

**ACT**

*Supplement to the Sierra Leone Gazette Extraordinary Vol. CLXIV, No. 24A*

*dated 28th April, 2023*

SIGNED this 24th day of April, 2023.

DR. JULIUS MAADA BIO,  
*President.*



**No. 14**



**2023**

**Sierra Leone**

**THE FINANCE ACT, 2023**

Short title.

**Being an Act to provide for the imposition and alteration of taxes, to give effect to the financial proposals of the Government and to provide for other related matters for the financial year 2023**

[

] Date of commencement.

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

1. Unless otherwise provided, this Act shall be deemed to come into operation on the 1st day of April, 2023

### STAMPDUTY ACT, CAP274

Amendment  
of Schedule A  
of Cap 274

2. Schedule A of the Stamp Duty Act Cap 274 is amended deleting the rate indicated in paragraph (1) and inserting the following new rate-

Conveyance Section	Rate
Stamp Duty Fees for conveyances and other assignments of property, real and personal, mortgages debentures and transfers thereof, and liquidations, of the value of the property	0.02 or 2% of consideration

### EXCISE ACT, 1982

Amendment  
of the  
schedule of  
the Excise  
Act, 1982

3. (a) repealing the excise rates under the heading 2203 and replacing them with the following new excise rates:-

Heading	H. S. Code	Description/Goods specification	Alcoholic content per solution (%)	Excise Rate
2203	<b>Beer made from malt</b>			
	220300.10.000	Stout & Porter	<10	US\$0.015 per cl or US\$1.50 per litre
	220300.20.000	Beer	<10	US\$0.015 per cl or US\$1.50 per litre
		Non-alcoholic not>5%	<10	US\$0.015 per cl or US\$1.50 per litre
	220300.90.000	Other forms of Beer	<10	US\$0.015 per cl or US\$1.50 per litre
	220300.90.000	Other forms of Beer	<10	US\$0.015 per cl or US\$1.50 per litre

(b) repealing the excise rates under the heading 2204 and replacing them with the following new excise rates:-

Heading	H. S. Code	Description/Goods specification	Alcoholic content per solution (%)	Excise Rate
2204	<b>Wine of fresh Grapes including fortified grapes, grape must not of Heading 20.09</b>			
	220410.10.000	Sparkling wine	<10	US\$0.015 per cl or US\$1.50 per litre
	220410.90.000	Sparkling wine >10%p.v.a	>10 but <20	US\$0.02 per cl or US\$2 per litre
			>=20	US\$0.03 per cl or US\$3 per litre
	220421.10.000	Other Sparkling wine must <10%	<10	US\$0.015 per cl or US\$1.50 per litre
	220410.50.000	“	<10	US\$0.015 per cl or US\$1.50 per litre
	220429.10.000	>10%p.v.a in 2 ltrs or less	>10 but <20	US\$0.02 per cl or US\$2 per litre
			>=20	US\$0.03 per cl or US\$3 per litre
	220429.50.000		>10 but <20	US\$0.02 per cl or US\$2 per litre
			>=20	US\$0.03 per cl or US\$3 per litre

(c) repealing the excise rates under the heading 2205 and replacing them with the following new excise rates:-

Heading	H. S. Code	Description/Goods specification	Alcoholic content per solution (%)	Excise Rate
2205	Vermouth & Other wine of Fresh Grapes			
	220510.10.000	Wine of Fresh Grapes	>10 but <20	US\$0.02 per cl or US\$2 per litre
			≥20	US\$0.03 per cl or US\$3 per litre
	220590.10.000		>10 but <20	US\$0.02 per cl or US\$2 per litre
			≥20	US\$0.03 per cl or US\$3 per litre
	220300.20.000	Other Sparkling wine must <10%	<10	US\$0.015 per cl or US\$1.50 per litre

(d) repealing the excise rates under the heading 2206 and replacing them with the following new excise rates:-

Heading	H. S. Code	Description/Goods specification	Alcoholic content per solution (%)	Excise Rate
2206	<b>Other fermented Beverages (Cider, Perry, etc.); Mixture of fermented beverages and non-alcoholic beverages, NES</b>			
	220600.10.000	Cider, Perry & Mead	>10 but <20	US\$0.02 per cl or US\$2 per litre
			>20	US\$0.03 per cl or US\$3 per litre
	220600.20.000	of alcoholic content<10%	<10	US\$0.015 per cl or US\$1.50 per litre
	220600.30.000	of alcoholic content>10%	>10 but <20	US\$0.02 per cl or US\$2 per litre
			>20	US\$0.03 per cl or US\$3 per litre
	220600.40.000	Rasin wine	<10	US\$0.015 per cl or US\$1.50 per litre
	220600.50.000	Rice wine	<10	US\$0.015 per cl or US\$1.50 per litre
			>10 but <20	US\$0.02 per cl or US\$2 per litre
	220600.60.000	Palm wine	<10	US\$0.015 per cl or US\$1.50 per litre
	220600.70.000	Mixture of fruit juice with alcoholic content	<10	US\$0.015 per cl or US\$1.50 per litre

	220600.80.000	Mixture of fruit juice with alcoholic content	>10 but <20	US\$0.02 per cl or US\$2 per litre
			>20	US\$0.03 per cl or US\$3 per litre
	220600.90.000	of alcoholic content<10%	<10	US\$0.015 per cl or US\$1.50 per litre
	220600.100.000	Others	<10	US\$0.015 per cl or US\$1.50 per litre

(e) repealing the excise rates under the heading 2206 and replacing them with the following new excise rates:-

Heading	H. S. Code	Description/Goods specification	Alcoholic content per solution (%)	Excise Rate
2208	<b>O Ethyl Alcohol with less than 80%; Spirits and Spiritous Beverages</b>			
	220820.10.000	Brandy	>20	US\$0.03 per cl or US\$3 per litre
	220820.90.000	Others	>10 but ≤20	US\$0.02 per cl or US\$2 per litre
			>20	US\$0.03 per cl or US\$3 per litre
	220840.00.000	Whiskies	>20	US\$0.03 per cl or US\$3 per litre
	220820.90.000	Rum and other Spirit	>20	US\$0.03 per cl or US\$3 per litre
	220850.00.000	Gin & Cordials	>10 but ≤20	US\$0.02 per cl or US\$2 per litre
			>20	US\$0.03 per cl or US\$3 per litre
	220860.00.000	Vodka	>20	US\$0.03 per cl or US\$3 per litre
	220870.90.000	Liqueurs	>20	US\$0.03 per cl or US\$3 per litre
	220890.10.000	Other Forms of Spiritous beverages	>10 but ≤20	US\$0.02 per cl or US\$2 per litre
			>20	US\$0.03 per cl or US\$3 per litre
	220890.20.000	Schnapps	>10 but ≤20	US\$0.02 per cl or US\$2 per litre
			>20	US\$0.03 per cl or US\$3 per litre
	220890.50.000	Alcohol de menthe	>10 but ≤20	US\$0.02 per cl or US\$2 per litre
			>20	US\$0.03 per cl or US\$3 per litre
	220890.90.000	Others	>10 but ≤20	US\$0.02 per cl or US\$2 per litre
			>20	US\$0.03 per cl or US\$3 per litre

(f) repealing the excise rates under the heading 2207 and replacing them with the following new excise rates:-

Heading	H. S. Code	Description/Goods specification	Alcoholic content per solution (%)	Excise Rate
2207	<b>0 Ethyl Alcohol with more than 80%</b>			
	22071090	Extra Neutral Alcohol	>=95	US\$0.03 per cl or US\$3 per litre

(g) deleting the Heading 20.09 and replacing them with the following:-

H. S. Code	Description/Goods specification	Excise Rate
	<b>Non-Alcoholic, carbonated, and sweetened beverages; fruit juice (including grape must) and vegetable Juices, unfermented and not containing added spirit, whether or not containing added sugar, or other sweetening matter (excluding soft drinks; natural milk containing no added sugar; beverages for medical use such as oral nutritional therapy; infant or baby formula; water for human consumption but not flavoured or carbonated)</b>	
	Natural fruit and vegetable juice (with sugar content less than 5g per litre	US\$0.00 per litre
	Fruit and vegetable juice with sugar content from 5g per litre to less than 15g per litre	US\$0.1 per litre
	Fruit and vegetable juice with sugar content from 15g per litre to 25g per litre	US\$0.3 per litre
	Fruit and vegetable juice with sugar content above 25g per litre	US\$0.5 per litre
	Bottled or similarly packaged waters and other non-alcoholic beverages, including energy drinks with less than 15g sugar content per litre, excluding fruit or vegetable juices	US\$0.1 per litre
	Bottled or similarly packaged waters and other non-alcoholic beverages, including energy drinks with sugar content from 15g per litre to 25g per litre, excluding fruit or vegetable juices	US\$0.3 per litre
	Bottled or similarly packaged waters and other non-alcoholic beverages, including energy drinks with sugar content above 25g per litre, excluding fruit or vegetable juices	US\$0.5 per litre

(h) deleting the tariff item Nos.24.01, 24.02 and 24.03, the corresponding description in column 2 and the corresponding rates in column 3 and substituting it with the following tariff item number, description and rate:-

Tariff Item No.	Description/Goods specification	Excise Rate
24.01	Unmanufactured tobacco	NLe300 per kg
24.02	Cigars, cheroots, cigarillos, containing tobacco or tobacco substitutes	NLe50 per packet
	Cigarette containing tobacco	NLe20 per packet of 20 sticks
24.03	Other manufactured tobacco and manufactured tobacco substitutes; "homogenous" and "reconstituted tobacco"; tobacco extracts and essences	NLe300 per kg

(i) inserting the following new tariff item number, description and rate immediately after tariff item 24.03-

Tariff Item No.	Description/Goods specification	Excise Rate
24.04	Electronic cigarettes	NLe7 per unit of e-cigarette
	Cartridge for use in electronic cigarettes	NLe4.60 per unit of cartridge

(g) deleting the Heading 20.09 and replacing them with the following:-

#### FORESTRY TAX ACT 1988

4. Section 25A of the Forestry Act No. 7, of 1988 is amended by repealing and replacing that section with the following-

Amendment of Section 25A of the Forestry Act, 1988

“25 A. An exporter of timber log, timber and timber products shall pay to the National Revenue Authority a timber royalty of:

- (a) \$3,000 per any 33.2 cubic metres before he exports any timber log, timber and timber products excluding furniture, edge glue boards, plywood and wooden transmission plocs from planted forests; and;
- (b) NLe25,000 per truck equivalent to a20-foot container or NLe50,000 per a trailer equivalent to a 40-foot container, for other timber products (unprocessed timber boards other than timber logs, loaded on transporting trucks, lorries and trailers for exports through land border crossing points.”

#### INCOME TAX ACT 2000

5. The Income Tax Act 2000 is amended by inserting the following new section immediately after Section 7-

Amendment of Act No 8 of 2000

**minimum alternate tax** 7A (1) Subject to Section 3 the income tax payable by a company in respect of any year of assessment shall be the higher of -

- (a) income tax payable on the total income as computed under this Act; and
- (b) a minimum alternate tax (MAT), being the application of the percentage specified in Part III of the First Schedule on the turnover.

(2) For the purpose of subsection (1), a company is entitled to a minimum alternate tax credit being the excess of the minimum alternate tax over the normal income tax liability computed under section 5 for the year of assessment (difference between the tax the company pays under the minimum alternate tax and the normal income tax in a given year).

(3) For the purpose of subsection (2), the allowable minimum alternate tax credit shall be used to offset only in the year in which the company is liable to pay tax as per the normal provisions contained in the Act and such tax is in excess of the minimum alternate tax for that year.

(4) For the purpose of subsection (2), the allowable minimum alternate tax credit shall be carried forward for adjustment against any future excess normal income tax over the minimum alternate tax income for a period not exceeding ten (10) years.

(5) The allowable minimum alternate tax credit referred under subsection (2) for a company in a given year shall be interest free."

(6) Subsection (1) shall not apply to-

- (a) a start-up company and company under liquidation for the first three years of their incorporation and two-years, respectively;
- (b) any foreign company that is a resident of a country or territory with which an agreement

for the avoidance of double tax exists with the Government of Sierra Leone, to the extent provided for and in accordance with the provisions of such agreement, the company does not have a permanent establishment in Sierra Leone;

- (c) any foreign company that is a resident of a country or territory that does not have the agreement specified under paragraph (b) and the said company is not required to seek registration under any law for the time being in force relating to companies.

6. The First Schedule to the Income Tax Act 2000 is amended in Part III by the insertion of the following paragraph immediately after the line relating to the 25% rate of tax for companies -

Amendment of First Schedule of Act No 8 of 2000

"Rate of minimum alternate tax applicable to companies, including companies under section 21, resident in Sierra Leone for the year of assessment commencing 1st January, 2023 and each succeeding year of assessment.

Rate of minimum alternate tax - 3%"

#### **GOODS AND SERVICES TAX ACT, 2009**

7.. Section 8 of the Goods and Services Tax Act 2009 is amended by the repeal and replacement of paragraph (h) with the following new paragraph (h)

Amendment of Section 5 of Act No 6 of 2009

- "(h) digital market supply or digital services through a digital marketplace, refers to e-platforms, whether e-medium, e-commerce, peer-to-peer (P2P), advertising based, agency or subscription-based that include-
- i. downloadable digital contents, subscription-based media; software programs; electronic data management; supply of music, film, and games electronically, including satellite TVs; online sale of goods; and any online or digital gambling and betting activities; and
  - ii. search engines and automated help desk services, online tickets, e-learning platforms, audio, vision or digital media, transport hailing platforms, among others.'

Amendment  
of Second  
schedule to  
Act No 6  
Of 2009

8. The Goods and Services Tax Act 2009 is amended by the repeal and replacement of the Second Schedule with the following new Second Schedule.

#### "SECOND SCHEDULE

##### Exempt supplies

A supply listed in one of the following items is an exempt supply for the purposes of this Act:-

1. **Supply:** Animals, fish and birds imported for breeding and rearing purposes; seeds, bulb rooting imported for propagation.  
  
**Description:** Live asses, mules and hinnies, live marine mammals, live fish and aquatic invertebrates (excluding ornamental fish and pets), edible fruits, seeds, bulbs, roots, nuts and vegetables.
2. **Supply:** Rice in its raw state.  
**Description:** Rice is considered to be in its raw state even if it has undergone stripping or polishing
3. **Supply:** Agricultural inputs.  
**Description:** Chemicals used solely as agricultural inputs, including all forms of fertilizers, acaricides, fungicides, rematicides, growth regulators, pesticides, veterinary drugs and vaccine and animal feed unfit for human consumption.
4. **Supply: Water.**  
**Description:** Supply of water excluding bottled or other packaged and distilled water.
5. **Supply:** Printed matter (books and newspapers).  
**Description:** Books and newspapers fully printed or produced by any duplicating process, including newspapers and academic publications, but excluding imported newspapers, plans and drawings, scientific and technical works, periodicals, magazines, trade catalogues, almanacs, price lists, greeting cards, calendars, and stationery.

**6. Supply:** Education services

**Descriptions:** Enrollment, tuition or instruction services for students provided by an institution being under the following, duly registered or licensed by the appropriate government institution and published by the Minister responsible for education in the Gazette-

- (a) a pre-primary, primary or secondary school;
- (b) a technical college, community college or university;.
- (c) an educational institution established for the promotion of adult education, vocational training, improved literacy, or technical education;
- (d) an institution established for the education or training of physically or mentally handicapped persons.

**7. Supply:** Medical, veterinary, dental and nursing services and pharmaceuticals.

**Descriptions:** Medical, veterinary, dental and nursing services; mosquito nets; a list of drugs approved and published in the Gazette by the published by the Minister responsible for Health for the treatment of malaria, HIV- AIDS, leprosy, tuberculosis, snake bites, rabies, laser fever, diabetes, high blood pressure, hepatitis and Typhoid; all vaccines; and condoms.

**8. Supply:** Transportation of passengers

**Description:** Transportation of persons by bikes, buses and similar vehicles, ferry and train excluding aviation services and internal air travel, commercial boat, water taxi and hovercraft services

**9. Supply:** Crude oil and hydrocarbon products.

**Description:** Petrol, diesel, liquefied petroleum gas, kerosene and residual fuel oil, bitumen and lubricating oils.

**10. Supply:** Financial services.

**Description:** Services relating to dealings in money (including foreign exchange) provision of credit; operation of any bank but excluding fees and similar charges levied by Financial Institutions for carrying intermediation and non-intermediation services including transfers, professional advice such as accountancy, investment and legal; and safe- keeping services.

**11. Supply:** Insurance and reinsurance services

**Description:** Provision of insurance and reinsurance services for life insurance excluding, management and related insurance consultancy services for life insurance.

**12. Supply:** Goods for the disabled.

**Description:** equipment, articles or appliances designed exclusively for use by the disabled; worn, carried or implanted in the body to compensate for a disability defect.

**13. Supply:** Land, buildings and accommodation.

**Description:** Second and subsequent sale of commercial



buildings and accommodation, and residential buildings; the granting of assignment or surrender of an interest in land including the rights to occupy land.

**Supply:** Mini grids renewable energy

**Description:** The consumption, supply or use of renewable energy from mini grids-connected solar power in Sierra Leone

**14. Supply:** Teaching and Learning materials

**Description:** materials specifically imported in reasonable quantities by and consigned to registered schools for official use and not resale outside the school. They must be labelled or bearing an imprint for recognition as items belonging to that particular school and shall be approved by the ministry responsible for basic and secondary education. They include-

- (a) Interactive white boards; white & green boards
- (b) Pens and pencils
- (c) Textbooks and exercise books
- (d) Art and craft and materials, drawing paper, glue, ink, and crayons
- (e) School recreational equipment: playground equipment, manipulative toys for daycare pre-school, Physical and Health Education items (Balls, Nets, Hurdles, etc.)
- (f) Uniforms/apparels, such as socks, bags, specifically designed and recognized for a particular school.

**15. Supply:** local agricultural produce for manufacturing

**Description:** supply of following local agricultural produce to local industries for exclusively local manufacturing:

- (a) rubber, palm oil, coffee, cashew and similar cash and crops;
- (b) tubers such as cassava, potato, and yam:
- (c) fruits of all kinds such as pineapples, bananas, and plantains:
- (d) others, such as sorghun, cotton, beans, groundnuts, sesame seeds and vegetables.

**16. Supply:** Environmentally friendly activities

**Description:** supply relating to the management and recycling of plastics and other wastes in support of environmentally friendly activities.

**17. Supply:** Bulk wheat (grain)

**Description:** wheat is considered as bulk wheat when it is used as input for industrial manufacturing of flour.

**18. Supply:** Wheat Flour

**Description:** supply in respect of imported and domestically produced wheat flour.

**19. Supply:** Issuance of official national identification documents

**Description:** Passport, Voters and other National ID Cards.

- 20. Supply:** Baby foods  
**Description:** Milk and cream, concentrated or containing added sugar or other sweetening matter, in powdered, granular, or other solid form, as described under HS Code 0402.
- 21. Supply:** Raw fish  
**Description:** The importation or supply of raw fish as described under HS Code 1604.1
- 22. Supply:** Materials for the conduct of national elections  
**Description:** All materials imported by Government or development partners on behalf of Government for the conduct of elections by the National Electoral Commission.
- 23. Supply:** Arms, ammunition, and security equipment  
**Description:** Arms, ammunition, specialized security vehicles, public order and communication equipment imported by the Government or by a person authorized by Government to do such for and on its behalf.
- 24. Supply:** Medals and Medallions  
**Description:** items of medals, medallions and other decorations imported directly by or for the Government for awards by the President and for the use of the Ministries of Defence and Internal Affairs.
- 25. Supply:** Funeral services and coffins  
**Description:** Coffins and services for the preservation, burial

and cremation of a human corpse, including services provided in the making of arrangements for or in connection with its disposal."

- 26. Supply:** Port charges on rice  
**Description:** All charges to be incurred at the port for the clearing of rice

#### EXTRACTIVE INDUSTRY REVENUE ACT, 2018

9. The Extractive Industry Revenue Act, 2018 is amended in paragraph 1 of the First Schedule by repeal and replacement of that paragraph with the following:

Amendment to the first schedule of the extractive industry Act.

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

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

- (v) 3% for other cases, including bulk minerals,

Provide the exporter of the minerals in subparagraph (1)(b)(iv) shall repatriate through the commercial banking system, a minimum of 30% of the export proceeds within a period of 90 days from the day of export.

### GENERAL PROVISIONS

Imposition of  
Tourism levy.

**10.** (1) There is hereby imposed a tourism levy of 2% on the sale price of accommodation, food, drinks and all other related services offered by a tourism establishment

(2) A purchaser, user and consumer shall pay the levy referred to under subsection (1) at the time of purchasing, using, or consuming any of items or services referred to under subsection (1).

(3) Subject to subsection (4), an operator, owner or agent of a tourism establishment shall include on every invoice or receipt for the purchase of items and services referred in subsection (1), a separate line item designated as "Tourism Levy" for the amount of levy imposed on the purchase.

(4) The implementation of the levy referred to under subsection (1) shall operate as a withholding tax collected by all tourism establishment and be subject to the Goods and Services Tax Act, 2009 requirements for registration, assessment, filing, audit, enforcement, and collection.

(5) An operator, owner or agent of a tourism establishment shall pay to the National Revenue Authority all monies collected in respect of the tourism levy for the collection period.

(6) For the purpose of this section, a tourism establishment means any buildings, structures, schemes, or facilities designed or used for sleeping accommodation, restaurant, transport and tour facilities for tourism purposes, and shall include a hotel, guesthouse, motel, resort, tourist cabin, hostel, campground, catering and meal services, tour guide or tour operator services.

### Annual Circulation Permit Levy

**11.** (1) An annual circulation levy of Le200 shall be imposed annually on vehicles in Sierra Leone Annual  
Circulation  
Permit levy.

(2) The levy referred in subsection (1) shall be paid during the annual registration and licensing and vehicle.

(3) For the purpose of this section, a vehicle shall mean a piece of mechanized equipment by which someone travels, or something is carried, conveyed, or transported and shall include cars, trucks, and buses, but exclude three Wheelers (Kekehs) motorbikes and bicycles.

**Payment of environment impact assessment licence**

Payment of  
environmental  
Impact  
Assessment  
Licence

**12.** (1) Notwithstanding any law or enactment in force to the contrary, no payment shall be required from a Government Ministry, Department or Agency for the issuance of an environmental impact assessment licence under section 29 of the Environmental Protection Agency Act 2021 pursuant to activities or projects set out in the First Schedule of the Act being implemented, whether from funds allocated to the Government Ministry, Department or Agency, or provided by a donor partner.

(2). For the purposes of funding monitoring activities relating to the issuance of the licence specified in subsection (1) to a Government Ministry, Department or Agency, Government shall through the provision of a quartely budgetary allocation pay monitoring fees to the Environment Protection Agency.

Surcharge on  
cellular  
services.

**13.** (1) There shall be imposed a surcharge on cellular services as follows:

- i NLe. 0.1 on billable on-net mobile voice calls;
- ii NLe. 0.05 on billable off-net mobile voice calls;
- iii NLe. 2 on outgoing international voice calls; and
- iv 2% of the total commission derived on mobile money transactions,

provided the above rate of surcharge as prescribed by the National Telecommunications Authority shall not exceed 5% of the total sales of mobile data recharge and bundles.

Passed in Parliament this 4th day of April, in the year of our Lord two thousand and twenty three.

PARAN UMAR TARAWALLY,  
*Clerk of Parliament.*

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed Parliament and found by me to be a true and correct printed copy of the said Bill.

PARAN UMAR TARAWALLY,  
*Clerk of Parliament.*