

STATUTORY INSTRUMENT

Supplement to the Sierra Leone Gazette Vol. CXLXII, No. 16

dated 25th March, 2021

ELECTRONIC CASH REGISTER REGULATIONS 2021

ARRANGEMENT OF REGULATIONS

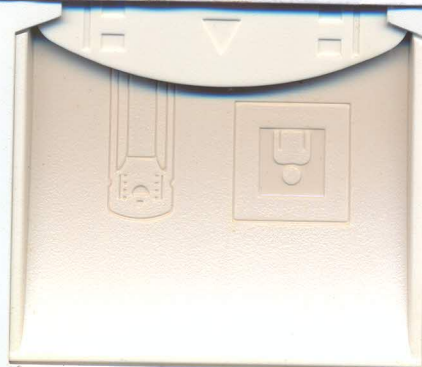
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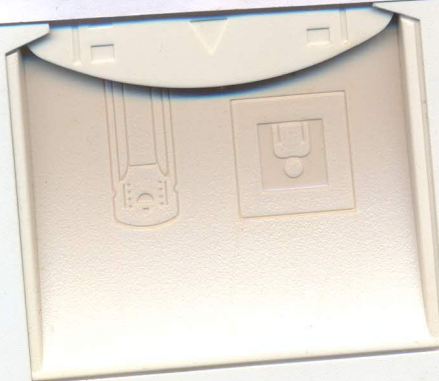
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"electronic cash register (ECR)" means a set of both hardware-a Certified Invoicing System (CIS), Sales Data Controller (SDC) and software, used to receive, record, analyze, format, transmit, store and monitor fiscal data.

"electronic Cash Register as a fiscal invoicing system" means a set of both hardware-a Certified Invoicing System (CIS), Sales Data Controller (SDC) and software, used to receive, record, analyze, format, transmit, store and monitor fiscal data;

"Electronic Cash Register Technical Committee" means the Electronic Cash Register Technical Committee established under regulation 44;

"electronic fiscal device" or "EFD" means a system, composed of one SDC and at least one POS connected that-

- (a) receives, records, analyses and stores fiscal data;
- (b) formats fiscal data into fiscal invoices;
- (c) has a secure element which transmits fiscal data into the Authority's system
- (d) designed for used in business to efficiently manage sales analyses and stock controls that conform to the requirement of the system defined in this regulations
- (e) produces fiscal invoices and issues them to a customer; and
- (f) includes but not limited to Electronic Tax Register, Electronic Fiscal Invoicing System, Electronic Fiscal Printer, and Electronic



Signature Devices

"electronic fiscal journals" means a device that stores sales transaction details and allows easier searching for fiscal data inside it in a read only mode

"electronic signature" means authentication of any electronic record by means of digital signature

"electronic signature device" means a record signing device used in conjunction with the device system that is running on an accounting software that issues pre-printed and letter headed fiscal invoices.

"fiscal invoice" means a receipt that-

- (a) is issued from an EFD to acknowledge that a transaction has occurred between a business and a customer;
- (b) has printed on it the fiscal data and other information relating to the transaction specified in regulation 6.; and
- (c) bears contents specified by the Commissioner General in these regulations, and whose record is stored in the system's memory

"GPRS" means the General Packed Radio Services;

"GSM" means Global System for Mobile communication used in general Information and communication Technology discipline.

"ITAS" means Integrated Tax Administration System;

"ISO" means International Organization for Standards

"refund transaction" means when a taxpayer cancels a transaction due to a mistake in entry or return of goods ;

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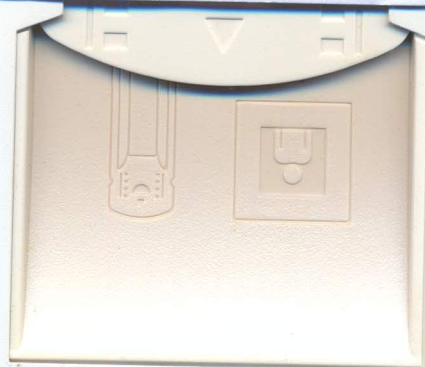
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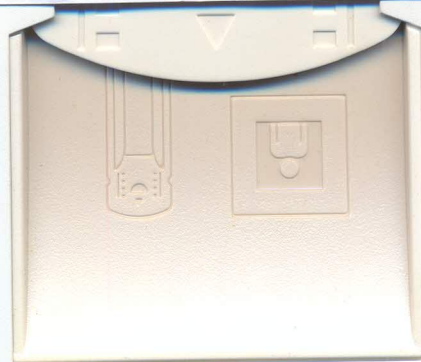


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STATUTORY INSTRUMENT NO. 2 OF 2021

Published 25th March, 2021

THE GOODS AND SERVICES TAX ACT
(ACT NO 6 OF 2009)

Short title

ELECTRONIC CASH REGISTER REGULATIONS 2 021

IN EXERCISE of the power conferred upon him by Section 112 of the Goods and Services Tax Act 2009, the Minister responsible for finance hereby make the following Regulations-

PART I—PRELIMINARY

1. In these regulations, unless the context otherwise requires— Interpretation

"accredited" means to be accredited by the Commissioner-General

"Act" means the Goods and Services Tax Act 2009;

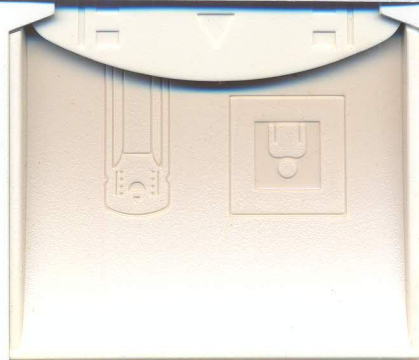
"approved electronic cash register" means an electronic cash register which has passed through the certification and licensing procedures as established by the Electronic Cash Register Technical Committee;

"approved manufacturer" means an accredited manufacturer or producer of electronic cash register

"approved supplier" means an accredited supplier of electronic cash register;

"approved technician" means an accredited technician

;



"ASYCUDA", means the Automated Systems for Customs Data;

"audit and investigations" means audit and investigations carried out under the Revenue Administration Act 2017 and the Goods and Services Tax Act

"Authority" means the National Revenue Authority established under Section 3 of National Revenue Authority Act, 2002;

"Authority's system" means a system combining both hardware and software, such as the Integrated Tax Administration System (ITAS), the Electronic Cash Register (ECR), the Automated System for Customs Data (ASYCUDA) used by the Authority to collect, process, transmit, and disseminate information according to defined set of procedures;

"business " means a taxpayer's establishment or engagement of taxable activities set out in section 7 of the Goods and Services Tax Act 2009;

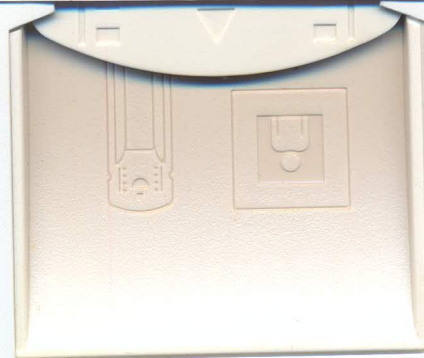
"cashier" means a person who is employed to operate an ECR system transaction on a daily basis for a business;

"CIS" means certified invoicing system;

"Commissioner-General" means the Commissioner-General appointed under section 19 of the National Revenue Authority Act, 2002;

"daily Gross takings" means all invoices raised, payments received or when goods and services are delivered for each business day;

"EFDM" means Electronic Fiscal Devices Management Systems;



"SDC" means a sales data controller;

"sales transaction " means when a taxpayer makes a sale of goods or services;

"SIM Card" means a hardware assigned to each users Electronic Fiscal Device that enables it to communicate in a global system for mobile networks

"system" means; an Electronic information platform designed for use in tax administration and conforms to the requirements specified by the Commissioner General under these regulations.

"User: means an approved user of Electronic Cash Register who is required to enter a PIN code to access the device and includes registered persons

"Z" has the ordinary meaning of the word "Summary"

"Z-Report" means a summary of sales report printout report generated by an Electronic Fiscal System on daily, monthly or annual basis

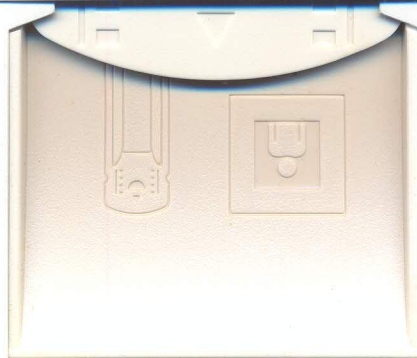
PART II: ESTABLISHMENT AND MANAGEMENT OF THE ELECTRONIC CASH REGISTER SYSTEM (ECR)

2. (1) There is hereby established an electronic cash register system to support the effective use of the electronic cash register and other devices to receive, record, transmit, analyse, format, monitor and store data for tax and other related purposes.

Establishment
of Electronic
Cash Register
System

(2) The electronic cash register system shall consist of-

- (a) the Authority's system; and
- (b) the electronic fiscal devices approved by the



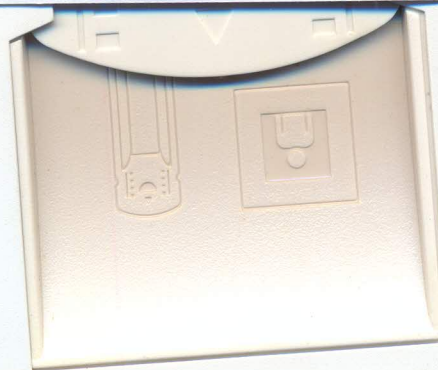
Commissioner-General to be used by taxpayers in operating their businesses.

(3) The electronic cash register system shall perform functions that include obtaining, monitoring, storing and transmitting accurate sales and stock or inventory data for tax purposes.

3. (1) An electronic cash register shall have the following technical features -

Description of Technical Features of System.

- (a) technical specifications
- (b) relevant hardware and software capable of receiving, analyzing, manipulating, disseminating and storing all information generated by a registered electronic fiscal device;
- (c) storage capacity capable of keeping information for a period of more than ten years;
- (d) security measures for its hardware and software which ensure that fiscal receipt and fiscal invoices issued by the system through users' electronic fiscal devices cannot be printed unless the flow of command is through the system to control the printing and ensure that the signature on the fiscal receipt or fiscal invoice is that designated by the Commissioner-General; and
- (e) a signature on the fiscal receipt or fiscal invoice indicating that the sale or transaction and its corresponding taxes have been



officially captured.

TECHNICAL SPECIFICATIONS (1)

4. The technical specifications of an electronic, cash register shall have the following features -

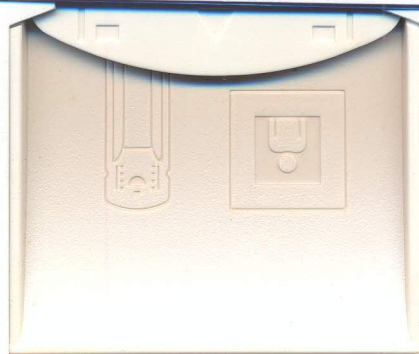
- (a) general technical requirement ;
- (b) physical features
- (c) electronic journal functionalities
- (d) fiscal memory functionalities
- (e) printing functionalities
- (f) security and reliability
- (g) connectivity
- (h) programming capabilities
- (i) management software

Technical
Specifications

5. The electronic cash register shall have the following technical requirements-

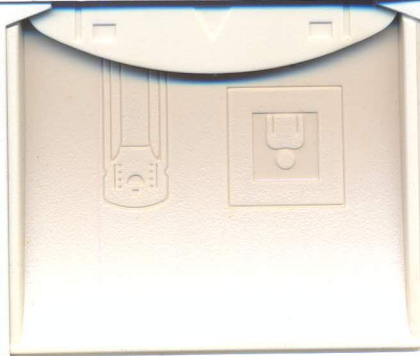
- (a) language support- all information technologies shall provide support for the English language;
- (b) dates- format to be displayed shall be in 24-hour format i.e. date /month /year hour:minutes:seconds;
- (c) Clock- this feature shall comply with the

General
technical
Requirements



following -

- i. all devices and software shall maintain an internal clock reflecting current time and date;
 - ii. the time of the clock shall not be inaccurate by more than ten (10) seconds;
 - iii. it should be possible to update the internal clock(s) under certain circumstances such as transition to daylight savings time, inaccurate clock device, etc.
- (d) time synchronization: the electronic cash register shall include a time synchronizing mechanism to ensure consistent time recording and reporting of sales transactions.;
- (e) electrical power-all active equipment shall include power plugs standard in Sierra Leone, and shall support a voltage range and frequency range of AC 220v +/- 20v, 50Hz - 60Hz to +12V±4V;
- (f) battery life -support a 72- hour battery life after power outage;
- (g) environmental-unless otherwise specified, all equipment shall at least operate in environments of temperature of 10 - 45 degrees centigrade, 30 - 90 percent relative humidity, and 0 - 40 grams per cubic meter of

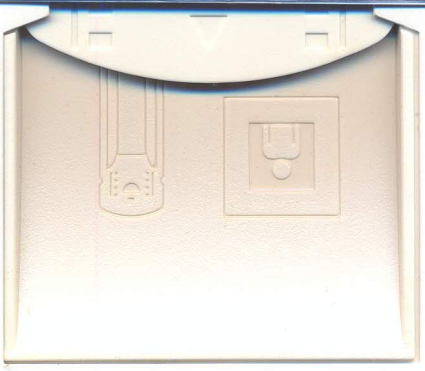


dust;

- (h) Safety-unless otherwise specified, all equipment shall operate at noise levels no greater than 65 decibels and all electronic equipment that emits electromagnetic energy shall be certified as meeting emission standard; US FCC class B or EN 55022 and EN 50082-1, or the equivalent;
- (i) invoice format-all invoices shall be in a unified format.
- (j) any other technical requirement as the Commissioner-General may prescribed from time to time.

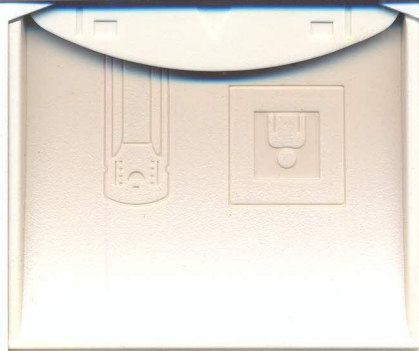
6. The electronic cash register shall have the following physical features-

- (a) British standard power adapter with input of 100-240V 50/60Hz, output of 5V/12V, and should be certified ; Physical Features
- (b) operating temperature of 10°C to 45°C, operating humidity of 5% -95%, and should pass ISO 9001:2000 certification;
- (c) ports/slots for USB, RS232, Micro USB, SIM card, and Cash Drawer that should facilitate interfacing and connection to the device;
- (d) an embedded 3G/4G Module for data transmission and communication and 3G/4G communication APN settings shall be configurable;
- (e) a dual visual display unit to enable customer and seller to view simultaneously what is being input and the operator screen shall be



dot liquid crystal display (LCD) which is able to display up to 13 digits and at least two lines;

- (f) appropriate keyboard or touch screen that allows performing transactions (input of digits and alphabets), programming and all necessary operations;
- (g) a fiscal memory in-built in Raisin Epoxy that cannot be erased by mechanical, chemical or electromagnetic interference;
- (h) a screw and visible seal guarantying that only authorized tax officers shall have access to the electronic components and modules and device shall not be opened unless the seal is broken, and screw removed;
- (i) a real time clock that synchronizes with the Authority Server and with a minimum retention time of 5 years without power supply;
- (j) an integrated printing module/device that has the following specifications-
 - i. paper width 57mm
 - ii. test and image printing support ;
 - iii. prohibit the entry of transactions if the printing module is disconnected or paper depleted
- (k) to have a rechargeable backup battery that passes the CE certification and can support the CIS for work for at least 48 hours in case

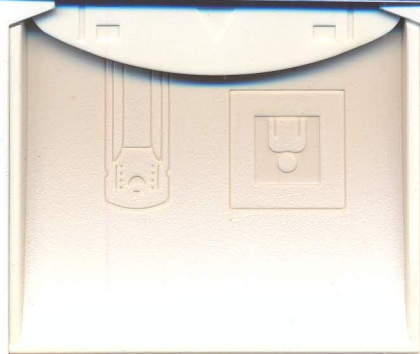


of power failure;

- (l) device status indicators that can indicate the power status, device initialization status, ready to sign in status, data transmission status, and firmware upgrading status.

7. The electronic fiscal invoicing system shall have the following electronic journal functionalities -

- (a) an embedded digital electronic fiscal journal card that records all the transactions and other information that are printed on the electronic fiscal invoicing system; Electronic journal Functionalities
- (b) activate the start of fiscalization and record all the transactions and other information and produce fiscal receipts and whenever the journal is removed, the electronic cash register device shall stop operating until inserted;
- (c) minimum 8GB with the capacity to save up to one million 30-lined receipts, and the electronic journal data shall be protected against change;
- (d) activated electronic cash register devices shall send a message to the server for registration which shall contain at least serial number, date and time of activation, and licence number of the electronic cash register devices to enable it to send the daily Z sales report;
- (e) electronic journal data shall not be deleted nor reused;

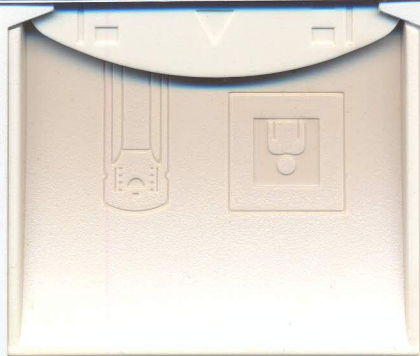


- (f) electronic fiscal journal cannot be reused when it is full;
- (g) electronic cash register devices should record the data as from the date when the electronic journal was last updated and keep a record of all previous changes; and
- (h) electronic fiscal journal can be moved to a card reader to allow viewing of the transactions details stored and the data inside electronic fiscal journal shall be automatically managed in a read-only memory.

8. The electronic cash register device shall have the following fiscal memory functionalities: -

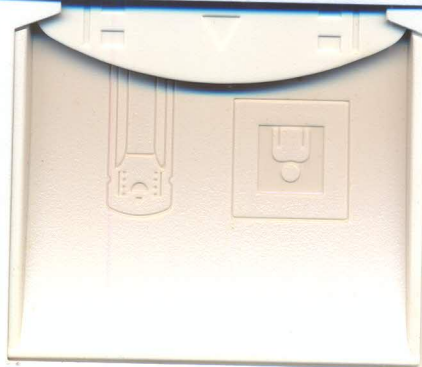
Fiscal
memory
Functionalities

- (a) the electronic cash register device shall be put into operation only after the following information is programmed into its fiscal memory-
 - i. TIN , name and address of tax payer and this shall be amendable ;
 - ii. tax type;
 - iii. serial number of the electronic cash register device;
 - iv. tax rates and the effective dates
- (b) the fiscal memory shall record the following data -
 - i. the date and time of commencing and ceasing the daily operations ;
 - ii. the electronic fiscal device's license number and the trader's TIN or deregistration without disturbing the



contents of the fiscal memory ;

- iii. tax rates assigned to the description of goods and services;
 - iv. value of the sales without the tax, value of sales exempted from tax divided into categories of individual tax rates, total amount of the tax and the total amount of the sales including tax;
 - v. serial numbers and the dates for the resetting of the report every twenty-four hours;
 - vi. number and dates of the resetting of the register memory and the information non the initiation of resetting and the methods of its performance;
 - vii. amendments, corrections and cancellations;
 - viii. minimum of 2,400 daily Z-reports and required sales data;
 - ix. reconnection reports each time the fiscal memory is disconnected;
 - x. recorded data in the memory and record that data in the control paper roll.
- (c) if the fiscal memory is disconnected, the electronic cash register device shall block entry of new transactions and instead shall display the status MEMORY DISCONNECTED or other intelligible message;
- (d) generate a report, indicating the dates whenever the fiscal memory is disconnected;



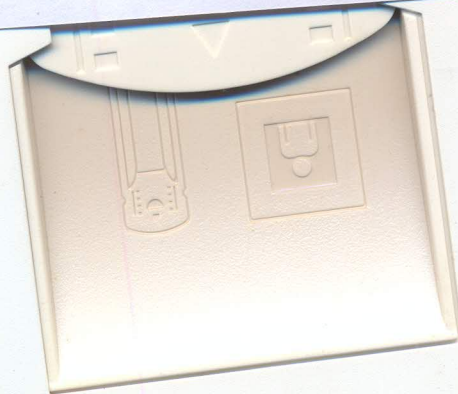
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rePrinting
Functionalities

- (e) store reconnection reports each time the fiscal memory is disconnected either for service or maliciously;
- (f) provide capacity to store a minimum of 8 tax rate changes;
- (g) have at least 128Mbyte fiscal memory; and
- (h) data in fiscal memory shall be encrypted to avoid manipulating.

9. The electronic cash register shall have the following printing capabilities -

- (a) print the daily, monthly and annual reports;
- (b) print the sales records from its memory as per standard time units (day, month, year);
- (c) automatic self-generation of daily Z reports every 24 hours;
- (d) print on every receipt a "NATIONAL REVENUE AUTHORITY" with a non-standard font;
- (e) print data recorded in the memory and by commands given through the keyboard;
- (f) inserting the unique license number of the electronic cash register device on each issued fiscal receipt;
- (g) use of fiscal paper and ink with ultra violet the Authority's logo made in a unique, non-



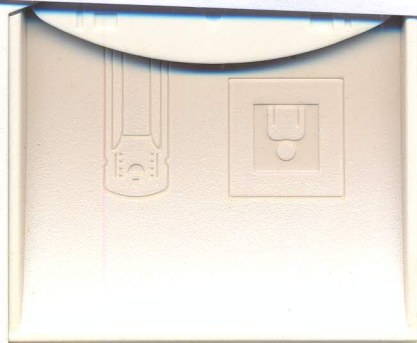
standard form on the electronic cash register device in order to allow inspectors to identify genuine fiscal receipts;

- (h) produce print outs that last for not less than 5 years;
- (i) reprint a fiscal receipt or any other document in case of disconnection or paper jam;
- (j) can easily replace paper rolls;
- (k) print out documented firmware update procedure; and
- (l) equipped with sharp paper cutters;

10. The electronic cash register device shall have the following security and reliability features -

- (a) a password that shall be uniquely used by a user and the facility to change the password with a minimum length of six (6) digits;
- (b) registered on protected memory and not modified;
- (c) kept free from computer virus;
- (d) internal authentic data management;
- (e) intrinsic protection against unauthorized actions;
- (f) application upgrades that run independently without confronting security functions;
- (g) automatically save configured data and records on permanent memory;

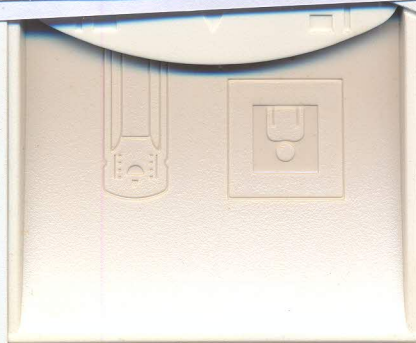
Security and
Reliability



- (h) automatically handle electronic journal memory of all sorts;
- (i) rechargeable internal battery as well as power supplies;
- (j) print Z sales report before any configuration change;
- (k) cannot allow update of stored data or reverse of transactions; and
- (l) has a unique serial number from the manufacturer allocated for Sierra Leone, signifying that it can only be used in Sierra Leone.

Connectivity 11. The electronic cash register device shall have the following connectivity-

- (a) Internal GPRS modem that allows transmission of data upon every daily Z report to the Authority over GSM network using a SIM card issued by an approved GSM network operator provided by the Authority and encrypted with a unique algorithm.
- (b) Z data shall be transmitted to and confirmation received from the electronic cash register's server and the device shall be capable of retransmitting the Z-report in case of a network failure during Z-report transmission; and
- (c) allow status queries to be made using the GPRS modem from the Commissioner General and be able to transmit requested

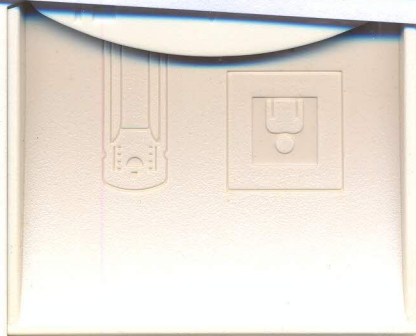


information on transaction and statistics upon request immediately and a detailed exhaustive description of the protocol shall be provided and secured with unique encrypted codes;

12. The electronic cash register device shall have the following programming capabilities—

Programming
Capabilities

- (a) allow programming of taxes with only twenty changes and ten changes for header and these changes shall be recorded on electronic fiscal memory;
- (b) allow configuration in the electronic cash register device via a connected keypad and through a standard personal computer;
- (c) allow programming of at least six different tax code;
- (d) the date format for all printed documents shall be in the form of day/month /year hours: minutes: seconds;
- (e) shall not erase the programmed and recorded data when the internal battery of the machine becomes weak or discharged completely;
- (f) allow direct printing of all recorded data on both fiscal memory and electronic journal from the electronic cash register device using a keypad device or viewing and printing from a standard personal computer by connecting the device using a personal computer interface such as USB, RS232 or Ethernet; and
- (g) shall not reverse the electronic cash register device dates and time less than the last transaction date.



Device compliance.

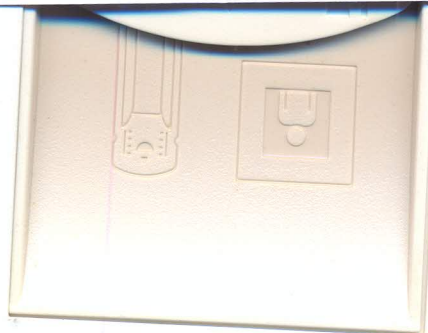
13. The electronic fiscal device shall have the following device compliance—

- (a) approved by internationally recognized bodies and evidence shall be provided to the Commissioner General for the accreditation of such bodies prior to approving the use of electronic cash register devices in Sierra Leone;
- (b) certified as relevant device for performance of work intended and the certificate shall be with full annexes of all tests performed on the electronic cash register device and results shall be submitted to the Commissioner General for approval; and
- (c) supplied with its manual, software, accessories and all necessary documentations.

User-defined reports

14. User-defined reports shall be classified as follows -

- (a) daily gross sales report ;
- (b) weekly gross sales report;
- (c) monthly gross sales report;
- (d) annual gross sales report ;
- (e) electronic cash register devices interruption report;
- (f) daily monthly and annual comparable report by sector;
- (g) daily, monthly and annual comparable report



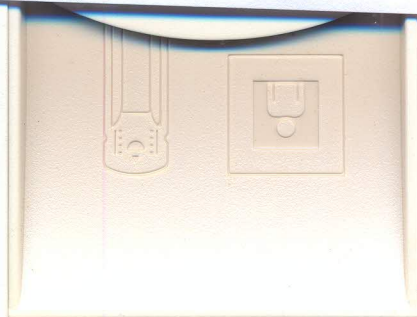
by location;

- (h) daily, monthly and annual comparable report by product or items ; and
- (i) comparison report .

15. (1) The daily gross sales report referred to under paragraph (a) of regulation 14 shall contain the following information for any given trader-

- (a) serial number of the transaction;
- (b) location of the taxpayer;
- (c) user identification number of the electronic cash register device;
- (d) Taxpayer Identification number (TIN) of the customer;
- (e) discounts (if any);
- (f) net value - number of transactions between every two hours;
- (g) goods and services tax rate;
- (h) goods and services tax amount; and
- (i) total gross sales and cumulative totals by distinguishing between taxable, exempt, and zero rated.

(2) The systems shall allow a user to filter the daily report according to taxable, exempt, zero rated sales, or any required label.



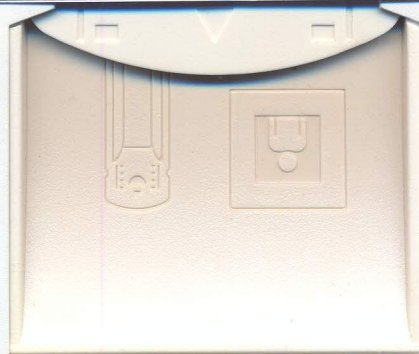
weekly gross sales report 16. The sales report referred to under paragraph (b) of regulation 14 shall contain daily gross sales report and Z-daily transaction records.

Monthly gross Sales report 17. The monthly gross sales report referred to under paragraph (c) of regulation 14 shall contain daily gross sales report and Z-daily transaction records with weekly sub totals.

Annual gross Sales report 18. The annual gross sales report referred to under paragraph (d) of regulation 14 shall contain daily gross sales report and Z-daily transaction records with monthly sub totals.

Electronic cash register device interruptions report 19. (1) The electronic cash register device interruptions report referred to under paragraph (e) of regulation 14 shall contain the following information -

- (a) serial numbers of electronic cash register devices interventions;
- (b) number of interventions;
- (c) license number of the machine intervened;
- (d) serial number of the machine disconnected;
- (e) number of disconnections;
- (f) number of electronic journal replacement;
- (g) date and time;
- (h) type of errors and number of errors;
- (i) receipts and invoices in which errors occurred.



(2) The electronic cash register device interruptions report shall be able to distinguish between disconnections, errors, change of name and interventions to the device.

(3) The systems shall allow a user to filter report according to taxable, exempt, zero rated sales, or any required label.

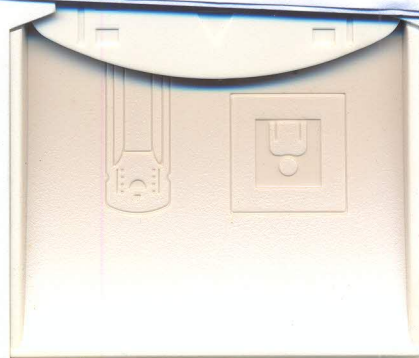
20. The daily, monthly and annual comparable report by sector referred to under paragraph (f) of regulation 14 shall contain number of receipts or invoices issued and sales made in terms of taxable, zero rated and exempt supplies. Comparable Report by Sector

21. The daily, monthly and annual comparable report referred to under paragraph (g) of regulation 14 shall contain the number of receipts or invoices issued sales made in terms of taxable, zero rated and exempt supplies. Comparable report by location

22. The daily, monthly and annual comparable report by products or items referred to under paragraph (h) of regulation 14 shall contain the number of receipts or invoices issued and sales made in terms of taxable, zero rated and exempt supplies. Comparable Report by Products

23. The comparable reports referred to under regulations 20,21 and 22 shall distinguish between taxable, zero rated and exempt supplies, and shall contain the following information- Comparable Reports

- (a) date/period selected for comparison;
- (b) number of receipts/invoices issued;
- (c) sales made; and
- (d) total and cumulative total.



Comparison Report

24. The comparison report referred to under paragraph (i) of regulation 14 shall be the comparison between amounts declared in goods and services tax monthly return and the electronic cash register devices against sales report and shall contain the following information -

- (a) sales as per goods and services tax return (taxable, exempt, and zero-rated);
- (b) sales as per electronic cash register device (taxable, exempt, and zero-rated); and
- (c) variance (taxable, exempt and zero-rated).

TECHNICAL SPECIFICATIONNS (2)**Records and Information**

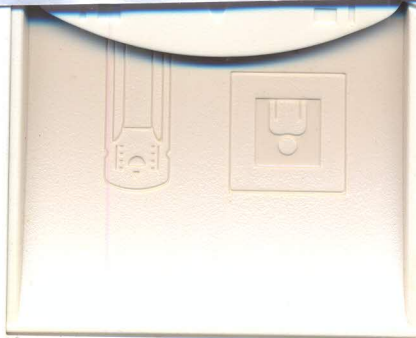
25. The required records and information to be generated by the electronic cash register device shall be as follows-

- (a) fiscal receipt (electronic cash register receipt);
- (b) fiscal invoice ;
- (c) daily report ;
- (d) monthly report ; and
- (e) annual report;

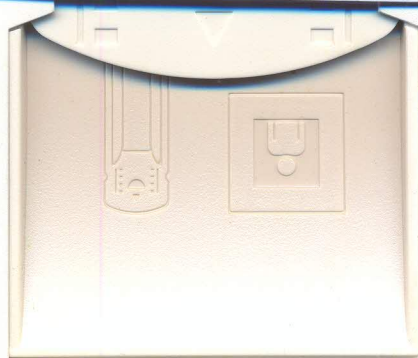
fiscal receipt

26. The fiscal receipt generated by the electronic cash register device referred to under paragraph (a) of sub-regulation (1) shall have the following contents-

- (a) the text "GOODS AND SERVICES TAX RECEIPT" at the top;



- (b) the words: "START OF LEGAL RECEIPT" at the top and "END OF LEGAL RECEIPT" at the bottom;
- (c) the name and address of the user of the registered device;
- (d) the Taxpayer Identification Number (TIN) of the user of the registered device;
- (e) the Name, address and TIN of the purchaser (optional);
- (f) the terminal ID of the electronic cash register device;
- (g) the name, quantity, unit price, item description;
- (h) the tax liability of each item and show the summary for each category;
- (i) discounts, mark ups, changes, corrections;
- (j) the date and time of issue of the receipt;
- (k) the tax amount payable;
- (l) the total amount of sale payable inclusive of the tax amount;
- (m) daily cumulative unique receipt number for a legal fiscal receipt;
- (n) the tax (fiscal) logo in form of a hologram as specified by the Authority;



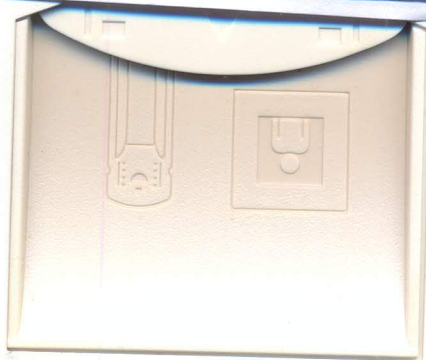
- (o) mode of payment (cash, card or digital);
- (p) a unique QR Code, which encrypt the fiscal receipt contents;
- (q) a fiscal code--generated by key elements (invoice number, TIN, total amount, Receipt issued time, electronic cash register device serial number, etc.) through a certified algorithm;
- (r) receipt types shall be: NORMAL, COPY, TRAINING, PROFORMER. and
- (s) electronic signature,

Daily report. 27. (1). The daily report (Z daily transaction record) from the electronic cash register device referred to under paragraph (c) of regulation 25 shall contain the following information -

- (a) name or trading name and address of the business;
- (b) taxable goods or services;
- (c) taxpayer identification number;
- (d) tax offices which assess the taxpayer/user of the approved electronic cash register device;
- (e) heading "Z" daily transaction report;
- (f) the serial number of the Z daily transaction report;
- (g) the identification number of the approved ECR device;



- (h) the time and date the "Z" daily transaction report was generated;
 - (i) the daily running and cumulative totals, such as taxable supplies, total gross sales and any reports from the data memory since the previous (last) "Z" daily transaction report was generated stating the number of revenue receipts generated stating-
 - (I.) the number of revenue receipts generated for the day;
 - (II.) changes in GST prices (in details from ---to ----)
 - (III.) discounts, mark ups, changes, corrections;
 - (IV.) number of working memory error, name changes(in detail from ---to --)
 - (V.) number of printer disconnections; and
 - (VI.) number of interventions by authorized engineer or technician;
 - (j) the reports from the data memory from when the approved electronic cash register device was registered including the current daily transaction stating ; and
 - (k) the licence number of the electronic cash register device.
- (2) The electronic cash register device shall generate "Z" daily transaction report, even where no daily transaction has taken place and the daily running totals in the working memory give zero.



(3) The information printed on the "Z" report shall be contained between the phrase "START OF LEGAL REPORT and "END OF LEGAL REPORT".

Monthly
Report

28. (1) The monthly report referred to under paragraph (d) of regulation 25 shall contain the following information -

(a) name or trading name and address of the business;

(b) taxable goods or services;

(c) Taxpayer Identification Number (TIN);

(d) tax offices which assess the taxpayer or users of the approved electronic cash register device;

(e) heading "Z" Monthly report;

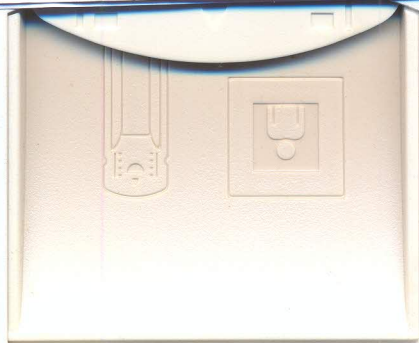
(f) the identification number of ECR device;

(g) the time and date the "Z" transaction report was generated;

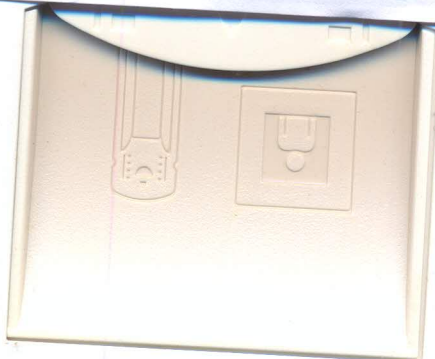
(h) for each "Z" daily transaction record the following -

(I) the serial number of the "Z" daily transaction report and the date it was generated;

(II) the amount of goods and services tax for the day covered by the Z daily transaction report in question;



- (III.) the total gross sales covered by the Z daily transaction report in question , distinguishing between taxable, zero-rated and exempt supplies;
 - (IV.) the number of revenue receipts generated for the day covered by the Z daily transaction report in question;
 - (V.) the number of goods and services tax rate changes for the day covered by the Z daily transaction report in question ;
 - (VI.) the number of working memory errors for the day covered by the Z daily transaction report in question;
 - (VII.) the number of name changes for the day covered by the Z daily transaction report in question;
 - (VIII.) the number of spontaneous printer disconnections for the day covered by the Z daily transaction report in question ; and
 - (IX.) the number of interventions by the authorised engineer or technician
- (i) the approved electronic cash register device data memory reports for the period in question stating ;

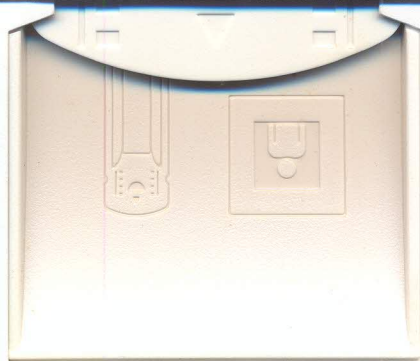


- (I) the running goods and services tax total (one for each goods and services tax rate);
 - (II) the total gross sales distinguishing between zero-rated, taxable and exempt supplies;
 - (III) the total number of goods and services tax rate changes;
 - (IV) the total number of working memory errors;
 - (V) the total number of name changes;
 - (VI) the total number of spontaneous printer disconnections;
 - (VII) the total number of interventions by authorised engineer or technician.
- (j) the registration number of the approved electronic cash register device.

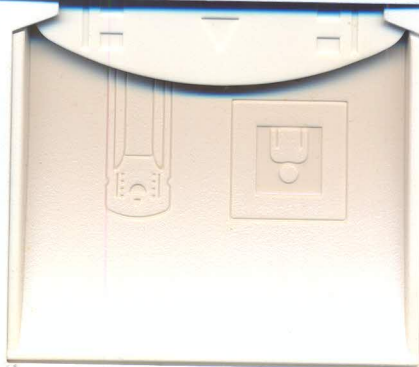
annual
Report

29. (1) The annual report referred to under paragraph (e) of regulation 25 shall contain the following information -

- (a) the name or trading name and address of the business;
- (b) the taxable goods or services;
- (c) the taxpayer identification number;
- (d) the tax office which assesses the owner or user of the Commissioner General's approved electronic cash register device;



- (e) the heading "Annual Report";
- (f) the identification number of the approved electronic cash register device;
- (g) the time and date the "Z" daily transaction report was generated;
- (h) the approved electronic cash register device data memory reports for the period in question, stating-
 - (i) the running goods and services totals (one for each goods and service tax rate)
 - (ii) the total gross revenue distinguishing taxable, zero-rated and exempt supplies;
 - (iii) the total number of revenue receipts generated;
 - (iv) the total number of goods and service tax rate changes;
 - (v) the total number of working memory errors;
 - (vi) the total number of name changes;
 - (vii) the total number of spontaneous printer disconnections;
 - (viii) the total number of interventions by authorized engineer or technician
- (i) the registration number of the electronic register device.



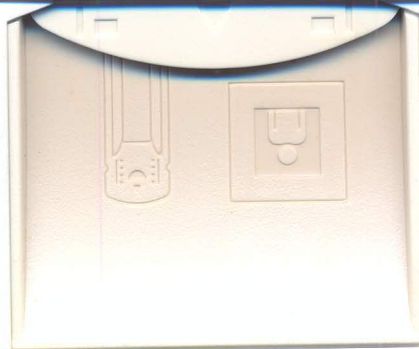
(2) The approved electronic cash register device shall be readable and should print a summary report of the content of the tax data memory at all times by selecting any calendar period (from...to...) or by selecting two different "Z" daily transaction report numbers (the first and the last).

PART III-OPERATIONAL REPORTS

operational
reports

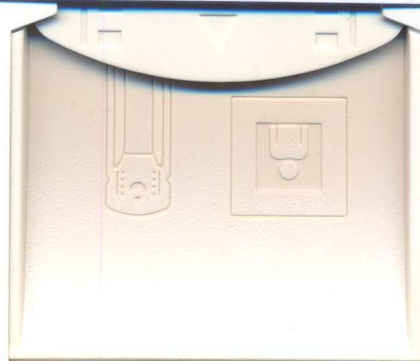
30. The following reports shall be generated by the system from the Authority's database-

- (a) daily gross sales report;
- (b) weekly gross sales report;
- (c) monthly gross sales report;
- (d) annual gross sales report;
- (e) interruption report ;
- (f) daily, monthly and annual comparable report by sector;
- (g) daily , monthly and annual comparable report by location; ;
- (h) daily, monthly and annual comparable report by products or items ;
- (i) total gross supplies report;
- (j) comparable report ; and
- (k) comparison report



31. (1) The daily gross sales report referred to under ^{Daily Gross Sales} paragraph (a) of regulation 30 shall contain the following information for any given trader:

- (a) serial number of the transaction;
- (b) number of transactions between every two-hour period;
- (c) location of the taxpayer;
- (d) license number of the electronic cash register device;
- (e) Taxpayer Identification number (TIN) of the customer (optional)
- (f) Receipt or invoice number;
- (g) items sold;
- (h) quantity;
- (i) unit price;
- (j) value;
- (k) date of the transaction;
- (l) discounts (if any);
- (m) net value
- (n) goods and services tax rate;
- (o) goods and services tax amount; and



- (p.) total gross sales and cumulative totals by distinguishing between taxable, zero-rated and exempt supplies.

(2) The system shall allow a user to filter report according to taxable, exempt and zero-rated sales, or any required level.

Weekly
Gross report

32. The weekly gross sales report referred to under paragraph (b) of sales regulation 30 shall contain daily sales report and Z daily transaction records

Monthly
Gross Sales
Report.

33. The monthly gross sales report referred to under paragraph (c) of regulation 30 shall contain daily gross sales report and Z daily transaction records with weekly sub totals.

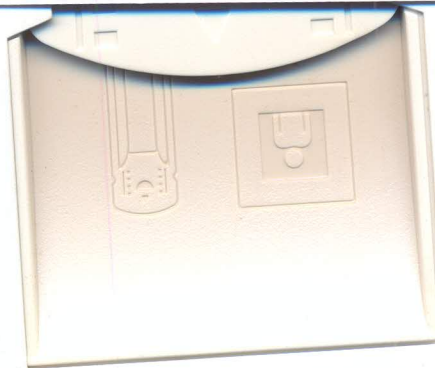
Annual Gross
Sales Report.

34. The annual gross sales report referred to under paragraph (d) of regulation 30 shall contain daily gross sales report and Z daily transaction records with monthly sub totals.

Interruptions
Report..

35. (1) The electronic cash register device interruption report referred to under paragraph (e) of regulation 30 shall contain the following information -

- (a) serial numbers of the electronic cash register device interventions;
- (b) number of interventions;
- (c) licence number of the electronic cash register device intervened;
- (d) serial number of the machine disconnected;
- (e) number of disconnections;
- (f) number of electronic journal replacement;
- (g) date and time;



(h) type of errors and number of errors; and

(i) fiscal receipts or invoices in which errors occurred.

(2) The report shall distinguish between disconnections, errors, change of name and interventions to the device.

(3) The system shall allow user to filter report according to taxable, exempt or zero-rated sales or any required label.

36. The daily, monthly and annual comparable report by sector report by referred to under paragraph (f) of regulation 30 shall contain the sector, following information - Comparable reported by sector.

(a) number of receipts or invoices issued; and

(b) sales made in terms of taxable, zero-rated and exempt supplies.

37. The daily, monthly and annual comparable report by location referred to under paragraph (g) of regulation 30 shall contain the following information - Comparable report by location.

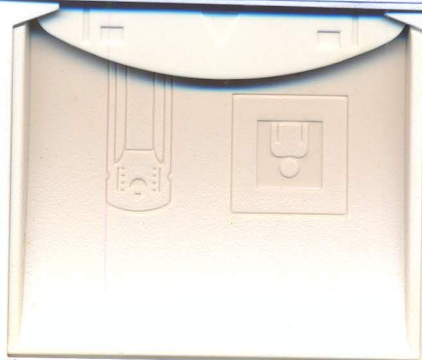
(a) number of fiscal receipts or invoices issued; and

(b) sales made in terms of taxable, zero rated and exempt supplies.

38. The daily, monthly and annual comparable report by products or items referred to under paragraph (h) of regulation 30 shall contain the following information - Comparable report by products or items.

(a) number of fiscal receipts or invoices issued; and

(b) sales made in terms of taxable, zero rated and exempt supplies.



Total gross
Supplies.

39. The total gross supplies report referred to under paragraph (i) under regulation 30 shall contain the total gross supplies since the electronic cash register was commissioned, distinguishing between taxable exempt and zero-rated supplies .

Comparable
Report.

40. The comparable report by sector , location and item or or product referred to under (j) of regulation 30 shall contain the following information-

- (a) date or period selected for comparison;
- (b) number of fiscal receipts or invoices issued;
- (c) gross sales made (taxable, exempt, and zero-rated); and
- (d) total and cumulative totals.

Comparison
Report.

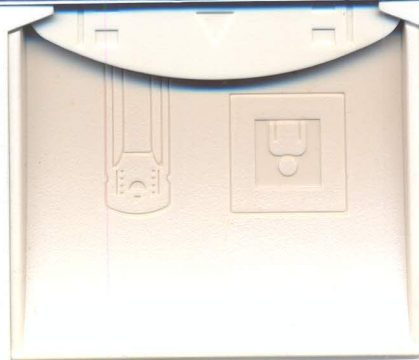
41. The comparison report referred to under paragraph (k) of regulation 30 between the amount declared in goods and services tax monthly return and electronic cash register device sales shall contain the following information-

- (a) sales as per goods and services tax return (taxable, exempt, and zero-rated);
- (b) sale as per electronic cash register device (taxable, exempt, and zero-rated); and
- (c) variance (taxable, exempt, and zero-rated).

PARTIV-OPERATIONAL COMPONENTS OF THE SYSTEM

Operational
Components.

42. (1) An electronic cash register shall be operated by a taxpayer for his business and shall connect and communicate electronically to the Authority's system using a secure encryption protocol and mutual authentication.



(2) Components of the system shall include-

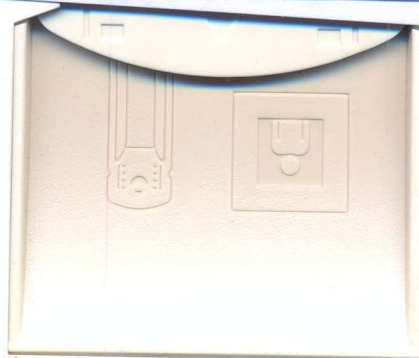
- (a) CIS, which is a point of sale that transmit transaction data for every transaction to SDCs, receive fiscal invoices for every transaction from SDCs and issue fiscal invoices or fiscal receipt; and
- (b) SDC that receives transaction data from the CIS, instantly formats that data into fiscal data and fiscal invoices, transmits the fiscal data to the Authority's system and simultaneously transmits the fiscal invoices to the CIS for printing.

43. (1) The Authority shall host a system (back office or back components end) which receives, authenticates, analyses, verifies and stores fiscal data transmitted by the SDC; Other operational component.

(2) The Authority's system shall have security features for the hardware and software, which securely maintains the privacy and integrity of the fiscal data using secure encryption protocols, digital certificates and mutual authentication mechanisms for receiving, verifying, recording, analyzing, and storing fiscal data.

(3) There shall be a software feature in the Authority's system enabling taxpayers and customers to access fiscal data stored on the Authority's system to verify either a single transaction or a range of transactions in order to verify-

- (a) that the Authority's system has received fiscal data transmitted to it;
- (b) whether the accuracy of fiscal data stored on the Authority's system has integrity



(4) The Authority's system shall be able to communicate electronically or by Internet with each taxpayer's electronic cash register

(5) The Authority's system shall provide accurate data to the Authority for assessing the taxes payable by taxpayers.

PART V—PROCEDURE FOR ACCREDITATION OF
ELECTRONIC CASH REGISTER DEVICE SUPPLIER

Electronic
Cash Register
Technical
Committee.

44. (1) The Commissioner-General shall establish a committee to be known as the Electronic Cash Register Technical Committee.

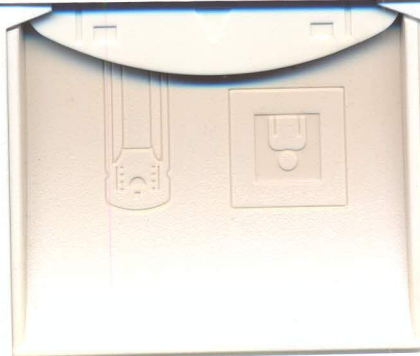
(2) The Electronic Cash Register Technical Committee shall be responsible for managing the proper functioning of the electronic cash register system.

(3) The Electronic Cash Register Technical Committee shall consist of the following members-

(a) two representatives from the National Revenue Authority of which one shall act as Chairman of the Committee and the other as secretary to the Committee;

(b) a representative each from the following institutions -

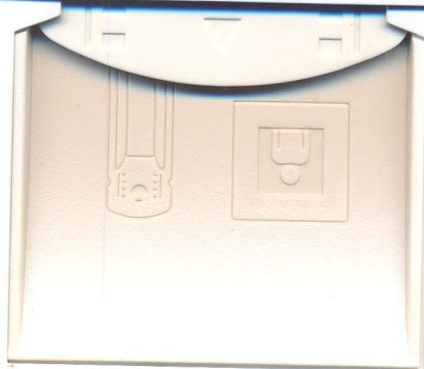
- (I) the Ministry;
- (II) Sierra Leone Standards Bureau;
- (III) National Telecommunications Commission ; and
- (IV) Directorate for Science, Technology and Innovation



45. (1) A prospective electronic cash register device supplier shall submit an application for accreditation of the brand and model of electronic cash register device to the Electronic Cash Register Technical Committee attaching to the application all necessary supporting documents, sample equipment and manuals.

(2) The supporting documents referred to under sub-regulation (1) shall contain the following information -

- (a) a detailed specification of the devices the supplier plans to introduce in the market, in compliance with the specification prescribed in these Regulations;
- (b) names of the licensed manufacturers of the devices;
- (c) certificate of the licensed manufactures;
- (d) names of countries where the devices have successfully been operating;
- (e) a brief explanation of its security features for both the software and hardware;
- (f) information on whether the electronic cash register device can securely interface with user' accounting systems in case a user is already using other devices and capable of transmitting information to the Authority's central database;
- (g) brief background of supplier's business and experience in dealing with similar devices;
- (h) supplier's detailed training program for the operation and programming of the devices, the length of time required for this training, the training fees if any;



- (i) the technical, maintenance and repair services that the supplier shall provide, and the replacement parts the supplier shall keep in their inventory;
- (j) the minimum amount of capital the supplier plans to allocate to the project;
- (k) expected minimum and maximum selling price of the devices;
- (l) a bank guarantee which the supplier shall provide;
- (m) supplier's bankers;
- (n) a list of qualified technical staff with details of their qualification, capable for performing periodic maintenance and carry out any repair works on the devices;
- (o) any other relevant information the supplier may wish to include in the business plan or as requested; and
- (p) the following documents shall also be required-
 - (I) operation and maintenance catalogues;
 - (II) photographs/block diagram;
 - (III) components list;
 - (IV) descriptive reports and security features write-up;
 - (V) sample of all documents printable by the device; and

(VI) certificate of the safety of the electronic cash register device or printer.

(2) A performance bond guarantee of approximately Fifty Thousand United States Dollars (\$50000) shall be submitted with the application .

(3) The guarantee bond shall be valid for five years and shall be renewed every year.

46. (1) The Electronic Cash Register Technical Committee shall undertake administrative review of all the applications in order to ascertain conformity to all administrative and documentation requirements.

Administrative and technical review.

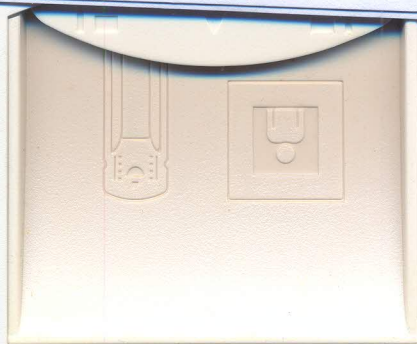
(2) The administrative and technical review shall include checking for completeness of the necessary administrative requirements specified by the Ministry .

(3) Where the Electronic Cash Register Technical Committee has undertaken the administrative and technical review, it shall submit an administrative and technical review report to the technical reviewer who shall test the electronic cash register device to ascertain conformity to the rules and requirements specified by the Authority.

(4) The technical reviewer after undertaking the necessary test on the electronic cash register device he shall submit a report based on his findings to the Electronic Cash Register Technical Committee.

47. After receipt of the technical reviewer's report the Electronic Cash Register Technical Committee shall determine whether all aspects of accreditation have been met and make a decision on whether or not to recommend to the Commissioner-General to issue a certificate of accreditation

Recommendation of Committee .



Issuance of certificate

48. (1) Based on the recommendation of the Electronic Cash Register Technical Committee, the Commissioner-General shall issue an accreditation certificate to successful applicants.

(2) The accreditation certificate shall contain specific terms and conditions

(3) An accreditation certificate shall be revoked where there is a violation of the terms and conditions .

Declaration of Conformity

49. Accredited suppliers shall sign a declaration of conformity and a memorandum of understanding with the Electronic Cash Register Technical Committee for the supply of the electronic cash register device model and brand.

Registration of Devices

50. (1) Accredited suppliers of the electronic cash register devices shall register all devices with the Authority, in accordance with the registration procedure provided for by the Commissioner General.

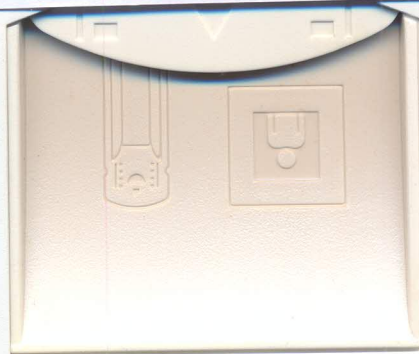
(2) The registration referred to under sub-regulation (1) includes activation and configuration of the electronic cash register device in order for it to communicate with the Authority's electronic cash register management server and software.

(3) After activation, the electronic cash register device shall be put into operation.

Obligation of Accredited Suppliers

51. An accredited supplier of a certified electronic cash register device shall -

- (a) establish a service centre with trained service technicians, stocked with the necessary spare parts;



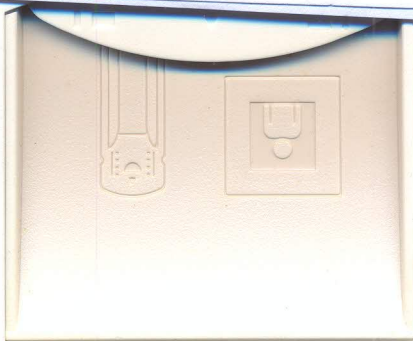
- (b) ensure that sales register machines and terminals submitted for activation are manufactured according to international standards;
- (c) provide the Authority with samples of the electronic cash register devices, fiscal printers, GPRS terminal and software to be used;
- (d) submit a report to the Commissioner General a list of devices imported;
- (e) guarantee the supply of spare parts for devices and terminals for a minimum of 5 years starting from the date of sale; and
- (f) repair malfunctions of devices and terminals within 48 hours of being reported to the service centre.

PART VI: REGISTRATION, LICENSING, ACCREDITATION OF ECR

52. (1) Subject to the Act and these regulations the following persons shall be registered as electronic cash register device users- Registration
Of users

- (a) any person who is obliged to use electronic cash Register under the Act;
- (b) any other person who may be identified and approved by the Commissioner General to be an eligible person for registration as user by a notice published in the Government Gazette.

(2) The user shall, in order to qualify for registration, submit the following to the Commissioner General-



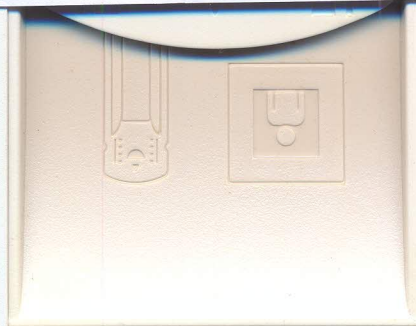
- (a) fiscal receipt or fiscal invoice obtained from the approved supplier at the time electronic cash register;
- (b) delivery note from the approved supplier;
- (c) job card or installation sheet from the approved supplier;
- (d) other requirement as may be prescribed by the Commissioner General

(3) A registered user shall be issued with an identification number to be prescribed by the Commissioner General.

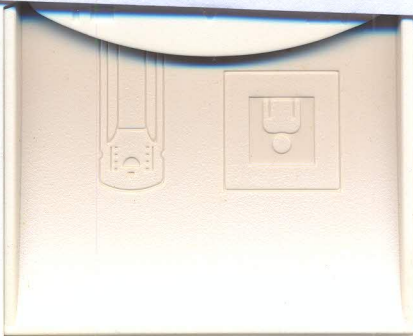
Registration
of
Electronic
cash register.

53. (1) The Commissioner-General shall register, licence and accredit an electronic cash register that fulfills the following criteria-

- (a) can receive, process, transmit, store, report and print information defined in this regulation;
- (b) encrypt information during storage and transmission;
- (c) secure transactions using the Public Key Infrastructure (PKI) managed by Certified Regulatory Agencies;
- (d) issue on-line and offline verifiable, durable and legible fiscal receipts;
- (e) record the information including but not limited to sales and issue fiscal receipts on read only memory, meaning that once recorded, this information cannot be altered in form and manner prescribed under these Regulations;



- (f) keep memory as a read only fiscal memory and capable of storing data for at least ten years;
- (g) cannot reverse entered sales data or any other information including dates;
- (h) create an in-built reconnection reports of fiscal memory;
- (i) use multi sized paper rolls that can capture all important details of users' business transactions;
- (j) cannot delete any information or data that entered into the Electronic Fiscal Invoicing System;
- (k) send an alarm to alert operators in case of memory disconnections;
- (l) receiving and displaying alert messages from operations resulted from any malpractice, error, or any inconsistent action noticed in the system
- (m) allows the Authority remote access and monitoring to view, read, and print all on going daily business transactions performed by users;
- (n) create an in-built link device that connects the user or trader with the system in a manner that either cannot repudiate;
- (o) provides security features for both hardware and software;



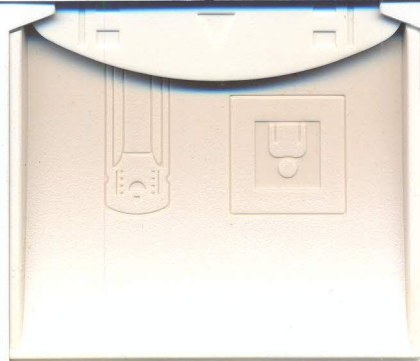
- (p) supports GSM and GPRS technologies;
- (q) architecture based on open standards preferably on a Service Oriented Architecture (SOA) with no proprietary hardware in order to prevent vendor lock-in;
- (r) capable of being used for instant recording of sales via electronic journal, instant issuance of fiscal receipts, and instant storage of tax

(2) Prior to accreditation of an electronic cash register the Commissioner General may require a supplier to provide a written statement or a single unambiguous declaration or a supplier declaration of conformity drawn up by the manufacturer that certifies that the electronic cash register -

- (a) is adequately and effectively tested to secure and protect taxpayer information and all data from unauthorized access and misuse
- (b) fulfills all relevant European and United States's regulatory bodies' product directives and regulations

(3) The Commissioner General may require the manufacturer of an electronic cash register to provide proof of adherence to the following International standards-

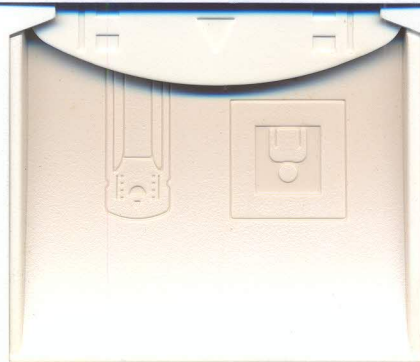
- (a) ISO 27001:2013 - Confidentiality, availability, and integrity of the information systems.
- (b) ISO 9001:2015 - Consistence in Manufacturing processes to ensure quality of products.



- (c) ISO 14001:2015 - Environmental Management Certification to ensure that the impact on the environment is being measured and improved.
- (d) meet the OHSAS 18001 Health and Safety standards

54. (1) The Commissioner General shall not certify any person Suppliers to be a supplier of an electronic cash register unless that supplier has-

- (a) a minimum capital of Leone one billion;
- (b) a technical team with industrial and product certification to install and configure fiscal systems, train and support users and the personnel shall be capable of providing installation, configuration, after sales and commissioning services;
- (c) a minimum of five years experience in supplying fiscal systems or similar information communications technology equipment with written customer references;
- (d) passed through certification procedure set out in these Regulations;
- (e) back to back contracts with sub-contractors and manufacturers of all the sub components of the electronic cash register that cover the full period of supply and warranty of the system;



- (f) performance Bond or Performance Security amounting up to 10% of contract;
- (g) in good standing with the Authority;
- (h) not solvent, bankrupt or in receivership; and
- (i) any other requirement as may be prescribed by the Commissioner General by notice issued to the public through a newspaper with a wide national circulation.

(2) The Commissioner General shall sign a contract which shall bind the supplier to supply electronic cash register as may be approved by the Commissioner General in the contract and in accordance with these Regulations.

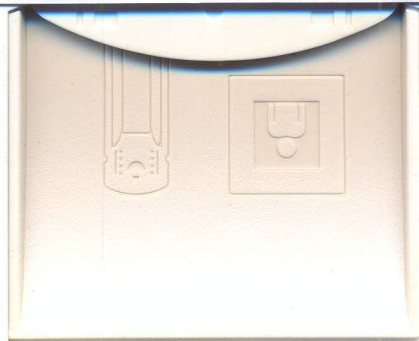
(3) During the licensing process, the Commissioner General shall require the supplier to provide a Local Content Plan as part of the application to supply showing the detailed plan in the following areas-

- (a) technology skills transfer to local staff;
- (b) decentralization of services plan to address the provinces;
- (c) indigenous managed value adding services; and
- (d) an environmentally friendly disposal mechanism

**Inspection
and
Monitoring.**

55. (1) The inspection and monitoring procedure provided for in the Act shall apply when the Authority conducts an inspection

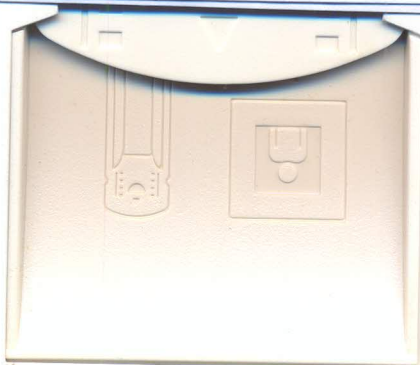
(2) The Commissioner General may inspect a supplier or user's premises during or after licensing and accreditation of a supplier or system without prior notice.



(3) During an inspection, the Commissioner General may detain or seize an electronic cash register .

56. (1) The Commissioner General may de-register, de-license ^{Revocation} or remove accreditation of a previously registered and accredited electronic cash register if-

- (a) its technology becomes obsolete or insecure or its security features are severely compromised;
- (b) if an upgrade or update causes it not to meet the conditions specified in registration and accreditation of the electronic cash register;
- (c) the technical support is inadequate to address user needs;
- (d) supplier or manufacturer breaches warranty provisions;
- (e) the manufacturers can no longer support the system by reason of change of business or financial distress;
- (f) recorded pattern of consistent malfunction, breakdown and in availability by taxpayers or the Authority;
- (g) mandated by audit or investigations or security operations;
- (h) supplier or user participates in illegal or fraudulent manipulation of electronic cash register or practices that compromise the security of information;



- (i) the system has been found to possess potential health risks or injury to users;
- (j) is damaging the environment and eco system of Sierra Leone;
- (k) fails to submit information in prescribed format for a specified period of time; and
- (l) does not fulfil any requirement of this regulation

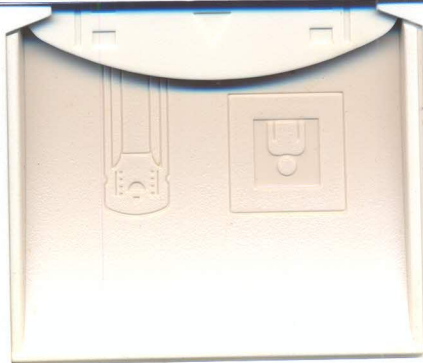
(2) The Commissioner General may revoke the accreditation of a user, supplier or an electronic cash register if they do not comply with these regulations .

(3) If the Commissioner General revokes the accreditation of a user, supplier or an electronic Cash register that was accredited under this regulation, the Commissioner - General may, immediately.

- (a) remove the details of the User or Supplier from the Authority's website; and
- (b) give notice in writing of the revocation to the supplier and the user.

(4) Prior to the revocation of a user, supplier or an electronic cash register, the Commissioner General may, subject the user, supplier or the electronic cash register device to an audit.

(5) A notice of a decision to revoke under this regulation shall specify the reasons for the decision.



PART VII—ROLES, RESPONSIBILITIES AND CONDUCT

57. (1) A supplier shall supply an accredited electronic cash register to a taxpayer. Suppliers'
Roles

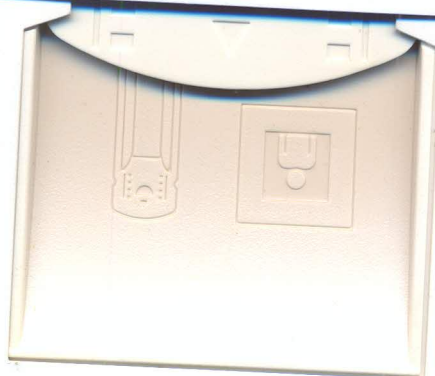
(2) A supplier shall not offer for sale, or supply, an electronic cash register to a taxpayer unless the electronic cash register is accredited.

(3) If a supplier becomes aware of a faulty, or misuse of, an accredited electronic cash register the supplier shall report the defect and its cause (if known), or the misuse, to the Commissioner General as soon as practicable after becoming aware of it.

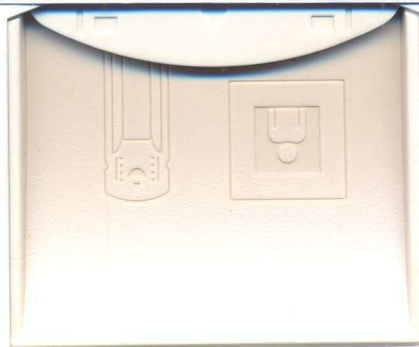
(4) A supplier, who has an agreement with a taxpayer to install and implement an electronic cash register or component of an electronic cash register in the taxpayer's business, may, for and on behalf of the taxpayer obtain the digital certificate of the electronic cash register.

(5) A supplier shall-

- (a) submit sample electronic cash register model, accompanied with relevant device instruction manuals to the Commissioner General for approval prior to selling and distribution to intended users;
- (b) sell and distribute the electronic cash register to various users in Sierra Leone;
- (c) train users on the use of an electronic cash register;



- (d) submit to the Commissioner General a report of sales of electronic cash registers sold to users that includes information relating to sales of fiscal receipt or invoice, job card, user's particulars including Taxpayer Identification Number - TIN;
- (e) install, configure and activate the supplied electronic cash register at user's premises;
- (f) provide an inspection booklet for each electronic cash register supplied during installation of the system;
- (g) enter into contractual arrangements with approved manufacturers for the supply of electronic cash register;
- (h) supply a complete set of electronic cash register;
- (i) keep stock of spare parts and accessories supplied to users for a period of not less than five years from the time at which the last batch was supplied;
- (j) train users on best ways of administering the electronic cash register for proper and efficient use of the system;
- (k) support and maintain the supplied electronic cash register at users' premises to ensure smooth operation and running of the system;
- (l) submit to the Commissioner General details of supplier's approved technicians;



(m) establish and operate a service centre in every region in the country ;and

(n) provide a user manual with electronic cash register upon equipment delivery

(5) The Supplier shall, give a sample of the electronic cash register to the Commissioner General for verification purposes and surrender the sample free of cost to the Commissioner General to be kept as evidence of supplier's product to be used by users.

(6) An approved supplier shall not sell or distribute electronic cash registers to users without prior approval by the Commissioner General.

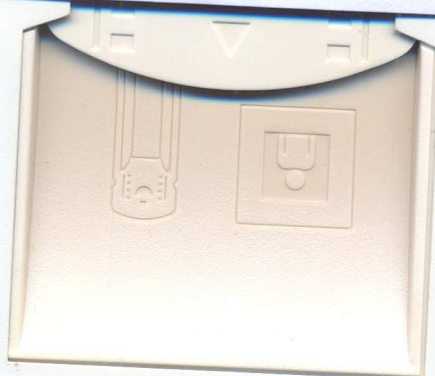
(7) A supplier may at his own or upon request by the Commissioner General, open outlets or branch offices in various regions in Sierra Leone for effective and efficient discharge and management of his obligations.

(8) The supplier shall be obliged to recover the faulty electronic cash registers within a maximum of forty-eight hours from the reporting time.

(9) During the time when a supplier is recovering a faulty electronic cash register whose warranty is still valid, they shall supply, install, configure the taxpayer an accredited electronic cash register at no additional cost.

(10) The supplier shall ensure that CIS or SDC and their accessories are manufactured according to the international standards and specifications set out by the Authority.

(11) The supplier shall cover the expenses for testing and demonstration of CIS or SDC for which the licence is required.



(12) The supplier shall keep information on imported and sold CIS or SDC devices including

- (a) the machine registration code;
- (b) SDC identification number;
- (c) sale date;
- (d) TIN; and
- (e) business address of the user for at least four years from the date of sale

(13) The supplier shall ensure that the machine registration code for each CIS and SDC is identified by the Authority before selling it and display the sticker with the machine registration code or SDC identification on visible place and in a permanent manner for each CIS or SDC

(14) The supplier shall comply with any other obligation that may be determined by the Commissioner -General from time to time

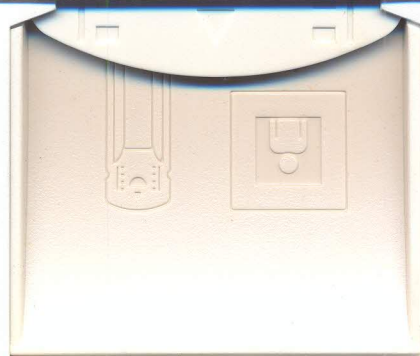
Taxpayers
Roles.

58. (1) A taxpayer designated for use of the electronic cash register shall not operate a business unless the taxpayer-

- (a) operates an electronic cash register for the business; and
- (b) the electronic cash register is accredited.

(2) A taxpayer shall install, implement and operate the electronic cash register in accordance with these regulations

(3) A taxpayer shall be responsible for operating an electronic cash register for each business of the taxpayer in accordance with these regulations .



(4) A taxpayer shall be obliged to purchase a complete set of electronic cash register from an approved supplier.

(5) The electronic cash register for a taxpayer's business shall be accredited.

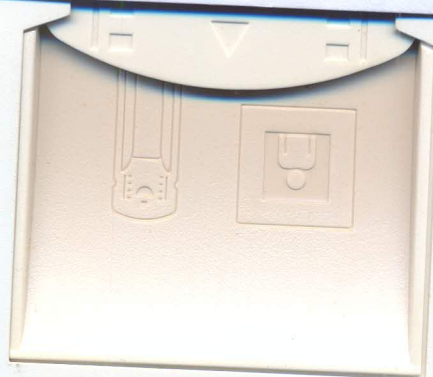
(6) A taxpayer shall not transfer in any form the electronic cash register to any other person for any use and that the electronic cash register shall only be used by the taxpayer;

(7) A taxpayer shall ensure that the electronic cash register is placed at a place which is accessible and easily seen by customers at his place of business.

(8) A taxpayer shall be responsible for giving the Commissioner General the following information-

- (a) the taxpayer's name and address;
- (b) the name and address of each business operated by the taxpayer;
- (c) the brand, model and specifications of each component of the electronic cash register the taxpayer operates for the business of the taxpayer;
- (d) justification for each case of refund transaction (original receipt and refund form to be attached)
- (e) justification for each case when a training receipt or proforma is issued by the business.

(9) A taxpayer shall be responsible for making a report to the Commissioner General if the taxpayer is not able to verify any of the following matters by the system



- (a) that the Authority's system has received fiscal data transmitted to it by the taxpayer's electronic cash register ;
- (b) the accuracy of fiscal data transmitted by the taxpayer's electronic cash register to the Authority's system.

(10) The taxpayers shall, in acquiring, keeping, handling and using electronic cash register , strictly exercise due diligence and duty of care as prescribed by the approved suppliers' electronic cash registers operational manuals to avoid any misuse or abuse of the devices.

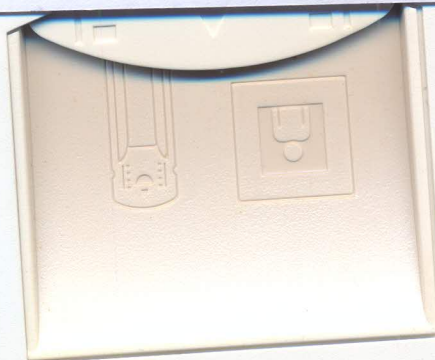
(11) Every taxpayer using an electronic cash register shall, for purposes of business continuity and efficient availability of data daily back up data on his personal computer which the electronic cash register is connected and store the backed-up data in a secure place on a daily basis.

(12) Where a taxpayer's electronic cash device fails to operate for any reasons, the user shall immediately notify the Commissioner General and within a period of twenty-four hours from the time of device failure, report the incidence in writing to the supplier and the Commissioner General.

(13) Every user of electronic cash register shall affix a poster provided by the Commissioner General, printed in bold capital figures bearing the words to be announced by the Commissioner General.

(14) The poster provided for under sub regulation 13 shall be kept at a conspicuous place on the electronic cash register so that it is visible to customers.

(15) The Commissioner General may from time to time announce wording which are to be reduced into writing for the purpose of issuance of notice to be kept at a user's premises relating to demand for issuance of receipt by customers;



(16) A taxpayer shall issue a fiscal invoice to a customer for each transaction between the taxpayer's business and the customer and applies even if a customer fails or refuses to take the fiscal invoice.

(17) A taxpayer shall not issue a fiscal invoice that does not comply with this regulation.

(18) If a transaction of a business of the taxpayer is a business to business transaction or a business to government transaction, the taxpayer shall-

(a) request the customer to provide the customer's TIN to the taxpayer; and

(b) on being given the TIN, enter it into the taxpayer's ECR as part of the transaction data for the transaction.

(19) A taxpayer shall not fail to give the information to the Commissioner General

(20) A taxpayer shall not fail to display a notice in accordance with this regulation

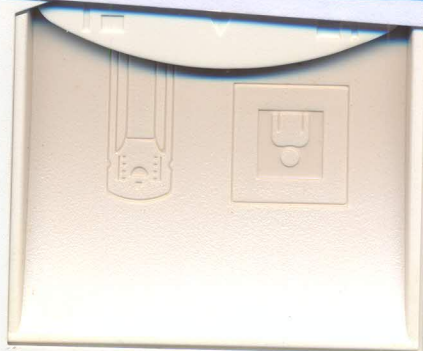
(21) A taxpayer shall comply with the Authority's procedures and requests for auditing an EFIS and fiscal data.

(22) Every user shall ensure that his electronic cash register undergoes periodic technical maintenance service within the time frame prescribed by the Commissioner General.

(23) A taxpayer shall be responsible for the cost of the electronic cash register sim card, connection and maintenance;

(24) A taxpayer shall ensure that all items or services sold through electronic cash register have clearly defined names and appropriate tax rates.

(25) A taxpayer shall report change of sales location to the Authority.



(26) A taxpayer shall keep the SDC in Sierra Leone

(27) A taxpayer shall submit request to the Authority for electronic cash register deactivation in case of cessation of business activity.

(28) A taxpayer shall maintain evidence of certified refund receipt in case of entry error .

(29) A taxpayer shall notify the Authority in writing about termination of electronic cash register operation in 24 hours due to theft or damage by force majeure including flood , fire , earthquake or accident

(30) Every taxpayer shall comply with any other obligation that may be determined by the Commissioner-General from time to time

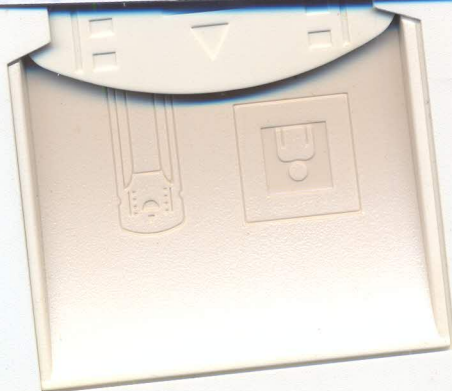
Interruptions
Booklet.

59. (1) Every taxpayer connected to the system shall ensure that he is provided with an inspection booklet at the time of supply of an electronic cash register by the supplier.

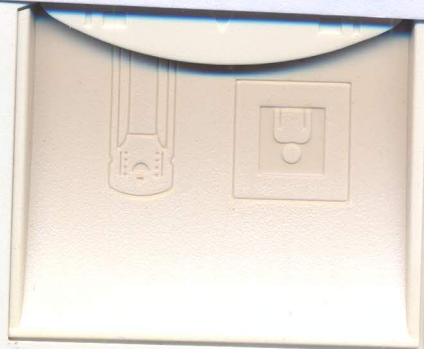
(2) Every user shall ensure that the inspection booklets are kept at the place where the electronic cash register is installed.

(3) The user shall, in case of an electronic cash register failure that cannot be remedied without breaking the seal do the following -

- (a) immediately cease the use of the machine and record the time of the failure in the inspection booklet;
- (b) call and report the failure to the supplier and the Commissioner General;



- (c) record the failure of the electronic cash register , description of the failure, the time of the failure, and the exact time of notification to the supplier and the Commissioner General in the inspection booklet associated with the electronic cash register device;
 - (d) every record entered in the inspection booklet shall be legible and appropriately signed, listing the name and identity card number of the person responsible for entering the records and record entry date and time;
- (4) An inspection booklet shall contain the following information-
- (a) findings of inspections made by the supplier or his approved technicians with regard to the proper keeping of the inspection booklet, the general condition of the machine and its seal and the periods of machine breakdowns;
 - (b) where the machine is found to be faulty, explanation for the unreported fault and copy of such explanation; and
 - (c) notification of machine failure, the time of removal and attachment of the seal, the time the machine is put to use after repair, description of the fault, the period for which the machine was not in use, as well as other relevant information about the machine.



Safe keeping
of records.

60. (1) Every user shall ensure that all records entered into his electronic cash register are safely kept and secured by the authorized security measures recommended by the Commissioner General.

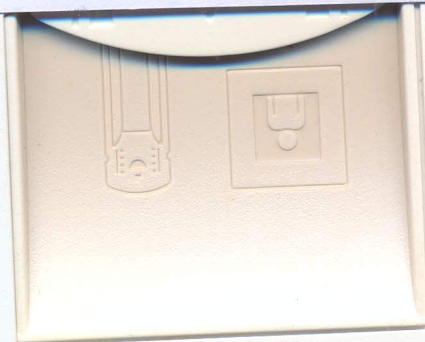
(2) The user shall not tamper with the records kept in his electronic cash register and shall ensure that the records in the electronic cash register are retained therein for a period of at least six years.

Temporary
use of
manual
receipt
or invoice.

61. (1) The Commissioner -General may in the case of detention or seizure of an electronic cash register for any reason , issue a notice in writing to a user authorizing the use of manual receipts and invoices or provide the use with temporary electronic cash register devices for use pending the outcome of the investigation or closure of the matter that caused detention or seizure.

(2) The user may temporarily be allowed to use an alternative means of transacting business by using the prescribed manual receipt or invoice where the following circumstances exists-

- (a) the electronic cash register is undergoing inspection;
- (b) the electronic cash register has been seized for investigations purposes;
- (c) the electronic cash register is undergoing maintenance; and
- (d) the user has reported to the commissioner General that the electronic cash register has failed to operate for any reason acceptable to the commissioner General.



(3) Where the electronic cash register is restored or replaced, the user is required to key in the electronic cash register, all the information contained in the manually issued receipts and invoices at the start of operation of an electronic cash register.

✓ 62. (1) Where a user mistakenly enters an erroneous data or or information into his electronic cash register, he shall proceed to print the erroneous information and keep the record thereof for further reconciliation and rectification with the Commissioner General. Correction of Errors.

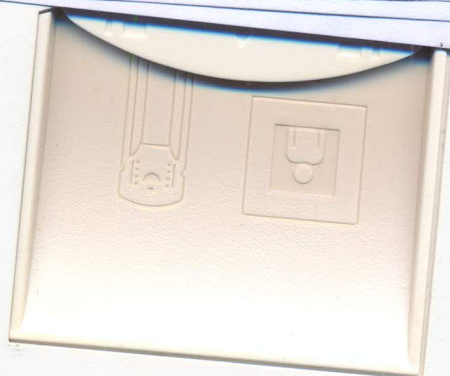
(2) Subject to sub regulation (1), the user shall enter the correct data and information into his electronic cash register and issue a correct fiscal receipt.

(3) A user shall report errors referred to under sub regulation (1) at the time of filing a return of income for the year by submitting to the Commissioner General a written statement of correction errors recording each sales error made during the tax period for reconciliation.

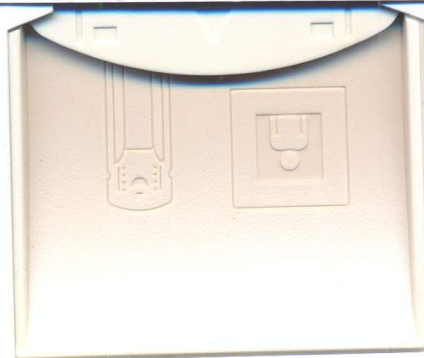
63. (1) The Commissioner-General shall be responsible for the administration of these regulations. Authority's Role

(2) In administering these Regulations, the Commissioner General shall be responsible for-

- (a) operating the Authority's system in a manner that complies with these Regulations;
- (b) receiving appropriate advice on technical matters relating to electronic information systems, electronic fiscal devices, fiscal invoicing and fiscal data for administering these Regulations;



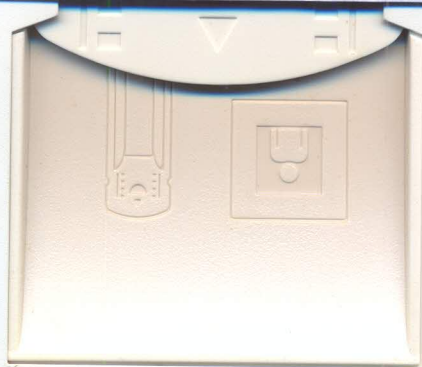
- (c) authorising the Authority's employees to perform tasks that enable the Commissioner General to comply with these Regulations;
- (d) establishing and maintaining, in an electronic form and in any other form that the Commissioner General considers appropriate, an accurate up-to-date record of-
 - (i) the name and address of each taxpayer;
 - (ii) the address of each premises where the taxpayer operates a business;
 - (iii) details of the electronic cash operated for the taxpayer's business;
 - (iv) details of any erroneous data entered into the electronic cash register and the manner in which it was corrected or cancelled; and
 - (v) details of a defect in or misuse of an electronic cash register;
- (e) accrediting electronic cash registers ;
- (f) receiving complaints and reports about electronic cash registers;
- (g) setting up and maintaining a system that enables taxpayers and customers to access fiscal data stored on the Authority's system to verify the following in relation to either a single transaction or more than one transaction-



- (i) that the Authority's system has received fiscal data transmitted to it;
 - (ii) the accuracy of fiscal data stored on the Authority's system;
- (h) publishing information, including publishing information on a website or in another electronic form, about the process by which taxpayers and customers access and verify the matters referred to in paragraph (g);
- (i) conducting audits, inspections and other supervisory activities for ensuring the Authority's system and each taxpayer's electronic cash register do not contravene these Regulations;
- (j) taking steps and making decisions for prosecuting persons who allegedly commit offences against these Regulations or compounding those offences and ordering the offender to pay money under the appropriate legislations; and
- (k) conducting a customer compliance award programme.

(3) The Commissioner General may conduct investigation on any user where he has reasons to believe that the conduct of the user in using electronic cash register is contrary to any of the provisions of the Act and these Regulations.

(4) The Commissioner General shall set periodic technical maintenance time frame of users' electronic cash register by way of issuing notice through the system and in a notice issued to the public through a newspaper with a wide national circulation.



(5) Where a taxpayer demonstrates a good course for not using an electronic cash register at any point in time, he shall submit a written request for permission not to use the electronic cash register to the Commissioner-General who may either grant or refuse the request.

Customers

64. (1) A customer shall be responsible for checking each fiscal invoice issued to the customer and verifying the information recorded on the fiscal invoice.

(2) A customer who has been issued a fiscal invoice may, by the system, verify that the fiscal data recorded on the fiscal invoice has been received by the Authority's system.

(3) A customer shall allow the Commissioner General to inspect the fiscal invoice upon request

(4) A customer shall report the following matters to the Commissioner General as soon as practicable after they happen-

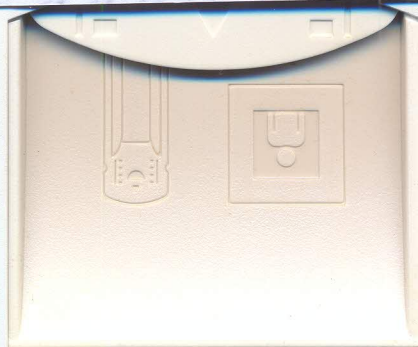
(a) the customer has not been issued a fiscal invoice for a transaction;

(b) the fiscal data printed on a fiscal invoice issued to the customer is not an accurate record of the transaction it was issued for;

(c) the customer is not able to verify, by the system whether the Authority's system has received fiscal data recorded on a fiscal invoice issued to the customer.

(5) A customer, who is eligible to do so, may participate in a customer compliance awards programme.

(6) If a customer enters into a transaction that is a business to business transaction or a business to government transaction and the taxpayer operating the business requests the customer to provide



the customer's TIN, the customer shall provide the TIN to the taxpayer for it to be entered into the taxpayer's electronic cash register as part of the transaction data for the transaction.

(7) A customer shall request a fiscal receipt for each transaction

PART V111: MISCELLANEOUS PROVISIONS

65. (1) Any person dissatisfied by any action, omission or verdict made by the Commissioner General in the process of administering these Regulations, may within thirty days of such action, omission or verdict being made, file a notice of appeal with the Income Tax Appellate Board and shall serve the Commissioner General, a copy of the notice of appeal. Appeals.

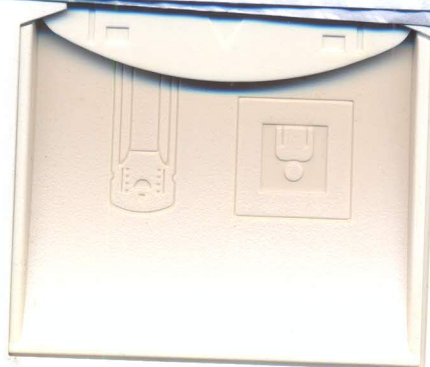
(2) Where a person has filed a notice of appeal, the procedures set out under the Income Tax Act 2000 for the Board Appellate Commissioners shall apply.

66. (1) Every customer shall request and retain the fiscal receipt or invoice in his possession and shall have their telephone contact printed with it to be eligible for a raffle. Customer Compliance Award Programme.

(2) Every person having demanded a fiscal receipt or fiscal invoice upon purchasing goods or services and is denied the said receipt or invoice, shall immediately report to the Commissioner-General through the quickest means of such incidence.

(3) The Commissioner-General may conduct a customer compliance award programme involving:

- (a) a fiscal invoice raffle, encouraging customers to request a receipt or invoice upon purchase;
- (b) awarding compliant taxpayers or business for using the electronic cash register scheme.



(4) The procedure and criteria for participation in the customer compliance award programme shall be automatically coded/programmed and specified in the electronic cash register and made public through various media outlets.

(5) The procedures for eligibility to participate in the customer compliance competition shall be coded in the electronic cash register .

Audit

67. (1) The Commissioner General may conduct investigation on any user, supplier or system where he has reasons to believe that the conduct of the user or supplier in using the electronic cash register is contrary to any of the provisions relating to taxation laws and these Regulations.

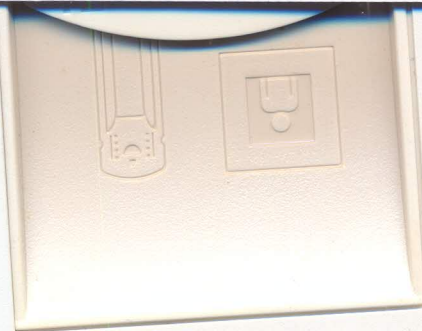
(2) Where the Commissioner General in the process of investigating the user, discovers that any provision of the GST and Income Tax Act or these Regulations has been infringed, he may notify the user in writing the degree of the breach and the consequences.

(3) Where the user receives the notice referred to under sub regulation (2) of this regulation, he is obliged to follow the response procedures consistent with the Goods and Services Tax Act 2009.

(4) Where the user denies all the allegations contained in the notice mentioned in sub regulation (2) of this regulation, the Commissioner General may proceed to institute criminal proceedings against the user.

(5) The Commissioner General shall conduct audits and investigations at different levels to ensure that taxpayers are complying with these Regulations, including, but not limited to:

- (a) verifying if the taxpayer is issuing valid fiscal invoices;



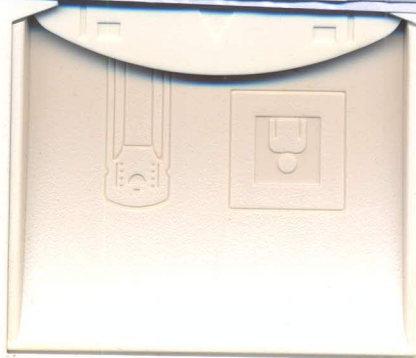
- (b) examining if the electronic cash register of the taxpayer's business or any components of it are accredited;
- (c) checking if the electronic cash register complies with these regulations ;
- (d) inspecting the operation of the protocols; and
- (e) requiring taxpayers to provide relevant information and documents as necessary.

68. A person who -

Offence

- (a) fails to acquire and use the electronic cash register;
- (b) fails to issue or retain fiscal invoices or receipts;
- (c) fails to demand and retain a fiscal invoice by the purchaser or customer;
- (d) undervalues taxable supplies;
- (e) tampers with the electronic cash register;
- (f) causes damage to the electronic cash register to cause malfunction;
- (g) fails to observe these regulations

commits an offence and shall be liable on conviction to the following-

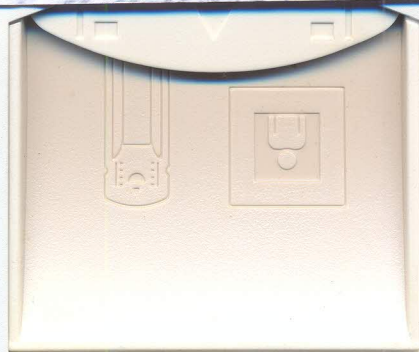


- (i) for first offenders, a penalty of the 50% of the tax due and Le 10,000,000; or upon conviction, a fine of Le20,000,000 plus 50 of the tax due or to a term of imprisonment not less than six months.
- (ii) subject to Sub- paragraph (i), where the tax as a result of the offence cannot be established, the Commissioner General shall determine the tax payable.
- (iii) in the case of a customer or purchaser failing to produce a receipt upon request by the Authority, the goods purchased shall be confiscated.
- (v) recidivity or repeated offenders shall be liable to a penalty of 100 of tax due and Le20,000,000 or upon conviction, to a fine of Le50,000,000 plus 50 of the tax due and/or to a term of imprisonment not less than one year.,

Transitional Provisions.

69. (1) A user who is yet to acquire an electronic cash register shall, upon coming into force of these regulations continue to use manual invoices or receipts until such a period as the Commissioner-General may, by a notice issued in a newspaper, authorize them to discontinue the use of manual invoices or receipts.

(2) The Commissioner General may prescribe the period within which accredited suppliers or users shall adhere to these regulations



EXPLANATORY NOTE

(This note is not part of the regulations but it is intended to indicate its general purport)

The objective of these Regulations is to implement an electronic invoicing system that enables the National Revenue Authority to securely obtain, monitor and assess accurate fiscal data for calculating and imposing a tax that is required to be part of a fiscal invoice.

Made this 27th day of January, 2021

PATRICIA LAVERLEY
Acting Minister of Finance

FREETOWN
SIERRA LEONE

