedule to Cap. 23:02.

PART V

ROAD TOLLS

- 35. Amendment of section 4 of Cap. 13:13.

PART VI

AMENDMENT OF OTHER ACTS

- 36. Amendment of Chapter 2:06.
- 37. Amendment of section 3 of Chapter 14:33.
- 38. New section inserted Chapter 24:20.

PART VII

MISCELLANEOUS

- 39. Revision of amounts in revenue Acts.



# BILL

To make further provision for the revenues and public funds of Zimbabwe  
and to provide for matters connected therewith or incidental thereto.

ENACTED by the Parliament and the President of Zimbabwe.

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## PART I

### PRELIMINARY

#### **1 Short title**

This Act may be cited as the Finance (No. 2) Act, 2020.

## PART II

10

### INCOME TAX

*Amendments to Chapter I of Finance Act [Chapter 23:04]*

#### **2 Amendment of section 4A of Cap. 23:04**

The Finance Act [*Chapter 23:04*] is amended in section 4A (“Payment of certain  
taxes in foreign currency”) by the insertion of the following subsections after subsection  
(9)—

15

“(10) Where any person liable to pay tax on income from trade or investment—

- (a) earns any part of such income in foreign currency; and
- (b) has any part of such income liquidated and paid in local currency upon  
transfer to a nostro account, pursuant to a retention scheme operated  
by the Reserve Bank of Zimbabwe;

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any tax due on such part that is liquidated shall be calculated on the basis that it was  
earned in local currency.

H.B. 9, 2020.]

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(11) If, in relation to capital allowances claimed (in any year of assessment before the year of assessment beginning on the 1st January, 2021) in terms of paragraphs 2, 3 and 4 of the Fourth Schedule to the Taxes Act, any balance of such allowances remains unredeemed as at the 1st January, 2021, any such unredeemed balance shall rebased to the local currency equivalent of the outstanding foreign currency invoice value using the exchange rate prevailing on the 1st January, 2021.”. 5

### 3 Amendment of section 5 of Cap. 23:04

Section 5 (“Credits to which section 7 of Taxes Act relates”) of the Finance Act [Chapter 23:04] is amended by the repeal of subsection (3) and the substitution of—

“(3) Notwithstanding any other provision of this Act, no credit shall be deducted from the income tax with which a company or trust is chargeable in any year of assessment, except for the credit referred to in section 13A (“Youth employment credit”).”.

### 4 Amendment of section 14 of Cap. 23:04

Section 14 (“Income tax for periods of assessment after 1.4.88”) (2)(a) of the Finance Act [Chapter 23:04] is amended with effect from the year of assessment beginning on the 1st January, 2021, by the repeal of subparagraphs (i) to (vii) and the substitution of—

- (i) so much as does not exceed one hundred and twenty thousand dollars;
- (ii) so much as exceeds one hundred and twenty thousand dollars but does not exceed three hundred and sixty thousand dollars;
- (iii) so much as exceeds three hundred and sixty thousand dollars but does not exceed seven hundred and twenty thousand dollars;
- (iv) so much as exceeds seven hundred and twenty thousand dollars but does not exceed one million four hundred and forty thousand dollars;
- (v) so much as exceeds one million four hundred and forty thousand dollars but does not exceed three million dollars;
- (vi) so much as exceeds three million dollars;”.

### 5 Amendment of Schedule to Chapter I of Cap. 23:04

The Schedule (“Credits and Rates of Income Tax”) to Chapter I of the Finance Act [Chapter 23:04] is amended—

- (a) with effect from the year of assessment beginning on the 1st January, 2021, in Part II by the deletion of the items relating to the level of taxable income earned from employment, in Zimbabwe dollars and the substitution of the following—

| “Section      | Level of taxable income    | Specified percentage % |
|---------------|----------------------------|------------------------|
| 14(2)(a)(i)   | Up to \$120 000            | 0                      |
| 14(2)(a)(ii)  | \$120 001 to \$360 000     | 20                     |
| 14(2)(a)(iii) | \$360 001 to \$720 000     | 25                     |
| 14(2)(a)(iv)  | \$720 001 to \$1 440 000   | 30                     |
| 14(2)(a)(v)   | \$1 440 001 to \$3 000 000 | 35                     |
| 14(2)(a)(vii) | \$3 000 001 and more       | 40”.                   |

- (b) by the repeal of the item relating to section 14(2)(e), (g), (i) and (j) and the substitution of—

|    |  |      |
|----|--|------|
|    | “14(2)(e) Taxable income of licensed investor (after the 5th year of his or her operations as such) . . . . .  | 24   |
| 5  | 14(2)(g) Taxable income of company or trust derived from mining operations . . . . .   | 24   |
|    | 14(2)(i) Taxable income of industrial park developer (after the 5th year of his or her operations as such) . . . . .   | 24   |
| 10 | 14(2)(j) Taxable income of operator of a tourist facility in approved tourist development zone (after the 5th year of his or her operations as such) . . . . . | 24”. |

## 6 Amendment of section 13A of Cap. 23:04

The Finance Act [*Chapter 23:04*] is amended in section 13A (“Youth employment credit”) by the repeal of subsection (3) and the substitution of—

- 15 “(3) The amount of the credit deductible in terms of subsection (2) shall be calculated at the rate of one thousand five hundred dollars per month for each additional employee up to a maximum aggregate amount of one hundred and eighty thousand dollars in any year of assessment.”.

## 7 New section substituted for section 22C of Cap. 23:04

- 20 With effect from the year of assessment beginning on the 1st January, 2021, section 22C of the Finance Act [*Chapter 23:04*] is repealed and the following section is substituted—

### “22C Presumptive tax

- 25 (1) The presumptive tax chargeable in terms of section 36C of the Taxes Act shall be in the case of—

- (a) informal traders (other than those referred to in paragraph (j), (m) and (l) ), calculated at the rate of two thousand four hundred dollars per month; or
- 30 (b) small-scale miners, calculated at the rate of zero *per centum* of each dollar of the purchase price of precious metals or precious stones upon which the tax is chargeable in terms of the Twenty-Sixth Schedule to the Taxes Act; or
- 35 (c) operators of taxicabs for the carriage of passengers for hire or reward having seating accommodation for not more than seven passengers, two thousand five hundred dollars per month for each such taxicab so operated; or
- 40 (d) operators of omnibuses for the carriage of passengers for hire or reward having seating accommodation for not less than eight or more than fourteen passengers, two thousand five hundred dollars per month for each such omnibus so operated; or
- 45 (e) operators of omnibuses for the carriage of passengers for hire or reward having seating accommodation for not less than fifteen or more than twenty-four passengers, three thousand dollars per month for each such omnibus so operated; or
- (f) operators of omnibuses for the carriage of passengers for hire or reward having seating accommodation for not less than

- twenty-five or more than thirty-six passengers, four thousand dollars per month for each such omnibus so operated; or
- (g) operators of omnibuses for the carriage of passengers for hire or reward having seating accommodation for not less than thirty-seven passengers, five thousand dollars per month for each such omnibus so operated; or 5
- (h) operators of goods vehicles having a carrying capacity—
- (i) of more than ten tonnes but less than twenty tonnes thirty thousand dollars per month;
- (ii) of ten tonnes or less but which is driving one or more trailers resulting in a combined carrying capacity of more than fifteen tonnes but less than twenty tonnes, forty thousand dollars per month; 10
- (iii) of twenty tonnes or more, forty thousand dollars per month; 15
- (i) operators of driving schools providing driving tuition—
- (i) for class 4 vehicles only, thirty thousand dollars per month;
- (ii) for class 1 and 2 vehicles (whether or not in addition to providing driving tuition for other classes of vehicles), forty thousand dollars per month; 20
- (j) operators of hairdressing salons, two thousand five hundred dollars per chair per month; or
- (k) informal cross-border traders, ten *per centum* of the value for duty purposes of the commercial goods being imported by the traders concerned; or 25
- (l) operators of restaurants or bottle-stores, ten thousand dollars per month; or
- (m) cottage industry operators, ten thousand dollars per month; or 30
- (n) operators of commercial waterborne vessels of a description referred to in paragraph 2(a) of the definition of “commercial waterborne vessel” in the Twenty-Sixth Schedule of the Taxes Act, having a carrying capacity (inclusive of cabin crew)— 35
- (i) of not more than five passengers, ten thousand dollars per month per vessel;
- (ii) of six passengers but less than sixteen passengers, fifteen thousand dollars per month per vessel;
- (iii) of sixteen passengers but less than twenty-six passengers, twenty thousand dollars per month per vessel; 40
- (iv) of than twenty-six passengers but less than fifty passengers, twenty-five thousand dollars per month per vessel; 45
- (v) of fifty or more passengers, four hundred and thirty thousand dollars per month per vessel;
- or

- (o) operators of commercial waterborne vessels of a description referred to in paragraph 2(b) of the definition of “commercial waterborne vessel” in the Twenty-Sixth Schedule of the Taxes Act (that is to say, operators of fishing rigs), ten thousand dollars per month; or
- (p) self-employed persons—
- (i) architects registered or required to be registered under the Architects Act [*Chapter 27:01*], two hundred and fifty thousand dollars; per month or
  - (ii) engineers or technicians registered or required to be registered under the Engineering Council [*Chapter 27:22*], five hundred thousand dollars per month; or
  - (iii) legal practitioners registered or required to be registered under the Legal Practitioners Act [*Chapter 27:01*], five hundred thousand dollars per month; or
  - (iv) health practitioners registered or required to be registered under the Health Professions Act [*Chapter 27:19*], five hundred thousand dollars per month; or
  - (v) real estate agents registered or required to be registered under the Estate Agents Act [*Chapter 27:17*], one million dollars per month;

(2) Every person liable for presumptive tax has the option to pay the amount of the tax due in United States dollars at the applicable foreign currency auction rate prevailing on the date of payment.”.

## 8 Amendment of section 22E of Cap. 23:04

With effect from the 5th December, 2020, section 22E (“Carbon Tax”) is amended by the repeal of subsection (1) and the substitution of—

- “(1) The carbon tax chargeable in terms of section 36E of the Taxes Act shall be paid at the rate of two Zimbabwe dollars and twenty-nine cents or zero comma zero four United States cents per litre of petroleum product, or five *per centum* of the cost, insurance, freight value (as defined in the Customs and Excise Act [*Chapter 23:02*]) of petroleum product, whichever is the greater amount, imported by—
- (a) the State oil procurement entity or other person or entity importing petroleum product for his or her own consumption; or
  - (b) any person licensed by the Minister responsible for energy to import the petroleum product in bulk.”.

## 9 Amendment of section 22G of Cap. 23:04

With effect from the 1st January, 2021, section 22G (“Intermediated Money Transfer Tax”) of the Finance Act [*Chapter 23:04*] is amended by the repeal of the proviso thereto and its substitution by—

- “Provided that if a single transaction on which the tax is payable is equivalent to or exceeds—
- (a) forty million Zimbabwe dollars, a flat intermediated money transfer tax of eight hundred thousand dollars shall be chargeable on such transaction; or
  - (b) one hundred thousand United States dollars, a flat intermediated money transfer tax of two thousand United States dollars shall be chargeable on such transaction.”.

**10 Amendment of section 22H of Cap. 23:04**

With effect from the 5th December, 2020, section 22H (“NOCZIM debt redemption and strategic reserve levy”) of the Finance Act [*Chapter 23:04*] is amended by the repeal of paragraphs (a) and (b) and the substitution of—

- “(a) in relation to the NOCZIM debt redemption levy, be calculated at the rate of three Zimbabwe dollars and twenty seven cents per litre of diesel and of petrol or zero comma zero five seven (0,057) United States dollars per litre of diesel and of petrol; or 5
- (b) in relation to the strategic reserve levy, be calculated at the rate of two Zimbabwe dollars and eighty-five cents per litre of diesel and of petrol or zero comma zero three (0,03) United States dollars per litre of diesel and of petrol;”. 10

**11 Amendment of section 22K of Cap. 23:04**

With effect from the year of assessment beginning on the 1st January, 2021, section 22K (“Petroleum importers levy”) is amended by the deletion of “4 United States cents per litre of petroleum product” and the substitution of “5 United States cents per litre of petroleum product.”. 15

**12 New section inserted after section 47 of Cap. 23:04**

With effect from the 1st January, 2021, the Finance Act [*Chapter 23:04*] is amended by the insertion in Chapter XI (“Statutory Fees and Charges”) of the following section after section 46— 20

**“47A Formula for annual revision of statutory fees and charges**

Statutory fees or charges shall be reviewed biannually, and shall not (except with the leave in writing of the Minister) be increased by more than the figure obtained by applying the following formula— 25

$$B_1 = B_0 * (CPI_1 / CPI_0)$$

in which—

- $B_1$  is the fee to be charged by the respective Ministry or Department; 30
- $B_0$  is the current fee chargeable by the respective Ministry or Department;
- $CPI_1$  is the Consumer Price Index for the month preceding the review as published by ZIMSTAT;
- $CPI_0$  is the Consumer Price Index published for the sixth month preceding the review as published by ZIMSTAT;”. 35

*Amendments to Income Tax Act [Chapter 23:06]*

**13 Amendment of section 2 of Cap. 23:06**

Section 2 of the Income Tax Act [*Chapter 23:06*] is amended in subsection (1) by the repeal of the definitions of “special economic zone” and “investment licence” and the substitution of— 40

““special economic zone” means any part of Zimbabwe declared in terms of the Zimbabwe Investment and Development Agency Act, 2019 (No. 10 of 2019);”;

“investment licence”, for the purposes of this Act, means an investment licence issued in terms of the Zimbabwe Investment and Development Agency Act, 2019 (No. 10 of 2019);, to a licensed investor with a qualifying degree of export-orientation, and “licensed investor” shall be construed accordingly;”. 45

**14 Amendment of section 8 of Cap. 23:06**

With effect from the 1st January, 2021, section 8 (“Interpretation of terms relating to income tax”)(1) of the Income Tax Act [Chapter 23:06] is amended—

- (a) in paragraph (f) II, in proviso (xi), by the repeal of the proviso thereto and the substitution of—

“Provided that where a person earns any part of his or her taxable income from employment in foreign currency, there shall be substituted for the figures referred to in subparagraphs (a) to (d) the following figures—

- A. in subparagraph (a), “six hundred and seventy-five United States dollars”;
- B. in subparagraph (b), “nine hundred United States dollars”;
- C. in subparagraph (c), “one thousand three hundred and fifty United States dollars”;
- D. in subparagraph (d), “nine thousand eight hundred United States dollars”;

- (b) in the definition of “gross income”, in paragraph (f) II (2)(b)(i), by the repeal of paragraph (h) and the substitution of—

- “(h) during the year of assessment beginning on the 1st January, 2021, and every subsequent year of assessment, is less than the LIBOR rate plus five *per centum*, where the amount of the loan exceed one hundred United States dollars, or less than fifteen *per centum* where the amount of the loan exceeds eight thousand Zimbabwe dollars;”.

**15 Amendment of section 12A of Cap. 23:06**

Section 12A (“Taxation of certain income deemed to be from a source within Zimbabwe”) of the Income Tax Act [Chapter 23:06] is amended by the repeal of subsection (6) and the substitution of—

- “(6) Subject to this section, the tax payable in terms of subsection (3) shall be paid as follows—

- (a) the first quarter payment shall be paid on or before the 25th March in relevant year of assessment for income which has accrued in December, January and February; and
- (b) the second quarter payment shall be paid on or before the 25th June in the relevant year of assessment, for income which has accrued in March, April and May; and
- (c) the third quarter payment shall be paid on or before the 25th September in the relevant year of assessment, for income which has accrued in June, July and August; and
- (d) the fourth quarter payment shall be paid on or before the 20th December in the relevant year of assessment, for income which has accrued in September, October and November.”.

**16 Amendment of section 15 of Cap. 23:06**

- With effect from the year of assessment beginning on the 1st January, 2021, section 15 (“Deductions allowed in determination of taxable income”)(2) of the Income Tax Act [Chapter 23:06] is amended by the insertion after paragraph (nn) of the following paragraph—

“(oo) the amount of any expenditure incurred by a prescribed company under a BOT and BOOT public private partnership agreement on projects and related off-site infrastructure.

For the purposes of this paragraph —

“BOT public private partnership agreement” and “BOOT public private partnership agreement” bear the meanings assigned to those terms in paragraphs 3 and 5 of Part III of the Fourth Schedule to the Zimbabwe Investment and Development Agency Act, 2019 (No. 10 of 2019);

“prescribed company” means a company prescribed for the purposes of this paragraph by the Minister by notice in the *Gazette*.”.

## 17 Repeal of section 97C of Cap. 23:06

With effect from the year of assessment beginning on the 1st January, 2020, the Income Tax Act [Chapter 23:06] is amended by the repeal of section 97C.

## 18 Amendment of Third Schedule to Cap. 23:06

The Third Schedule (“Exemptions from Income Tax”) to the Income Tax Act [Chapter 23:06] is amended—

(a) in paragraph 3 by the insertion of the following subparagraph after subparagraph (i)—

“(j) any qualifying real estate investment trust (for the purposes of qualifying for the exemption under this provision, a “qualifying real estate investment trust” means an entity registered as such under the Collective Investment Schemes Act [Chapter 24:19] which has as its principal object the owning, managing and investment in real estate and to which or in connection with which the following additional features or conditions must apply—

A. in the case of investors in the REIT other than a pension fund income must accrue from real estate investment projects commenced on or after the date of commencement of the Finance (No. 2) Act, 2020); and

B. the REIT must receive a minimum of eighty *per centum* of its taxable income from real estate; and

C. the REIT must distribute a minimum of eighty *per centum* of its taxable income in the form of shareholder dividends in each financial year of the REIT; and

D. the REIT—

I. must have a minimum of 100 shareholders after the first year of the date when it qualifies in other respects to benefit from the exemption under this subparagraph; and

II. must not have more than fifty *per centum* of its shares held by five or fewer individuals during a taxable year:

Provided that one or more pension funds may hold up to fifty *per centum* of the shares of REIT in any taxable year;

E. the REIT must be listed on a stock exchange registered in terms of the Securities and Exchange Act [Chapter 24:25];



- (b) with effect from the 1st November, 2020, in paragraph 4(o) by the deletion of “five thousand dollars (or three hundred and twenty United States dollars if the recipient is remunerated in foreign currency or is deemed to be so remunerated by virtue of section 14(2) of the Finance (No. 3) Act, 2019)” and the substitution of “twenty-five thousand dollars (or three hundred and twenty United States dollars if the recipient is remunerated in foreign currency or is deemed to be so remunerated by virtue of section 14(2) of the Finance (No. 3) Act, 2019)”;
- (c) by the repeal of paragraph 20.

## 19 Amendment of Ninth Schedule to Cap. 23:06

With effect from the year of assessment beginning on the 1st January, 2017, the Ninth Schedule (“Non-Residents Shareholders’ Tax”) to the Income Tax Act [*Chapter 23:06*] is amended—

- (a) in paragraph 1 (“Interpretation”) (1) in the definition of “dividend”, by the insertion after paragraph (j) of the following paragraph—
- “(k) any amount so distributed by the operator of BOT or BOOT project approved in terms of the Zimbabwe Investment and Development Agency Act, 2019 (No. 10 of 2019) which arises from its operations of the project”.

## 20 Substitution of Eleventh Schedule to Cap. 23:06

The Eleventh Schedule to the Income Tax Act [*Chapter 23:06*] is repealed and the following is substituted—

### “ELEVENTH SCHEDULE (Section 62(1)(B))

#### DECISIONS OF THE COMMISSIONER TO WHICH ANY PERSON MAY OBJECT

The decisions of the Commissioner to which any person may object under section 62(1)(b) are those made in terms of—

- (a) paragraph (c) of the definition of “mining operations” in section 2(1);
- (b) paragraphs (a), (d), (e), (f), (g), (j) and (l) of the definition of “gross income” in section 8 (1);
- (c) section 12(4);
- (d) section 13;
- (e) the following provisions of section 15—
- (i) paragraphs (d), (e), (f), (g), (i), (k), (p), (v), (w), (x) and (y) of subsection (2);
- (ii) proviso (ii) to subsection (3);

Provided that in any objection made in terms of this subparagraph and in any subsequent appeal lodged in terms of section 65 against the decision of the Commissioner thereon, the burden of proof that the change in the shareholding of a company was not effected solely or mainly in pursuance of or in connection with any scheme to take advantage of the assessed loss of that company, shall be upon the company claiming such assessed loss as a deduction under section 15(3);

- (iii) proviso (iii) to subsection (3);
- (f) section 16(2);
- (g) section 17;

- (h) section 18;
  - (i) section 19;
  - (j) section 23;
  - (k) section 24;
  - (l) section 37A(12); 5
  - (m) section 45(1) and the proviso to section 45(2);
  - (n) section 46(6) and the proviso to section 46(7);
  - (o) section 47(1);
  - (p) section 98;
- Provided that in any objection made in terms of this paragraph 10  
and in any subsequent appeal lodged in terms of section 65 against  
the decision of the Commissioner thereon, the burden of proof that the  
avoidance or postponement of liability for any tax or the reduction of  
the amount thereof was neither the sole purpose nor one of the main  
purposes of any transaction, operation or scheme, shall be upon the 15  
taxpayer;
- (q) section 98A(3);
  - (r) section 98B(2)(a);
  - (s) the following provisions of the Second Schedule—
    - (i) subparagraph (2) of paragraph 2; 20
    - (ii) proviso (ii) to paragraph 4:
 

Provided that in any objection made in terms of this  
subparagraph and in any subsequent appeal lodged in terms of  
section 65 against the decision of the Commissioner thereon, the  
burden of proof that any transaction, operation or scheme did not 25  
have as its sole purpose or one of its main purposes the avoidance  
or postponement of liability for or reduction of tax, shall be upon  
the taxpayer;
  - (iii) paragraph 7;
  - (iv) the proviso to paragraph 10(2); 30
  - (v) paragraph 11(1);
  - (vi) paragraph 12(b);
  - (vii) the proviso to paragraph 12:
 

Provided that in any objection made in terms of this  
subparagraph and in any subsequent appeal lodged in terms of 35  
section 65 against the decision of the Commissioner thereon, the  
burden of proof that any transaction, operation or scheme did not  
have as its sole purpose or one of its main purposes the avoidance  
or postponement of liability for or reduction of tax, shall be upon  
the taxpayer; 40
  - (viii) paragraph 13;
  - (t) the following provisions of the Fourth Schedule—
    - (i) subparagraphs (ii), (iii) and (v) of paragraph (a) of the definition  
of “industrial building” in paragraph 1;
    - (ii) the definition of “training equipment” in paragraph 1; 45
    - (iii) provisos (ii) and (iii) to paragraph 2;
    - (iv) paragraph 4;
    - (v) paragraph 8;

- (u) the following provisions of the Fifth Schedule—
- (i) the definition of “approved estimated life” in paragraph 1;
  - (ii) the definition of “training equipment” in paragraph 1;
  - (iii) the definition of “new mine” in paragraph 4(8);
  - (iv) paragraph 8(3) and (6);
  - (v) paragraph 4(1) (c), (e) and (h) of the Seventh Schedule;
- (w) paragraph 7(2) of the Eighth Schedule;
- (x) the following provisions of the Ninth Schedule—
- (i) the definition of “dividend” in paragraph 1(1);
  - (ii) paragraph 2(1)(d);
  - (iii) the proviso to paragraph 2(1);
  - (iv) paragraph 2(2);
  - (v) paragraph 3(1)(d);
  - (vi) paragraph 6(2);
- (y) paragraph 11 of the Thirteenth Schedule;
- (z) the following provisions of the Fifteenth Schedule—
- (i) the definition of “dividend” in paragraph 1(1);
  - (ii) paragraph 6(2);
- (aa) the provisions of the Sixteenth Schedule, where the determination relates to—
- (i) whether or not interest is from a source within Zimbabwe; or
  - (ii) whether or not a payee is ordinarily resident in Zimbabwe; or
  - (iii) the waiver or repayment of any amount referred to in paragraph 6(1);
- (bb) the provisions of the Seventeenth Schedule, where the determination relates to—
- (i) whether or not any amounts are fees for the purposes of that Schedule; or
  - (ii) whether or not a payee is ordinarily resident in Zimbabwe; or
  - (iii) the waiver or repayment of any amount referred to in paragraph 6(1);
- (cc) the provisions of the Eighteenth Schedule, where the determination relates to—
- (i) whether or not a remittance was in respect of allowable expenditure; or
  - (ii) whether or not a person or partnership is a non-resident person; or
  - (iii) the waiver or repayment of any amount referred to in paragraph 4(1);
- (dd) the provisions of the Nineteenth Schedule, where the determination relates to—
- (i) whether or not any amounts are royalties for the purposes of that Schedule; or
  - (ii) whether or not a payee is a non-resident person; or
  - (iii) the waiver or repayment of any amount referred to in paragraph 6(1);
- (ee) the provisions of the Twenty-First Schedule, where the determination relates to—

- (i) whether or not any amount is interest for the purposes of that Schedule; or
  - (ii) whether or not an amount of interest is from a source in Zimbabwe; or
  - (iii) the waiver or repayment of any amount referred to in paragraph 6(1). 5
- (ff) the provisions of the Twenty-Seventh Schedule, where the determination relates to—
  - (i) the residence of a member or former member of a mutual society; or 10
  - (ii) the waiver or repayment of any amount in terms of paragraph 8(3); or
  - (iii) the refund of an overpayment in terms of paragraph 10;
- (gg) the provisions of the Twenty-Eighth Schedule, where the determination relates to— 15
  - (i) whether a person has entered Zimbabwe; or
  - (ii) whether a visitor to Zimbabwe has stayed in Zimbabwe for a longer period than the period for which he or she originally paid carbon tax;
- (hh) the provisions of the Thirtieth Schedule, where the determination relates to— 20
  - (i) whether or not an institution is a financial institution; or
  - (ii) whether or not a financial institution has mediated the transfer of money;
- (jj) the provisions of the Thirty-First Schedule, where the determination relates to— 25
  - (i) whether an oil company and any other person or entity (other than the State) has purchased any petroleum product from NOCZIM or imported any petroleum product; or
  - (ii) whether the required NOCZIM debt redemption and strategic reserve levy has been paid to the Zimbabwe Revenue Authority; 30
- (kk) the provisions of the Thirty-Second Schedule, where the determination relates to—
  - (i) the definition of a “freelance agent; or
  - (ii) whether property or insurance commission tax was paid on commission paid to a freelance agent; or 35
  - (iii) the refund of a payment in terms of paragraph 6;
- (ll) the provisions of the Thirty-Third Schedule, where the determination relates to—
  - (i) whether director’s fees were paid to a director; or 40
  - (ii) whether tax was withheld and paid by the payer
  - (iii) the refund of a payment in terms of paragraph 7;
- (mm) the provisions of the Thirty-Fourth Schedule, where the determination relates to—
  - (i) whether a petroleum operator has imported petroleum products; or 45
  - (ii) whether petroleum levy was paid;
  - (iii) the refund of a payment in terms of paragraph 3;

- (nn) the provisions of the Thirty-Fifth Schedule, where the determination relates to—
- (i) whether or not the conditions of a controlled transactions are consistent with the arm's length principle; or
  - 5 (ii) whether or not the transaction is a comparable to the controlled transaction; or
  - (iii) whether or not the selected transfer pricing method is the most appropriate one; or
  - 10 (iv) whether or not the corresponding adjustment made by the Commissioner to the taxable income of the taxpayer in relation to the domestic transaction is appropriate;

(oo) the provisions of the Thirty-Sixth Schedule, where the determination relates to—

    - (i) whether or not the person is a bookmaker; or
    - 15 (ii) whether or not an amount is gross takings for the purposes of the Schedule.”.

## 21 Amendment of Thirteenth Schedule to Cap. 23:06

(1) With effect from the 1st June, 2020, the Thirteenth Schedule (“Employees’ Tax”) to the Income Tax Act [*Chapter 23:06*] is amended in paragraph 1(1) in the definition of “remuneration” by the repeal of paragraph (i) and the substitution of—

- “ (i) the COVID-19 civil servants’ allowance, that is to say—
- (a) that part of the salary of a civil servant or of a civil service pension that is denominated in United States dollars; or
  - 25 (b) an allowance of the same amount and for the same purpose as that paid to civil servants referred to in paragraph (a), that was paid by the State to employees who are not civil servants.

(2) The Finance Act, 2020 (No. 8 of 2020) is amended in section 14 (“Amendment of Thirteenth Schedule to Cap. 23:06”) by the deletion of “to the 31st August, 2020.”.

## 22 Amendment of Twenty-Sixth Schedule to Cap. 23:06

With effect from the 1st January, 2021, the Twenty-Sixth Schedule (“Presumptive Tax”) to the Income Tax Act [*Chapter 23:06*] is amended—

- (a) in paragraph 1 (“Interpretation”) —
- 35 (i) by the repeal of the definition of “informal trader” and the substitution of—
 

“informal trader” means an individual who—

  - (a) carries on a trade for his own account from which he derives a gross income of less than four hundred and eighty thousand dollars or such other amount as the Minister may prescribe by notice in the *Gazette*; and
  - 40 (b) has not, in the most recent year of assessment for which he could have done so, furnished a return in terms of Part V for the assessment of the income referred to in paragraph (a);
  - 45 (ii) by the insertion of the following definitions—

- “self-employed professional” means an individual who, on his or her own account or as a member of a partnership, earns income as—
- (a) an architect registered or required to be registered under the Architects Act [*Chapter 27:01*]; or 5
  - (b) an engineer or technician registered or required to be registered under the Engineering Council [*Chapter 27:22*]; or
  - (c) a legal practitioner registered or required to be registered under the Legal Practitioners Act [*Chapter 27:01*]; or 10
  - (d) a health practitioner registered or required to be registered under the Health Professions Act [*Chapter 27:19*]; or
  - (e) real estate agents registered or required to be registered under the Estate Agents Act [*Chapter 27:17*]; 15
- but does not include any such individual in possession of a tax clearance certificate to the effect that he or she has furnished a return under section 37 for the last year of assessment for which such a return is due; or”; 20
- (b) in paragraph 2 (“Informal traders to notify status”) by the insertion of the following subparagraph after subparagraph (2)—
- “(3) The failure by an informal trader or a lessor to comply with this paragraph shall not affect such trader’s or lessor’s liability for any presumptive tax in terms of this Schedule.”. 25
- (c) in paragraph 3 (“Collection of presumptive tax from informal trader”) by the repeal of subparagraph (1) and the substitution of—
- “(1) Whenever an informal trader pays a lessor, the lessor shall recover from him an additional amount by way of presumptive tax, equal to equal to the amount fixed from time to time in the charging Act.”. 30
- (d) by the insertion after Part IVF of the following Parts—

#### “PART IVG

##### SELF-EMPLOYED PROFESSIONALS’ PRESUMPTIVE TAX

##### *Payment of presumptive tax by self-employed professionals* 35

13I. (1) Subject to this paragraph, no later than thirty days after the end of each quarter, every self-employed professional shall pay the amount of presumptive tax that is fixed from time to time in the Charging Act:

Provided that the Commissioner may, for good cause shown, allow the tax to be paid over at a later date. 40

(2) The amount of presumptive tax payable in terms of subparagraph (1) shall be payable at any branch, division or department of the Zimbabwe Revenue Authority responsible for assessing, collecting and enforcing the payment of taxes under this Act or through any agent of the Zimbabwe Revenue Authority notified by the Commissioner. 45

(3) Where a self-employed professional has paid the amount of presumptive tax due in terms of subparagraph (1), the Commissioner shall furnish the self-employed professional with the appropriate tax clearance certificate.

5 *Interest on overdue self-employed professionals' presumptive tax*

13J. If presumptive tax is not paid timeously in terms of paragraph 13I, interest, calculated at a rate to be fixed by the Minister by statutory instrument, shall be payable on so much of the tax as remains unpaid during the period beginning on the day next following the last day  
10 provided for its payment and ending on the date the tax is paid in full:

Provided that in special circumstances the Commissioner may extend the time for payment of the tax without charging interest.”.

## 23 Amendment of Thirtieth Schedule to Cap. 23:06

15 With effect from the 1st January, 2021, the Thirtieth Schedule (“Intermediated Money Transfer Tax”) to the Income Tax Act [*Chapter 23:06*] is amended in paragraph 1 (“Interpretation”) (1) in the definition of “transaction on which the tax is payable” by the repeal of paragraph (t) and the substitution of—

- 20 “(t) the transfer of foreign currency awarded to any bidder on the Foreign Currency Auction System operated by the Reserve Bank of Zimbabwe to the foreign currency account of any authorised dealer;
- (u) the transfer of Zimbabwe dollars by an authorised dealer to the Reserve Bank of Zimbabwe in settlement of foreign currency awarded to any bidder on the Foreign Currency Auction System operated by the Reserve Bank of Zimbabwe;
- 25 (v) the transfer of foreign currency by authorised dealers in settlement of international obligations for the importation of goods and services;
- (w) the transfer of foreign currency by traders to the Reserve Bank of Zimbabwe for sale on the Foreign Currency Auction System operated by the Reserve Bank of Zimbabwe;
- 30 (x) the transfer of Zimbabwe dollars by the Reserve Bank of Zimbabwe to traders or authorised dealers as settlement of foreign currency sold on the Foreign Currency Auction System operated by the Reserve Bank of Zimbabwe;
- 35 (y) the transfer of money from a nostro foreign currency account in the name of a person exempted in terms of the Privileges and Immunities Act [*Chapter 3:03*];
- (z) the transfer of the levy chargeable in terms of section 53 of the Manpower Planning and Development Act [*Chapter 28:02*];
- 40 (aa) the transfer of money involving a transaction other than one mentioned in the foregoing paragraphs, if the value of transaction is five hundred Zimbabwe dollars or below or five United States dollars or below.”.

## PART III

### VALUE ADDED TAX

*Amendments to Chapter IV of Finance Act [Chapter 23:04]*

## 45 24 Amendment of Schedule to Chapter IV of Cap. 23:04

With effect from the 1st January, 2020, Parts II and III of the Schedule to Chapter IV of the Finance Act [*Chapter 23:04*] is repealed and the following is substituted—

## “PART II

## VALUE ADDED TAX ON BETTING AND GAMING

The rate of value added tax in respect of the transactions or receipts mentioned in the first column of the Schedule shall be that specified in the second column opposite thereto.

5

Any expression to which a meaning has been or may be construed as having been assigned in any enactment mentioned in the Schedule shall, when used in this Part, have the same meaning.

| <i>Transactions or receipts</i>   | <i>Rate of tax</i>   |    |
|---|--|----|
| 1. Any bet made at any place other than a racecourse by any person with a bookmaker licensed in terms of the Betting and Totalizator Control Act [Chapter 10:02] on a horse race.   | 1. (a) Fourteen and a half <i>per centum</i> on the amount payable by the bookmaker to such person in respect of such bet excluding the amount representing the amount staked.                   | 10 |
|   | (b) Fourteen and a half <i>per centum</i> on the amount of the net winnings of such bookmaker in respect of each period of six months commencing on the 1st April and the 1st October each year. | 15 |
|   |  | 20 |
| 2. Any bet made on a horse race at a racecourse on a race day by any person with a bookmaker licensed in terms of the Betting and Totalizator Control Act [Chapter 10:02].  | 2. (a) Fourteen and a half <i>per centum</i> on the amount payable by the bookmaker to such person in respect of such bet excluding the amount representing the amount staked.                   | 25 |
|   | (b) Fourteen and a half <i>per centum</i> on the amount of the net winnings of such bookmaker in respect of each period of six months commencing on the 1st April and the 1st October each year. | 30 |
| 3. Any bet made at any place, other than a racecourse on a race day, by any person with a bookmaker licensed in terms of the Betting and Totalizator Control Act [Chapter 10:02] on any sporting event other than a horse race. | 3. (a) Fourteen and a half <i>per centum</i> on the amount payable by the bookmaker to such person in respect of such bet excluding the amount representing the amount staked.                   | 35 |
|   | (b) Fourteen and a half <i>per centum</i> on the amount of the net winnings of such bookmaker in respect of each period of six months commencing on the 1st April and the 1st October each year. | 40 |
| 4. Any bet or stake made by way of pool betting by any person with a licensed pool promoter or with a licensed representative, licensed in terms of the Pools Control Act [Chapter 10:19].                                      | 4. Fourteen and a half <i>per centum</i> on the aggregate total bets or stakes in each pool competition.   | 45 |
| 5. Any bet made by way of fixed odds betting by any person with a bookmaker licensed in terms of the Betting and Totalizator Control Act [Chapter 10:02].   | 5. Fourteen and a half <i>per centum</i> on the aggregate total bets made with such bookmaker in each fixed odds betting competition.  | 50 |
| 6. Any bet or stake made by any person through the medium of a totalizator licensed in terms of the Betting and Totalizator Control Act [Chapter 10:02].  | 6. Fourteen and a half <i>per centum</i> on the gross takings of such totalizator.   | 55 |



|    | <i>Transactions or receipts</i>   | <i>Rate of tax</i>  |
|----|---|---|
| 5  | 7. Gaming revenue received by the holder of a casino licence in terms of the Casino Act [Chapter 10:03] other than a temporary casino licence in terms of that Act.         | 7. Fourteen and a half <i>per centum</i> of the gaming revenue received in each quarter during the currency of the licence.                             |
|    | 8. Banker's revenue received by a banker in terms of the Casino Act [Chapter 10:03], other than a banker referred to in item 10.  | 8. Fourteen and a half <i>per centum</i> of the banker's revenue received.  |
| 10 | 9. Gaming revenue received by the holder of a temporary casino licence in terms of the Casino Act [Chapter 10:03].  | 9. Fourteen and a half <i>per centum</i> of the gaming revenue received during the validity of the licence.   |
| 15 | 10. Banker's revenue received by a banker in terms of the Casino Act [Chapter 10:03] under an agreement with the holder of a temporary casino licence in terms of that Act. | 10. Fourteen and a half <i>per centum</i> of the banker's revenue received in terms of the agreement with the holder of the temporary casino licence.”. |

## PART III

## GENERAL RATE OF VALUE ADDED TAX ON SUPPLY OF CELLULAR TELECOMMUNICATIONS SERVICE

20 The rate of value added tax in respect of the supply of cellular telecommunications services in the course of furtherance of the supply of such service by a registered operator shall be fourteen and a half *per centum*.”.

*Amendment to Value Added Tax Act [Chapter 23:12]*

**25 New section inserted after section 12E in Cap. 23:12**

25 With effect from the 1st January, 2021, the Value Added Tax Act [Chapter 23:12] is amended by the insertion of the following section after section 12E—

**“12F Collection of tax on exportation of medicinal cannabis, determination of value thereof**

(1) In this section—

30 “medicinal cannabis”, means—

- (a) the plant cannabis sativa and any part of the plant including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts and salts of isomers, with a delta-9 tetrahydrocannabinoid concentration of not more than 0,3% on a dry weight basis; and
- (b) in respect of the cultivation or other dealing of or in which a permit has been issued in terms of the Agricultural Marketing Authority (Industrial Hemp) Regulations, 2020 (Statutory Instrument 218 of 2020), or any other law that may be substituted for the same;

“medicinal cannabis product”, means medicinal cannabis for export as described in subsection (2)(a), (b) or (c).

(2) Notwithstanding section 10(1), tax at the rate of—

- (a) ten *per centum* on the export sale value of finished packaged medicinal cannabis oils that are ready for resale shall be levied on a supplier of such product for export from Zimbabwe;
- (b) fifteen *per centum* on the export sale value of bulk extracted

medicinal cannabis oils that require further processing or packaging shall be levied on a supplier of such product for export from Zimbabwe;

- (c) twenty *per centum* on the export sale value of dried medicinal cannabis flowers shall be levied on a supplier of such product for export from Zimbabwe; 5

(3) For the purposes of this Act a medicinal cannabis product shall be deemed to be exported from Zimbabwe on the date on which such product is, in terms of section 60 of the Customs Act [*Chapter 23:02*], deemed to be exported. 10

(4) For the purposes of this Act the export sale value to be placed on the exportation of a medicinal cannabis product shall be deemed to be—

- (a) the market value thereof on the date of exportation as determined by reference to a reputable exchange; or 15
- (b) the value as reflected on the bill of entry or other document required in terms of section 54 of the Customs and Excise Act [*Chapter 23:02*] is delivered to an officer under that Act;

whichever is the higher value. 20

(5) Subject to section 6(1)(b), and this section, any provision of the Customs Act relating to the exportation, transit and clearance of any goods and the payment and recovery of duty shall apply, with such changes as may be necessary, as if enacted in terms of this Act, whether or not the said provisions apply for the purposes of any duty levied in terms of the Customs Act.”. 25

## 26 Amendment of section 13 of Cap. 23:12

With effect from the 1st January, 2021, the Value Added Tax Act [*Chapter 23:12*] is amended in section 13 (“Collection of value-added tax on imported services, determination of value thereof and exemptions”)(1) by the deletion of “within thirty days of the date referred to in subsection (2)” and the substitution of “within the period ending on the twenty-fifth day of the first month commencing after the month of the date of supply referred to in subsection (2)”. 30

## 27 Amendment of section 23 of Cap. 23:12

With effect from the 1st January, 2021, the Value Added Tax Act [*Chapter 23:12*] is amended in section 23 (“Registration of persons making supplies in the course of trade”)(3) by insertion of the following proviso thereto— 35

“Provided that any person holding a special mining lease in terms of the Mines and Minerals Act who commences development for mining purposes in the year of assessment for income tax purposes beginning on the 1st January, 2020, shall be deemed for the purpose of this subsection to qualify for registration under this Act with effect from the 1st January, 2020.”. 40

## 28 Amendment of section 50A of Cap. 23:12

With effect from the 1st January, 2021, the Value Added Tax Act [*Chapter 23:12*] is amended in section 50A (“Commissioner may appoint value added withholding tax agents”) by the repeal of subsection (2) and the substitution of— 45

“(2) Every value added withholding tax agent shall—

- (a) withhold the portion of the full amount of output tax specified in the Charging Act from each amount to be paid to a specified operator, in the currency in which the goods and services concerned were purchased; and
- 5 (b) remit each amount so withheld to the Commissioner on or before the 15th of the following month or any other date that Commissioner may fix in the specifying notice or prescribe (and if the amount so remitted is not remitted in the currency in which the goods and services concerned were purchased, the value added withholding tax agent shall
- 10 be deemed, for the purposes of subsection (6), not to have withheld and remitted the amount of value added withholding tax due in terms of this subsection).”.

## PART IV

## CUSTOMS AND EXCISE

15 **29 New section inserted after section 49C of Cap. 23:02**

The Customs and Excise Act [*Chapter 23:02*] is amended by the insertion of the following section after section 49C—

**“49D Zimbabwe Revenue Authority to discharge vehicle registration functions at ports of entry**

20 (1) Subject to this section, the Zimbabwe Revenue Authority is hereby appointed as the agent of the Central Vehicle Registry (the Department in the Ministry responsible for transport charged with the registration of vehicles under the Vehicle Registration and Licensing Act [*Chapter 13:14*]) for the purposes of sections 49A, 49B and 49C, and shall

25 discharge all functions of the Registry in terms of the Vehicle Registration and Licensing Act [*Chapter 13:14*] at all ports of entry, notwithstanding anything to the contrary in that Act.

(2) To maintain the integrity, consistency and uniformity of records as between the Central Vehicle Registry and the Zimbabwe Revenue Authority, the Central Vehicle Registry (on behalf of the Ministry of Transport and Infrastructure Development or any other Ministry as may from time to time host the Central Vehicle Registry), and the Zimbabwe Revenue Authority shall be embodied in a memorandum of agreement (“memorandum”) providing, among other things, for the following —

30

- 35 (a) the payment to the Zimbabwe Revenue Authority of a minimum of a one term Vehicle Licensing Fee in respect of each vehicle licensed by it at a port of entry; and
- (b) full disclosure by the Zimbabwe Revenue Authority to the Central Vehicle Registry of all relevant particulars related to the implementation of sections 49A, 49B and 49C; and
- 40 (c) the secondment of persons employed in the Central Vehicle Registry to the service of the Zimbabwe Revenue Authority to enable the Authority to implement this section; and
- (d) unhindered access by officers of the Zimbabwe Revenue Authority to all premises, books, accounts and other documents of the or the Central Vehicle Registry related to the implementation of sections 49A, 49B and 49C; and
- 45 (e) the provision of assistance by the Central Vehicle Registry for the adequate training of personnel employed or retained

by the Zimbabwe Revenue Authority to ensure the integrity, consistency and uniformity of records as between the Central Vehicle Registry and the Zimbabwe Revenue Authority.

(3) Until such time as the memorandum between Zimbabwe Revenue Authority and the Central Vehicle Registry is concluded, the Commissioner is hereby empowered to give to the Registrar of Vehicles appointed in terms of section 3 of the Vehicle Registration and Licensing Act [*Chapter 13:14*] binding directives in connection with the implementation of anything that would otherwise be required to be included in the memorandum under subsection (2)(a), (b), (c) and (d).”.

### **30 Amendment of section 98E of Cap 23:02**

Section 98E (“Registration of registered users and suspension or cancellation of registration”)(3) of the Customs and Excise Act [*Chapter 23:02*] is amended by the repeal of paragraph (a) and the substitution of—

“(a) is a clearing agent licensed under this Act, an importer, exporter or is a person who will make regular use of the computer system established in terms of section 98;”.

### **31 Amendment of section 188 of Cap. 23:02**

Section 188 (“Goods and ships, aircraft, vehicles or other things liable to forfeiture”) of the Customs and Excise Act [*Chapter 23:02*] is amended by the insertion of the following subsections after subsection (2b) and the substitution of—

“(2c) Any person who makes available his or her ship, aircraft or vehicle for the crossborder carriage into and offloading in Zimbabwe of goods, having earlier made at any port of entry a false declaration in relation to those goods or part of those goods that his or her ship, aircraft or vehicle is in transit through Zimbabwe, shall be guilty of an offence and liable to a fine equivalent to three times the declared value of the offloaded goods.

(2d) For the purposes of subsection (2c), it shall be presumed that the goods there mentioned were offloaded in contravention of that provision if the ship, aircraft or vehicle did not exit Zimbabwe through a port of entry within the prescribed or authorised period.”.

### **32 New section substituted for section 223 of Cap. 23:02**

Section 223 of the Customs and Excise Act [*Chapter 23:02*] is repealed and the following is substituted—

“223 Persons carrying on business to keep proper books and records

(1) In this section—

“records” includes any correspondence, computer printout, audited reports, income and expenditure accounts and other documents in whatever form, electronic or manual, and by whatever name, which are related to the importation, exportation, transportation, customs clearance, valuation, costing, payment or disposal of goods required to be accounted for under this Act or any other law related to customs and excise;

“person carrying on any business which involves handling or dealing in goods or the supply of services” includes traders,

(2) Every person carrying on in Zimbabwe any business which involves handling or dealing in goods or the supply of services shall keep or cause to be kept within Zimbabwe, in the English language and for a period of not less than six years all or any of the following records as may be appropriate to his or her business—

- (3) Any person who fails to comply with subsection (1) shall be guilty of an offence and liable to—

- (a) a fine not exceeding level 14; or
- (b) a fine equivalent to three times the duty-paid value of the goods in respect of the payment of which an officer requested the production of the records, documents or books in question; whichever is the greater amount, or to imprisonment for a period not exceeding one year, or to both such fine and such imprisonment.”. 5

### 33 New sections substituted for section 223A in Cap. 23:02

The Customs and Excise Act [*Chapter 23:02*] is amended by repeal of section 224A and the substitution of the following sections—

#### “223A Post-clearance audit 10

(1) A declaration made for the purposes of making entry in terms of section 38 which contains any omission, inconsistency, error or misrepresentation shall be invalid whether or not such declaration has been accepted by an officer:

Provided that such invalidity shall not affect the use of such declaration as evidence of the commission of any offence under this Act. 15

(2) An invalid declaration shall be validated by the person making such declaration in such manner and within such period as may be prescribed.

(3) Any goods not properly declared shall be deemed to be uncustomed goods. 20

(4) The Commissioner or proper officer, after releasing the goods subject to entry and in order to satisfy himself or herself as to the accuracy of the particulars contained in the declaration, may undertake a post-clearance audit or verification in relation to those goods, that is to say he/she or any authorised officer or person may— 25

(a) carry out inspections at the premises of the owner of the goods, or at the place to which the goods are destined, or at the premises where any documentation or data relating to the goods in question is located or may reasonably be expected to be found; and 30

(b) question any person at any premises or place referred to in paragraph (a), or any person having possession or custody of the documentation or data there referred to; and

(c) at any premises or place referred to in paragraph (a), inspect or examine the goods, and any books, written records, computer records, and other data or documentation relating to the import, export or subsequent disposal of the goods in question; and 35

(d) take possession of and remove or make extracts from or make copies of the records, data or documentation referred to in paragraph (c); and 40

(e) at any premises or a place referred to in paragraph (a) take samples of any good for the purposes of determining the customs value, classification or origin; and 45

(f) liaise with other foreign customs administration or revenue administrations in terms of any mutual administrative

agreements with a view of validating any transaction, document or information used in the importation, exportation, payment or transportation of any goods.

5 (5) The audit shall be conducted during normal business or working hours. The officers shall be entitled to enter and inspect sites and business premises with the assistance of the owner of the premises or his/her representative. A room suitable for conducting the audit as well as necessary aids such as internet connectivity shall be provided free of charge:

10 Provided that where a document or record keeping system in a foreign language is presented to a proper officer in relation to the carrying out of any duty or the exercise of any power under this Act or any other Act, the officer may require the person who presented the document or the system to supply to the officer an English translation of the document or  
15 the system prepared by a person approved by the officer, at the expense of the person who presented the document.

### 223B Report of audit findings

(1) Where, by reason of the conduct of an audit under section 223A, the officer —

- 20 (a) does not find any irregularity or contravention of this Act or any law relating to customs and excise, the officer shall make a report in writing of the audit and indicate in the report the non-discovery of any irregularity or contravention of this Act or any law relating to Customs and Excise; or
- 25 (b) finds any irregularity or contravention of the Act or any law relating to customs and excise, the officer shall—
  - (i) subject to subsection (2), make a report in writing of the discovery of the irregularity or contravention; and
  - 30 (ii) submit a copy of the report to the Commissioner or proper officer and to the person who is the subject of the audit in such format as may be specified by the Commissioner

35 (2) Where the Commissioner or authorised officer, during the conduct of an audit, makes any copies of, or retains, any documents, records or other information examined by the officer, the report referred to in subsection (1)(b)(i) shall—

- (a) contain all information or extracts from the copies of the documents, records or other information examined; and
- 40 (b) be accompanied by the documents, records or other information retained.

### 223C Redetermination of value, origin and tariff

45 (1) Where the Commissioner or proper officer receives a report under section 223B, the Commissioner or proper officer may issue a notice to re-determine the declared tariff classification, the declared origin of goods or the declared customs value.

(2) Every notice issued by the Commissioner in terms of subsection (1) shall be accompanied by an explanation as to the reasons of the redetermination.



(3) Any person who is dissatisfied with the decision of the Commissioner to issue a notice under subsection (1) may, within thirty days of receipt of the notice, appeal to the Commissioner to reconsider the decision.

(4) Every appeal shall be accompanied by a copy of the notice to re-determine the declared tariff clarification, declared origin or declared customs value and a statement specifying the grounds for the reconsideration. 5

(5) The Commissioner shall, within thirty days of the receipt of the application and the accompanying documents referred to in subsection (2), reconsider the decision or allow the decision to stand and inform the applicant of that decision. 10

(6) If the appellant is dissatisfied by the Commissioner's decision in terms of subsection (5), he or she may appeal to the Fiscal Appeal Court in terms of the Fiscal Appeal Court Act [*Chapter 23:05*]. 15

(7) Where circumstances require the amendment of a declaration after the goods have been released, the Commissioner having informed the importer of the goods of his or her decision to re-determine either the tariff, customs value or origin, the importer shall amend the declaration in terms of this section within such a period, as the Commissioner shall in writing specify: 20

Provided that where the importer has on his own volition approached the Commissioner with the view of amending any declaration made in terms of section 38 of the Act, no penalties that would ordinarily have been levied or applied in terms of this Act shall be levied or be applied by the Commissioner. 25

#### 223D Confidentiality in connection with post-clearance audit

(1) In the course of discharging his or her duties under section 223A, 223B and 223C, the Commissioner or the person authorised by him or her shall be bound by provisions of section 210(1), section 210(2) and section 210A. 30

(2) At the conclusion of the audit, the Commissioner shall ensure that any information obtained and retained by him or her in terms of section 223A, 223B and 223C, shall be treated with confidentiality and that only persons authorised by him or her shall have access thereto. 35

(3) Before the Commissioner authorises any person to exercise any authority, powers or privileges under section 223A, 223B and 223C, he or she must ensure that the person is made aware of the provisions of section 34A(6) of the Revenue Act [*Chapter 23:11*].

#### 223E Requirement to provide information and give access to books and records 40

(1) A person to whom section 223 applies shall, when required by a proper officer or authorised officer—

- (a) provide requisite information or documents, make available and give access to the books and records that the person is required to keep under that section; 45
- (b) ensure that the proper officer has access to the books and records, at or within the prescribed time;



(c) answer any question relevant to matters arising under this Act put to the person by the proper officer in respect of those documents, books, records, or other information;

(e) provide working space and personnel to assist the officer in the performance of his or her duties; and

(f) provide copies of the books and records to the proper officer.

(2) Where information is recorded or stored by means of an electronic or other device, the person referred to in subsection (1), or the agent of that person, shall, at the request of a proper officer, operate the device, or cause it to be operated, in order to make the information available to the proper officer.

(3) Any information, books and records provided to the officer by the person referred to in subsection (1) shall be true, accurate, and complete.

(4) Any person referred to subsection (1) or other person designated by him or her shall give the officer all the necessary assistance, answer truthfully any question and provide the explanations that are necessary to understand the records to enable the officer to execute his or her duties.

(5) Any person, who fails without reasonable cause to comply with this section shall be guilty of an offence and liable to—

(a) a fine not exceeding level fourteen ; or

(b) a fine equivalent to three times the duty-paid value of the goods in respect of the payment of which an officer requested information and access to books and records, whichever is the greater amount, or to imprisonment for a period not exceeding one year, or to both such fine and such imprisonment.

### 34 Substitution of Schedule to Cap. 23:02

The Customs and Excise Act [*Chapter 23:02*] is amended by the repeal of the Schedule and the substitution of—

“SCHEDULE (Section 172D)

#### RATES OF SPECIAL EXCISE DUTY ON SECOND-HAND MOTOR VEHICLES

| Number of Years | Engine Capacity  | Excise Duty Rate(ZWL) |
|-----------------|------------------|-----------------------|
| 0-4             | Up to 1000cc     | 24 000                |
|                 | 1001cc to 1500cc | 32 000                |
|                 | 1501cc to 2000cc | 40 000                |
|                 | 2001cc to 2500cc | 48 000                |
|                 | 2501cc to 3000cc | 48 000                |
|                 | 3001cc to 3500cc | 48 000                |
|                 | Above 3500cc     | 48 000                |
| 5-10            | Up to 1000 cc    | 12 000                |
|                 | 1001cc to 1500cc | 16 000                |
|                 | 1501cc to 2000cc | 20 000                |
|                 | 2001cc to 2500cc | 24 000                |

| Number of Years | Engine Capacity     | Excise Duty Rate(ZWL) |    |
|-----------------|---------------------|-----------------------|----|
|                 | 2501cc to 3000cc    | 32 000                |    |
|                 | 3001cc to 3500cc    | 32 000                |    |
|                 | Above 3500cc        | 32 000                |    |
|                 |                     |                       |    |
| 11-15           | Up to 1000cc        | 6 000                 | 5  |
|                 | 1001cc to 1500cc    | 8 000                 |    |
|                 | 1501cc to 2000cc    | 12 000                |    |
|                 | 2001cc to 2500cc    | 16 000                |    |
|                 | 2501cc to 3000cc    | 16 000                |    |
|                 | 3001cc to 3500cc    | 16 000                | 10 |
|                 | Above 3500cc        | 16 000                |    |
|                 |                     |                       |    |
| 16 - 20         | Up to 1000cc        | 4 000                 |    |
|                 | 1001cc to 1500cc    | 6 000                 |    |
|                 | 1501cc to 2000cc    | 8 000                 |    |
|                 | 2001cc to 2500cc    | 12 000                | 15 |
|                 | 2501cc to 3000cc    | 12 000                |    |
|                 | 3001cc to 3500cc    | 12 000                |    |
|                 | Above 3500cc        | 12 000                |    |
|                 |                     |                       |    |
| Over 20 years   | All Engine Capacity | 4 000.”.              |    |

## PART V

20

## ROAD TOLLS

**35 Amendment of section 4 of Cap. 13:13**

Section 4 (“Levying of tolls”) of the Toll Roads Act [*Chapter 13:13*] is amended by the insertion after subsection (1a) of the following subsection—

“(1b) Road tolls on domestically-registered vehicles using a toll-road may, at the option of the person liable to pay them, be payable in foreign currency at the applicable foreign currency auction rate prevailing on the date of payment.”.

25

## PART VI

## AMENDMENT OF OTHER ACTS

**36 Amendment of section 2 of Cap. 2:06**

30

The Presidential Salary and Allowances Act [*Chapter 2:06*] is amended by the insertion of the following section after section 2—

**“2A Allowances for spouses of President and Vice-Presidents**

(1) The spouse of a President shall be entitled to such allowances at such rate as may be prescribed from time to time in terms of section 3;

35

(2) The spouse of a Vice-President shall be entitled to such allowances at such rate as may be prescribed from time to time in terms of section 3.”.

**37 Amendment of section 3 of Chapter 14:33**

Section 3(1) of the Indigenisation and Empowerment Act [*Chapter 14:33*] is amended—

- 5 (a) by the insertion after “extraction of” of ‘such mineral as may be prescribed by the Minister in consultation with the Minister responsible for Mines and the Minister responsible for Finance;
- (b) by the repeal of paragraph (a);
- (c) the repeal of paragraph (b).

**38 New section inserted in Chapter 24:20**

10 The Banking Act [*Chapter 14:33*] is amended by the insertion of the following section after section 78—

**“78B International financial services centres**

(1) In this section—

15 “foreign-based banking institution” and “foreign-based financial institution” means an institution that—

- (a) is domiciled in a foreign country for at least five years at the time at the time it seeks to be licensed to operate in the international financial services centre in accordance with this section; and
- 20 (b) in the case of—
  - (i) a banking institution has obtained a foreign banking licence in terms of this Act; and
  - (ii) a financial institution has obtained a licence to establish an office or subsidiary in Zimbabwe in terms of this Act or any other enactment regulating the institution in question;

25 “locally-based banking institution” and “locally -based financial institution” means an institution that is registered to operate in and domiciled in Zimbabwe for at least five years at the time it seeks to be licensed to operate in the international financial services centre in accordance with this section.

30 (2) The Minister may, by notice in the *Gazette*, declare any area established as a Special Economic Zone in terms of the Zimbabwe Investment and Development Agency Act (No. 10 of 2019) to be an international financial services centre where foreign-based banking and financial institutions and locally-based banking and financial institution may carry on their business and, in regulations made under section 81, the Minister may—

- 40 (a) prescribe terms and conditions under which banking and financial institutions may be established and carry on business in an international financial centre;
- (b) notwithstanding any other enactment, exempt any banking or financial institution which carries on business in an international financial services centre from compliance, wholly or partially, with any provision of this Act or any other enactment relating to the conduct of their business:

45 Provided that the Minister shall not grant an exemption from the provisions of an enactment whose administration has

been assigned to another Minister unless that other Minister has agreed to the exemption;

- (c) make provision for any other matter that will encourage the development of international financial services centres and facilitate the operations of banking and financial institutions within them.”. 5

## PART VII

### MISCELLANEOUS

#### 39 Revision of amounts in revenue Acts

The provisions of the Acts specified in the first column of the Schedule are amended to the extent specified thereto in the second column of the Schedule. 10

#### SCHEDULE (Section 31)

##### AMENDMENTS OF SPECIFIED AMOUNTS IN VARIOUS FINANCIAL LAWS

| <i>Provision</i>                            | <i>Extent of amendment</i>   |    |
|---|--|----|
| <b>Income Tax Act [Chapter 23:06]</b>       |  | 15 |
| Section 15(2)(i)(ii)                        | By the insertion of the following subparagraph after subparagraph H—<br><br>“I. if the period commences on or after the 1st January, 2020, eighteen thousand dollars;”<br>and the substitution of “eighty thousand dollars”. | 20 |
| Section 15(2)(q), in proviso (i)(a) thereto | By the deletion of “five thousand dollars”;<br>and the substitution of “forty thousand dollars”.   | 25 |
| Section 15(2)(q), in proviso (i)(b) thereto | By the deletion of “two thousand dollars”;<br>and the substitution of “sixteen thousand dollars”.  | 30 |
| Section 15(2)(q), in proviso (i)(c) thereto | By the deletion of “two thousand dollars”;<br>and the substitution of “sixteen thousand dollars”.  | 35 |
| Section 15(2)(r1)                           | By the deletion of “one million dollars”;<br>and the substitution of “eight million dollars”.  |    |
| Section 15(2)(r2)                           | By the deletion of “one million dollars”;<br>and the substitution of “eight million dollars”.  | 40 |

|    | <i>Provision</i>   | <i>Extent of amendment</i>  |
|----|--|---|
| 5  | Section 15(2)(r3)  | By the deletion of “one million dollars”.<br>and the substitution of “eight million dollars”.                             |
|    | Section 15(2)(r4)  | By the deletion of “five hundred thousand dollars”.<br>and the substitution of “four million dollars”.                    |
| 10 | Section 15(2)(r5)  | By the deletion of “seven hundred and fifty thousand dollars”.<br>and the substitution of “four million dollars”.         |
| 15 | Section 15(2) w  | By the deletion of “twenty five thousand dollars”.<br>and the substitution of “two hundred thousand dollars”.             |
| 20 | Section 15(2)(y)(ii)   | By the deletion of “five thousand dollars”.<br>and the substitution of “forty thousand dollars”.                          |
| 25 | Section 15(2)(kk), in the proviso thereto                                    | By the deletion of “five hundred thousand dollars”.<br>and the substitution of “four million dollars”.                    |
| 30 | Section 16(1)(k) (vi)  | “By the deletion of “one hundred thousand dollars”.<br>and the substitution of “eight hundred thousand dollars”.          |
|    | Section 76(1) and (2)  | By the deletion of “five dollars”.<br>and the substitution of “forty dollars”.  |
| 35 | Section 80(1)  | “By the deletion of “ten thousand dollars;”.<br>and the substitution of “eighty thousand dollars”.                        |
| 40 | Section 80FF (3)(a)  | “By the deletion of “three hundred dollars”.<br>and the substitution of “two thousand four hundred dollars”.              |
|    | First Schedule paragraph 1(1) (in the definition of “annuity on retirement”) | By the deletion of “eighteen thousand dollars”.<br>and the substitution of “one hundred and forty-four thousand dollars”. |
| 45 | First Schedule paragraph 3(a)(i)   | By the deletion of “eighteen thousand dollars”.<br>and the substitution of “one hundred and forty-four thousand dollars”. |

| <i>Provision</i>   | <i>Extent of amendment</i>  |                |
|--|---|----------------|
| First Schedule paragraph 4(a)  | By the deletion of “eighteen thousand dollars”.<br>and the substitution of “one hundred and forty-four thousand dollars”.   | 5              |
| First Schedule paragraph 7(a) and (b)  | By the deletion of “eighteen thousand dollars”.<br>and the substitution of “one hundred and forty-four thousand dollars”.   |                |
| First Schedule paragraph 8(a) and (b)  | By the deletion of “eighteen thousand dollars”.<br>and the substitution of “one hundred and forty-four thousand dollars”.   | 10             |
| Second Schedule paragraph 8 (in paragraph (b)(i), (ii) and (ii) B of the definition of “fixed standard value”) | By the deletion of “one thousand five hundred dollars”.<br>and the substitution of “twelve thousand dollars”.   | 15             |
| Second Schedule paragraph 8 (in paragraph (b)(i), (ii) and (ii) B of the definition of “purchase price value”) | By the deletion of “one thousand five hundred dollars”.<br>and the substitution of “twelve thousand dollars”.   | 20             |
| Second Schedule, paragraph 10(2)(b)(i) A and B   | By the deletion of “one thousand five hundred dollars”.<br>and the substitution of “twelve thousand dollars”.   | 25             |
| Third Schedule, paragraph 4(v)   | By the deletion of “thirty thousand dollars”.<br>and the substitution of “one hundred and twenty thousand dollars”.   |                |
| Third Schedule, paragraph 6(hl)  | (i) By the deletion of “fifty thousand dollars or 1/3 of the package. This exemption is applied on a package up to max of two hundred and forty thousand dollars”.<br><br>(ii) By the substitution of “eight hundred thousand dollars or 1/3 of the package. This exemption is applied on a package up to max of three million six hundred thousand dollars”. | 30<br>35<br>40 |
| Third Schedule, paragraph 10(n)  | By the deletion of “thirty thousand dollars”.<br>and the substitution of “two hundred and forty thousand dollars”.  | 45             |
| Third Schedule, paragraph 10(o)  | By the deletion of “thirty thousand dollars”.<br>and the substitution of “two hundred and forty thousand dollars”.  |                |

|    | <i>Provision</i>   | <i>Extent of amendment</i>   |
|----|--|--|
| 5  | Fourth Schedule, paragraph 1(1)(p)   | By the deletion of “two hundred and fifty thousand dollars”.<br>and the substitution of “two million dollars”.   |
|    | Fourth Schedule, paragraph 13  | By the deletion of “one hundred and fifty thousand dollars”.<br>and the substitution of “one million two hundred thousand dollars”.  |
| 10 | Fourth Schedule, paragraph 14(1)(m)  | By the deletion of “one hundred thousand dollars”.<br>and the substitution of “eight hundred thousand dollars”.  |
| 15 | Fourth Schedule, paragraph 15(1)(a)(x)   | By the deletion of “one hundred thousand dollars incurred by the taxpayer, where the expenditure was incurred on or after the 1st January, 2009”.<br>and the substitution of “eight hundred thousand dollars”. |
| 20 |  |  |
| 25 | Fourth Schedule, paragraph 15(1)(b)(ix)  | By the deletion of “one hundred thousand dollars incurred by the taxpayer, where the expenditure was incurred on or after the 1st January, 2009”.<br>and the substitution of “eight hundred thousand dollars”. |
| 30 | Fifth Schedule, paragraph 1(1) (in paragraph (a)(i) A of the definition of “capital expenditure”)(ix)    | By the deletion of “one hundred thousand dollars”.<br>and the substitution of “eight hundred thousand dollars”.  |
| 35 | Fifth Schedule, paragraph 1(1) (in paragraph (a)(i) B of the definition of “capital expenditure”)(x)     | By the deletion of “one hundred thousand dollars”.<br>and the substitution of “eight hundred thousand dollars”.  |
| 40 | Fifth Schedule, paragraph 1(1) (in paragraph (b)(ii) A of the definition of “capital expenditure”)(ix)   | By the deletion of “five hundred thousand dollars, where the expenditure was incurred on or after the 1st January, 2009”.<br>and the substitution of “four million dollars”.                                   |
| 45 | Fifth Schedule, paragraph 1(1) (in paragraph (b)(ii) B of the definition of “capital expenditure”)(viii) | By the deletion of “five hundred thousand dollars, where the expenditure was incurred on or after the 1st January, 2009”.<br>and the substitution of “four million dollars”.                                   |

| <i>Provision</i>                         | <i>Extent of amendment</i>  |    |
|--|---|----|
| Fifth Schedule, paragraph 6              | By the deletion of “one hundred thousand dollars”.<br>and the substitution of “eight hundred thousand dollars”.               | 5  |
| Fifth Schedule, paragraph 6 (proviso)    | By the deletion of “fifteen thousand dollars”.<br>and the substitution of “one hundred and twenty thousand dollars”.          |    |
| Sixth Schedule, paragraph 4(b)           | By the deletion of “fifteen thousand dollars”.<br>and the substitution of “eighty thousand dollars”.                          | 10 |
| Sixth Schedule, paragraph 10(b)          | By the deletion of “fifty-four thousand dollars”.<br>and the substitution of “two hundred and forty thousand dollars”.        | 15 |
| Sixth Schedule, paragraph 14(a)          | By the deletion of “fifty-four thousand dollars”.<br>and the substitution of “two hundred and forty thousand dollars”.        | 20 |
| Sixth Schedule, paragraph 14(b)          | By the deletion of “fifty-four thousand dollars”.<br>and the substitution of “two hundred and forty thousand dollars”.        | 25 |
| Sixth Schedule, paragraph 15(b)          | By the deletion of “fifty-four thousand dollars”.<br>and the substitution of “two hundred and forty thousand dollars”.        |    |
| Sixth Schedule, paragraph 16(b)          | By the deletion of “fifty-four thousand dollars”.<br>and the substitution of “two hundred and forty thousand dollars”.        | 30 |
| Sixth Schedule, paragraph 17(2)(a)       | By the deletion of “fifty-four thousand dollars”.<br>and the substitution of “two hundred and forty thousand dollars”.        | 35 |
| Sixth Schedule, paragraph 17(2)(b)       | By the deletion of “forty-three thousand two hundred dollars”.<br>and the substitution of “fifty-four thousand dollars”.      | 40 |
| Sixth Schedule, paragraph 17(2)(b)(ii) A | By the deletion of “twenty-seven thousand dollars”.<br>and the substitution of “one hundred and ninety-two thousand dollars”. | 45 |



|    | <i>Provision</i>                              | <i>Extent of amendment</i>  |
|----|---|---|
| 5  | Sixth Schedule, paragraph 17(2)(b)(ii) B      | By the deletion of “thirty-six thousand dollars”.<br>and the substitution of “one hundred and ninety-two thousand dollars”.   |
| 10 | Sixth Schedule, paragraph 17(2) proviso       | By the deletion of “fifty-four thousand dollars”.<br>and the substitution of “two hundred and forty thousand dollars”.  |
| 15 | Sixth Schedule, paragraph 18(2)               | By the deletion of “fifty-four thousand dollars”.<br>and the substitution of “two hundred and forty thousand dollars”.  |
| 20 | Sixth Schedule, paragraph 18(2)(b)            | By the deletion of “twenty-seven thousand dollars”.<br>and the substitution of “one hundred and ninety-two thousand dollars”.   |
|    | Thirteenth Schedule, paragraph 18(1)(a)(ii)   | By the deletion in of “fifty cents”.<br>and the substitution of “five dollars”.   |
|    | Thirteenth Schedule, paragraph 18(1)(b)       | By the deletion in of “fifty cents”.<br>and the substitution of “forty dollars”.  |
| 25 | Fifteenth Schedule, paragraph 7(2)(a) and (b) | By the deletion in of “six thousand dollars”.<br>and the substitution of “forty-eight thousand dollars”.  |
| 30 | Fifteenth Schedule, paragraph 7(2)(b) and (c) | By the deletion in of “six thousand dollars and seven thousand two hundred dollars”.<br>and the substitution of “forty-eight thousand dollars and fifty-seven thousand six hundred dollars”.                            |
| 35 | Fifteenth Schedule, paragraph 7(2)(c) and (d) | By the deletion in of “seven thousand two hundred dollars and eight thousand four hundred dollars”.<br>and the substitution of “fifty-seven thousand six hundred dollars and sixty-seven thousand two hundred dollars”. |
| 40 |   |   |
| 45 | Fifteenth Schedule, paragraph 7(2)(d)         | By the deletion of “eight thousand four hundred dollars and nine thousand six hundred dollars”.<br>and the substitution of “sixty-seven thousand two hundred dollars and seventy-six thousand eight hundred dollars”.   |

| <i>Provision</i>                              | <i>Extent of amendment</i>   |          |
|---|--|----------|
| Fifteenth Schedule, paragraph 7(3)(a) and (b) | By the deletion of “four thousand eight hundred dollars”.<br>and the substitution of “sixty-two thousand four hundred dollars”.  | 5        |
| Fifteenth Schedule, paragraph 7(3)(b) and (c) | By the deletion of “four thousand eight hundred dollars and six thousand dollars”.<br>and the substitution of “thirty-eight thousand four hundred dollars and forty-eight thousand dollars”.                         | 10       |
| Fifteenth Schedule, paragraph 7(3)(c) and (d) | By the deletion of “six thousand dollars and seven thousand two hundred dollars”.<br>and the substitution of forty-eight thousand dollars and fifty-seven thousand six hundred dollars”.                             | 15       |
| Fifteenth Schedule, paragraph 7(3)(d)         | By the deletion of “seven thousand two hundred dollars and eight thousand four hundred dollars”.<br>and the substitution of “fifty-seven thousand six hundred dollars and sixty-seven thousand two hundred dollars”. | 20<br>25 |
| Twentieth Schedule, paragraph 5(1)(e)         | By the deletion of “one hundred thousand dollars”.<br>and the substitution of “eighty hundred thousand dollars”.   |          |
| Twentieth Schedule, paragraph 5(1)(f)         | By the deletion of “one hundred thousand dollars”.<br>and the substitution of “eight hundred thousand dollars”.  | 30       |
| Twentieth Schedule, paragraph 5(g)(ii)(A)V    | By the deletion of “two hundred and fifty thousand dollars”.<br>and the substitution of “two million dollars”.   | 35       |
| Twentieth Schedule, paragraph 5(g)(ii)(B)IV   | By the deletion of “two hundred and fifty thousand dollars”.<br>and the substitution of “two million dollars”.   | 40       |
| Twenty-Second Schedule, paragraph 6(2)(f)     | By the deletion of “two hundred and fifty thousand dollars”.<br>and the substitution of “two million dollars”.   | 45       |

|    | <i>Provision</i>   | <i>Extent of amendment</i>  |
|----|--|---|
| 5  | Twenty-Second Schedule, paragraph 6(2)(g)  | By the deletion of “one hundred thousand dollars”.<br>and the substitution of “eight hundred thousand dollars”.           |
|    | Twenty-Second Schedule, paragraph 6(h) (ii)A IV  | By the deletion of “one hundred thousand dollars”.<br>and the substitution of “eight hundred thousand dollars”.           |
| 10 | Twenty-Second Schedule, paragraph 6 B VIII   | By the deletion of “one million five hundred thousand dollars”.<br>and the substitution of “twelve million dollars”.      |
| 15 | Twenty-Sixth Schedule, paragraph 1 (in paragraph (a) of the definition of “informal trader”) | By the deletion of “sixty thousand dollars”.<br>and the substitution of “four hundred and eighty thousand dollars”.       |
|    | <b>Finance Act [Chapter 23:04]</b>   |   |
| 20 | Section 10<br>Credit for taxpayers over 55 years of age                                      | By the deletion of “nine thousand dollars”.<br>and the substitution of “seventy-two thousand dollars.”.                   |
| 25 | Section 11 Blind person’s credit   | By the deletion of “nine thousand dollars”.<br>and the substitution of “seventy-two thousand dollars.”.                   |
| 30 | Section 13 Mentally or physically disabled person credit                                     | By the deletion of “nine thousand dollars”.<br>and the substitution of “seventy-two thousand dollars.”.                   |
|    | <b>Capital Gains Act [Chapter 23:01]</b>   |   |
| 35 | Section 2(1) (in the proviso to the definition of “assessed capital loss”)                   | By the deletion of “one thousand dollars”.<br>and the substitution of “eight thousand dollars.”.                          |
|    | Section 10(m)  | By the deletion of “eighteen thousand dollars”.<br>and the substitution of “one hundred and forty-four thousand dollars”. |
| 40 | Section 11(2)(h)   | By the deletion of “five hundred dollars”.<br>and the substitution of “four thousand dollars.”.                           |
|    | <b>Value Added Tax Act [Chapter 23:12]</b>   |   |
| 45 | Section 23(1)(a)   | By the deletion of “one million dollars”.<br>and the substitution of “four million eight hundred thousand dollars.”.      |

| <i>Provision</i>   | <i>Extent of amendment</i>  |    |
|--|---|----|
| Section 27(2)(b) and 27(5)(a)(i)   | By the deletion of “four million dollars”.<br>and the substitution of “nineteen million two hundred thousand dollars.”. | 5  |
| 27(6)(c)(1)  | By the deletion of “two million dollars”.<br>and the substitution of “nine million six hundred thousand dollars.”.      | 10 |
| Section 44(1)(b)   | By the deletion of “six hundred dollars”.<br>and the substitution of “four thousand eight hundred dollars.”.            |    |
| Section 44(3)(b)   | By the deletion of “six hundred dollars”.<br>and the substitution of “four thousand eight hundred dollars.”.            | 15 |
| Section 44(4)  | By the deletion of “six hundred dollars”.<br>and the substitution of “four thousand eight hundred dollars.”.            | 20 |
| Section 7(4)(a)  | By the deletion of “two hundred and fifty dollars”.<br>and the substitution of “two thousand dollars.”.                 | 25 |
| Section 17(1) Proviso (a) and (b)  | By the deletion of “eight hundred thousand dollars”.<br>and the substitution of “four million dollars.”.                | 30 |
| Section 17(2) Proviso  | By the deletion of “six hundred dollars”.<br>and the substitution of “four thousand eight hundred dollars.”.            |    |
| Section 20(5)  | By the deletion of “one hundred dollars”.<br>and the substitution of “eight hundred dollars.”.                          | 35 |
| Section 20(7)  | By the deletion of “one hundred dollars”.<br>and the substitution of “eight hundred dollars.”.                          | 40 |
| <b>Customs and Excise [Chapter 23:02]</b>  |   |    |
| <i>Provisions</i>  | <i>Extent of amendment</i>  |    |
| Customs and Excise (Inward Processing) (Rebate) Regulations, 1997 [SI 59 of 1997] Section 4 (“Registration”) (7) and (8) | By the deletion of “two hundred dollars”.<br>and the substitution of “one thousand six hundred dollars”.                | 45 |

|    | <i>Provision</i>  | <i>Extent of amendment</i>  |
|----|---|---|
| 5  | Customs and Excise (Motor Vehicle Assembly) (Rebate) Regulations, 1999 [SI 13 of 1999] Section 5 (“Registration of Assemblers”) (6) and (7)   | By the deletion of “two hundred dollars”.<br>and the substitution of “one thousand six hundred dollars”.    |
|    | Customs and Excise (Pharmaceutical Manufacturers) (Rebate) Regulations, 2005 [SI 174 of 2005] Third Schedule (“Fees”)   | By the deletion of “two hundred dollars”.<br>and the substitution of “one thousand six hundred dollars”.    |
| 10 | Customs and Excise (Spirit) (Rebate) Regulations, 1997 [SI 59 of 1997] Section 14 (“Fees”) (1)(a) and (b)   | By the deletion of “two hundred dollars”.<br>and the substitution of “one thousand six hundred dollars”.    |
| 15 | Customs and Excise (Spirit) (Rebate) Regulations, 1997 [SI 59 of 1997] Second Schedule (“Rebate of Customs Duties”) items 1(a), (b), (c), (e) and (f), 6 (a) and (b), 7 (a), (b), (c) and (d) and 8 | By the deletion of “one dollar”.<br>and the substitution of “eight dollars”.                                |
| 20 | Customs and Excise (Spirit) (Rebate) Regulations, 1997 [SI 59 of 1997] Second Schedule (“Rebate of Customs Duties”) item 4 (h) and (m)  | By the deletion of “eight hundred dollars”.<br>and the substitution of “eighty dollars”.                    |
| 25 | Customs and Excise (Spirit) (Rebate) Regulations, 1997 [SI 59 of 1997] Third Schedule (“Rebate of Excise Duties”) item 1 (p) and (w)  | By the deletion of “eight hundred dollars”.<br>and the substitution of “eighty dollars”.                    |
| 30 | Customs and Excise (Tyre Manufacturers) (Rebate) Regulations, 2001 (SI 265 of 2001) Section 5 (“Registration of manufacturers”) (6) and (7)   | By the deletion of “two hundred dollars”.<br>and the substitution of “one thousand six hundred dollars”.    |
| 35 | Section 18(2) <i>Entry of goods on importation</i> US1000   | By the deletion of “ten thousand dollars”.<br>and the substitution of “one thousand United States dollars”. |
|    | Section 24 (“Declaration of value”) (1)(b)  | By the deletion of “one thousand dollars”.<br>and the substitution of “one hundred United States dollars”.  |
| 40 | Section 60 (“Goods in transit”)(10)(b)  | By the deletion of “five thousand dollars”.<br>and the substitution of “forty thousand dollars”.            |
| 45 | Section 62(1)(iv)<br>Entry of goods for exportation   | By the deletion of “ten thousand dollars”.<br>and the substitution of “one thousand United States dollars”. |
| 50 | Section 172 (“Rent for State warehouse”) (1)(a)   | By the deletion of “twenty dollars”.<br>and the substitution of “one hundred and sixty dollars”.            |

| <i>Provision</i>                                | <i>Extent of amendment</i>   |    |
|---|--|----|
| Section 172 (“Rent for State warehouse”) (1)(b) | By the deletion of “forty dollars”.<br>and the substitution of “three hundred and twenty dollars” .      | 5  |
| Section 172 (“Rent for State warehouse”) (1)(c) | By the deletion of “sixty eight dollars”.<br>and the substitution of “four hundred and eighty dollars” . |    |
| Section 172 (“Rent for State warehouse”) (1)(d) | By the deletion of “one hundred dollars”.<br>and the substitution of “eight hundred dollars” .           | 10 |
| Section 173 (“Licensing fee”)                   | By the deletion of “one thousand dollars”.<br>and the substitution of “eighty thousand dollars” .        | 15 |
| Section 174 (“Accounting fee”)                  | By the deletion of “one hundred dollars”.<br>and the substitution of “eight hundred dollars” .           | 20 |
| Section 175 (“Clearance fee”)                   | By the deletion of “one hundred dollars”.<br>and the substitution of “eight hundred dollars” .           | 25 |
| Section 175B (“Cancellation fee”)               | By the deletion of “five hundred dollars”.<br>and the substitution of “four thousand dollars” .          |    |