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Angola

sector	legislation	effective date/status	key points and impact
Finance	Angolan Central Bank ("BNA") Instruction No.1/18 - Foreign Exchange Position Limit	Issued on 22 January 2018 and came into force on the same day.	 the BNA has established procedures for buying and selling of foreign currency in auctions carried out electronically in the Exchange Market Management System; the BNA may have specific auctions for exchange rate coverage of letters of credit; commercial banks have to meet certain requirements for them to participate in the auctions; and each bank is limited to 25% of the offer placed by the BNA.
Finance	BNA Instruction No.03/18 - Exchange rate regime	Issued on 19 January 2018 and came into force on the same day.	 determines that the reference exchange rate must result from the calculation of the weighted average of the sales rates of the foreign exchange auctions organized by the BNA; and notes that commercial banks may add a 2% margin on the reference exchange rate as issued by the BNA.
Finance	BNA Instruction No.02/2018 - Procedures to be observed in the execution of foreign exchange transactions.	Issued on 22 January 2018 and came into force on the same day.	The instruction sets a requirement for commercial banks to put measures in place to ensure the prevention of money laundering, specifically with regard to the identification of beneficiaries and corporate bodies of their clients.
Finance	BNA Instruction No.04/2018 - Lending Operations of Development Banks	Issued on 19 January 2018 and came into force on the same day.	The instruction permits the participation of Development Banks in the Interbank Money Market for liquidity commitments.
Finance	BNA Order No.1/18 - Foreign Exchange Position Limit	Issued on 22 January 2018 and came into force on the same day.	The order requires that commercial banks should not exceed 10% of their Regulatory Own Funds by observing their overall daily foreign exchange positions.



Botswana

sector	legislation	effective date/status	key points and impact
All	Competition Bill, 2017	Gazetted on 12 July 2017.	 The bill: amends, repeals and re-enacts the Competition Act (Cap 46:09); and renames the Competition Authority as the Competition and Consumer Authority.
All	Consumer Protection Bill, 2017	Gazetted on 12 July 2017.	The bill provides for the Competition and Consumer Authority to create and introduces new consumer protection mechanisms.
All	Counter Terrorism (Amendment) Bill, 2017	Gazetted on 08 September 2017.	 amends s 2, 4, 5, 6, 7, 12, 13, 14; substitutes Part VIII of the Counter Terrorism Act; and address the deficiencies of the Counter Terrorism Act.
Fast moving consumer goods	Liquor Amendment Bill, 2017	Gazetted on 13 October 2017.	The bill removes the requirement for the need of a residence and work permit during and application for a license.
Information and communications technology	Electronic Communications and Transactions (Amendment) Bill, 2017	Gazetted on 7 July 2017.	The bill deletes s 19(<i>d</i>) of the Electronic Communications and Transactions Act.
Mining	Diamond Cutting (Amendment) Bill, 2017	Gazetted on 12 July 2017.	The bill sets a requirement for diamonds mined in Botswana to be beneficiated (including being sorted, valued, processed, sold, bought, marketed or otherwise dealt with) in Botswana.
Mining	Precious and Semi-Precious Stones (Protection) (Amendment) Bill, 2017	Gazetted on 12 July 2017.	The bill sets a requirement for precious and semi-precious stones mined in Botswana to be beneficiated (including being sorted, valued, processed, sold, bought, marketed or otherwise dealt with) in Botswana.



Burkina Faso

sector	legislation	effective date/status	key points and impact
All	Decree No.2017- 0049/PRES/PM/ MINEFID on procedures for the award, execution and settlement of public contracts and public service delegations.	Approved on 01 February 2017.	The decree provides the procedures for awarding, execution and settlement of public contracts and public service delegations concluded by ministries and institutions, independent administrative authorities, the Parliament, diplomatic and consular missions, local authorities and their public institutions, public institutions of the State, executing agencies and legal persons having the status of body governed by public or similar law.



Cape Verde

sector	legislation	effective date/status	key points and impact
All	Decree-Law No.57/2017	Approved on 6 December 2017.	The law provides a framework for the implementation of the Cape Verde International Business Centre ("CIN-CV") which will promote investments in Cape Verde.
All	Decree Law No.51/2017	Approved on 15 November 2017.	 following the implementation of the CIN-CV, provides the requirements applicable to duty-free shops and tax-free shops; and provides that Value Added Tax ("VAT") refunds shall be granted to foreign travellers in Cape Verde not staying in the country for more than 180 days and provided that the goods are effectively transported outside Cape Verdean territory and destined for personal use of the traveller.
All	Decree No.8/2017	Approved on 23 November 2017.	The decree amends the social security convention between Cape Verde and Portugal by extending the scope of the social protection regime to public servants of both countries.
Finance	Order No.37/2017	Approved on 26 September 2017.	The order approves the form to be used by municipalities when applying for VAT refunds.



Ghana

sector	legislation	effective date/status	key points and impact
All	African Import Levy Act, 2017 (Act 952)	Assented to on 29 December 2017.	The Act imposes a 0.2% African Union Import Levy on the value of eligible goods imported into Ghana from non-member states of the African Union.
Finance	Tax Amnesty Act, 2017 (Act 955)	Assented to on 29 December 2017.	The Act grants amnesty to persons who failed to register with the Ghana Revenue Authority, file their tax returns or pay taxes as required by enactments administered by the Commissioner-General.
Finance	Special Import Levy (Amendment) (No. 2) Act, 2017 (Act 953)	Assented to on 29 December 2017.	The Act extends the requirement to pay a 2% Special Import Levy ("SIL"), and computed on the cost, insurance and freight value of goods imported, at the port of entry to the end of 2019 from 2017.
Finance	Value Added Tax (Amendment) (No. 2) Act, 2017 (Act 954)	Assented to on 29 December 2017.	The Act removes the tax on stakes in the National Lotto to provide for the withholding of VAT from the payment to registered VAT traders.
Finance	Customs (Amendment) (No. 2) Act, 2017 (Act 957)	Assented to on 29 December 2017.	The Act amends the Customs Act, 2015 (Act 891) to provide additional requirements for the bonded warehousing of goods.
Finance	Income Tax (Amendment) (No. 2) Act, 2017 (Act 956)	Assented to on 29 December 2017.	 abolishes the tax on lotto winnings; provides accelerated capital allowances for manufacturers and importers importing stamping machines for the implementation of the excise tax stamp policy; and provides tax holiday for young entrepreneurs.



Ghana

sector	legislation	effective date/status	key points and impact
Finance	Value Added Tax (Exemption of Active Ingredients, Selected Drugs or Pharmaceuticals) (Amendment) Regulations, 2017	Came into force on 3 November 2017.	 provide exemptions on selected pharmaceutical medicines; and exempt 552 Active Pharmaceutical Inputs, excipients and 483 imported finished pharmaceutical products.
Justice	Office of the Special Prosecutor Act, 2018 (Act 959)	Assented to on 2 January 2018.	The Act establishes the Office of the Special Prosecutor as a specialized agency to investigate specific cases of corruption involving public officers, politically-exposed persons, as well as individuals in the private sector implicated in corrupt practices and to prosecute these offences on the authority of the Attorney-General.
Natural Resources	Timber Resource Management and Legality Licensing Regulations, 2017	Came into force on 3 November 2017.	 regulate the identification of land suitable for the grant of timber rights; regulate the terms and conditions for small and large scale timber rights, regulate other sources of timber; and provide for a legality licensing scheme.
Oil and Gas	Special Petroleum Tax (Amendment) Act, 2018 (Act 965)	Assented to on 15 February 2018.	 The Act: amends the Special Petroleum Tax Act, 2014 (Act 879); and reduces the petroleum levy from 15% to 13%.



Kenya

sector	legislation	effective date/status	key points and impact
Infrastructure	The Kenya Roads Bill, 2017	Gazetted on 6 December 2017.	 The bill: repeals the Kenya Roads Act 2007 (Cap.408), and the Public Roads and Roads of Access Act, 1920 (Cap.399); amends the Kenya Roads Board Act, 1999 (Cap.408A); gives effect to the Fourth Schedule to the Constitution in relation to the roads subsector; and proposes to review, consolidate and rationalize the legal and institutional framework for management of the road network and roads sub-sector in a more efficient and effective manner.



Mozambique

sector	legislation	effective date/status	key points and impact
All	Decree No.51/2017- Regulations on mandatory social security	Gazetted on 9 October 2017.	 expand the basis of assessment of contributions and provide that monthly payments of contributions to the National Social Security Institute can be made from the 20th of the respective month up to the 10th of the following month; and require embassy employees, artists and sportsmen linked to a sports club or company, to make contributions.
Finance	Notice 20/GBM/2017 - New regulation on exchange control	Gazetted on 27 December 2017.	 all funds derived from proceeds of the export of goods and services may be kept in foreign currency, freely convertible into meticais as may be required by resident entities; a deed of undertaking must be issued upon commencement of the import/export of goods. This deed of undertaking is processed via the Single Electronic Window; all proceeds from hotel and tourism services rendered by Mozambican resident entities (irrespective of whether through foreign representatives) must be received in bank accounts opened with banks operating in the country; Mozambican residents are allowed to invest up to USD250 000 overseas annually; and foreign direct investment ("FDI") in Mozambique must generally be preauthorised and registered with a commercial bank in the country. FDI must be registered with the Mozambique Central Bank whenever it (i) involves the importation of goods and equipment and / or (ii) involves the right of use of trademarks and patents.



Mozambique

sector	legislation	effective date/status	key points and impact
Finance	Decree No.66/2017 - Regularization of VAT supported in the acquisition of goods and services of foreign funded projects.	Gazetted on 23 November 2017.	 approves the fiscal mechanism of regularizing VAT on the acquisition of goods and services for public projects financed by international financial institutions and development partners; stipulates that invoices for goods and services issued to projects must state the amount of output VAT, although the project will not be liable for such amount.
Finance	Law No.17/2017 – Excise Tax Code	Gazetted on 28 December 2017 and came into force on 1 January 2018.	 introduces several changes to excise duty rates, including an increase of the minimum tax per litre applicable to certain alcoholic beverages; and introduces a minimum tax applicable to soft drinks.
Finance	Decree No.78/2017 - VAT Refund Regulations	Gazetted on 28 December 2017 and came into force on 1 January 2018.	 the list of required documentation for a VAT refund application has been amended to include additional information, such as services agreements and more detailed information regarding suppliers; taxpayers must sign and stamp the refund explanatory note, the supplier's statement and the trial balance and secure its certification by an accredited and registered accountant; exporters can apply for a refund arising from VAT credit exceeding MZN20 000 by attaching (i) a bank guarantee, collateral or surety, (ii) an export document, (iii) a deed of undertaking issued by the relevant commercial bank, and (iv) proof of the term of commitment of repatriation of export revenue to Mozambique; and the refund suspension deadline is reduced from six months to 30 days when it is not possible to verify the legitimacy of the refund request due to any fault of the taxpayer.



Namibia

sector	legislation	effective date/status	key points and impact
All	Public Private Partnership Act, 2017	Promulgated on 9 July 2017.	 provides a legal framework for public private partnership projects; establishes the Public Private Partnership Committee; and regulates public private partnership projects through the stages of initiation, preparation, procurement, conclusion of public private partnership agreement and implementation thereof.
All	Whistleblower Protection Act, 2017	Promulgated on 6 October 2017.	 the establishment of a Whistleblower Protection Office; the introduction of procedures for disclosing improper conduct; the investigation of disclosures of improper conduct and protection of whistleblowers; the investigation of complaints of detrimental action; the review of certain decisions; and remedies for persons against whom detrimental action is taken.
Finance	Namibia Revenue Agency Act, 2017	Promulgated on 12 November 2017.	The Act establishes the Namibia Revenue Agency and provides for its powers, functions and management.
Trade	Controlled Wildlife Products and Trade Amendment Act, 2017	Promulgated on 7 September 2017.	The Act amends the Controlled Wildlife Products and Trade Act, 2008 by increasing the penalties for offences.



Nigeria

sector	legislation	effective date/status	key points and impact
Agriculture	Amendment to the Commercial Agriculture Credit Scheme ("CACS") Guidelines	Circulated on 16 February 2018.	The CACS guidelines are revised to include Non Interest Financial Institutions.
All	Amended Internal Capital Generation, Dividend Payout, Policy	Circulated on 31 January 2018.	 amends the BSD/DIR/GEN/LAB/07/033 circular published in 2014; notes that any Deposit Money Bank ("DMB") or Discount House ("DH") that does not meet the minimum capital adequacy ratio shall not be allowed to pay a dividend; provides that DMBs and DHs that have a Composite Risk Rating of "High" or a Non-Performing Loan ratio of above 10% shall not be allowed to pay a dividend; and provides that no DMB or DH shall be allowed to pay a dividend out of reserves.
All	Federal Competition and Consumer Protection Bill, 2017	Passed by the National Assembly in February 2018.	 is applicable to all businesses and commercial activities within or having effect in Nigeria and extends to undertakings in which the Federal, State or Local Government or any of their agencies have a controlling stake; and prohibits agreements made to restrain competition, such as agreements for price fixing, price rigging and collusive tendering.



Rwanda

sector	legislation	effective date/status	key points and impact
Energy	Regulation No.001/LPG/R/GP- EWS/RURA/2018 Governing Liquefied Petroleum Gas Business in Rwanda	Approved on 10 January 2018.	 establish a regulatory framework for the Liquefied Petroleum Gas ("LPG") industry in Rwanda; apply to the following activities: importation of LPG; installation or upgrade of a LPG plant; installation or upgrade of a storage of LPG in bulk; transportation of LPG in bulk or cylinder; wholesale, distribution or retail of LPG in cylinders; and reticulation of LPG in residential or commercial building.
Energy	Amended Regulations No.003/R/GP- EWATSAN/RURA/2017 Governing the Installation, Upgrade and Operation of Petrol Service Stations in Rwanda	Approved on 4 September 2017 and commenced on the same day.	 repeal regulations No.003/Energy/PSS/RURA/2014 governing the construction, installation and operation of petrol service stations; and establish a legal and regulatory framework for the installation, upgrade and operation of petrol service stations and bulk fuel delivery facilities in Rwanda.



Swaziland

sector	legislation	effective date/status	key points and impact
All	Retirement Fund Disclosure Guideline, 2017	Circulated in December 2017 and became effective in November 2017.	 describe the information that shall be disclosed to members and beneficiaries of retirement funds to meet the responsibilities of trustees as provided for under s 9(d) of the Retirement Funds Act, 2005; assist trustees in ensuring that members are provided with sufficient information in a timely, accurate and understandable manner; and enable members, beneficiaries and guardians of minor beneficiaries of retirement benefits to make sound decisions on the basis of information about how their retirement fund works, what their benefit entitlements and options under retirement funds are, what their rights and obligations are and the performance of the retirement fund and those responsible for its management.
All	Policyholder Protection Guideline, 2017	Circulated in October 2017 and became effective in November 2017.	 ensure that all insurance policies as defined in s 2 of the Insurance Act, 2005, are entered into, executed and enforced in accordance with sound insurance principles and practice in the interests of all parties concerned; and seek to ensure that consumers are provided with sufficient information to make informed decisions about products, before and after purchases.



Tanzania

sector	legislation	effective date/status	key points and impact
Agriculture	Fertilizer (Bulk Procurement) Regulations, 2017	Gazetted on 17 February 2017.	 govern the importation of bulk fertilizer; grant control of bulk procurement to the Tanzania Fertilizer Regulatory Authority ("the Authority"); and require fertilizer dealers, subject to the procedures prescribed by the Act and the Fertilizer Regulations, 2011, to register with the Authority in order to import fertilizer under the Bulk Procurement System.
Energy	Energy and Water Utilities Regulatory Authority (Tariff Application and Rate Setting) Rules, 2017	Gazetted on 17 November 2017.	 revoke the Electricity (Tariff Setting) Rules, 2013; and govern matters related to tariff application, rate setting and approvals in the water, electricity and natural gas sub-sectors in Tanzania Mainland.
Energy	Electricity (Grid and Distribution Codes) Rules, 2017	Gazetted on 17 November 2017.	These rules govern the operation and management of the electricity transmission and distribution systems in Tanzania Mainland.



Uganda

sector	legislation	effective date/status	key points and impact
Agriculture	Sale of Goods and Supply of Services Act, 2017	Assented to on 20 December 2017 and commenced on 8 January 2018.	 repeals the Sale of Goods Act, Cap 82 and the Bulk Sales Act, Cap 69; provides for the formation, effect, obligations and performance of contracts for the sale of goods and supply of services; and provides for remedies of the parties under those contracts.
Energy	The Collective Investment Schemes (Real Estate Investment Trusts) Regulations, 2017	Gazetted on 29 September 2017.	 require trusts, schemes or arrangements established as real estate investment trust schemes ("REITS") to be authorised under the regulations providing for the registration process of REITS; provide for the structure of REITS which may be structured as a development and construction REIT (D-REIT) or an income REIT (I-REIT); contain restrictions on the issue or offer of REITS securities; provide for the powers, obligations and duties of the officers of REITS, including the trustee, secondary deposition trustee and REITS manager; provide for the registration, rights and meetings of REITS securities holders; and provide for the winding-up of REITS.
Energy	The National Environment Bill, 2017	Gazetted in November 2017.	 repeals and replaces the National Environment Act (Cap.153), 1995; seeks to address climate change, environmental effects of petroleum related activities and the management of plastics and plastic products; and establishes an Environmental Protection Force and an Environmental Tribunal.



Zambia

sector	legislation	effective date/status	key points and impact
All	Employment (Amendment) Act, 2017	Assented to on 19 December and commenced on 1 January 2018.	The Act amends s 25(3) of the Employment Act.
All	Companies Act, 2017	Assented to on 17 November 2017.	 repeals and replaces the Companies Act, 1994; provides for the incorporation, categorisation, management and administration of different types of companies; provides the procedure for the approval of company names, change of name and conversion of companies; incorporates financial reporting provisions, maintenance of accounting records, and access to financial information of companies; and provides for the registration of foreign companies doing business in Zambia.
All	Corporate Insolvency Act, 2017	Assented to on 17 November 2017.	 corporate receiverships, appointment of receivers and the duties and responsibilities of receivers; business rescue, the appointment, duties and responsibilities of business rescue administrators, the rights of affected persons during business rescue proceedings and compromises with creditors; the winding up of companies, appointment of liquidators and the duties and responsibilities of liquidators, committees of inspection, special managers and the Official Receiver; insolvency practitioners and their duties and responsibilities; and cross-border insolvency.



Zambia

sector	legislation	effective date/status	key points and impact
All	Skills Development Levy (Amendment) Act, 2017	Assented to on 19 December and commenced on 27 December 2017.	The Act amends s $6(1)(c)$ of the Skills Development Levy Act.
All	Industrial and Labour Relations (Amendment) Act, 2017	Assented to on 19 December and commenced on 1 January 2018.	The Act amends ss 14(1), 15(1), 36(1), 48(2), 49(1), 65(3), 70(1), 73(1) of the Industrial and Labour Relations Act.
Finance	Tax (Amendment) Act, 2017	Assented to on 19 December and commenced on 1 January 2018.	 repealing s 92A; amending ss 2(1), 45B(1), 81(1), Fifth Schedule, Ninth Schedule, and the Charging Schedule; inserting ss 46A(3)(a)(iii), 81(1A), 82A(2A); and substituting ss 4(3)(b), 7(3), 37, 54, 64, 82A(2).
Finance	Value Added Tax (Amendment) Act, 2017	Assented to on 19 December and commenced on 1 January 2018.	 The Act amends the Value Added Tax Act by: amending ss 16(2A), and inserting ss 4(3) and (4), 16(2B), 37(7) to 37(9).
Finance	Customs and Excise (Amendment) Act, 2017	Assented to on 19 December and commenced on 1 January 2018.	 repealing s 3(4); amending s 2, First Schedule, Second Schedule, Fourth Schedule; inserting ss 76A, 85(5), 188(5A) and (5B), Third Schedule; and substituting ss 72, 85(3), 188(5).



Zambia

sector	legislation	effective date/status	key points and impact
Finance	Property Transfer Tax (Amendment) Act, 2017	Assented to on 19 December and commenced on 1 January 2018.	 The Act amends the Property Transfer Tax Act by: amending ss 2(1). inserting ss 4(1A), 4(2)(d), 5(2A) to (2C), 11(4), 12B.; and substituting ss 5(2), 5(3).
Finance	Insurance Premium Levy (Amendment) Act, 2017	Assented to on 19 December and commenced on 1 January 2018.	The Act amends s 4(1) of the Insurance Premium Levy Act.
Information and communications technology	Independent Broadcasting Authority (Amendment) Act, 2017	Assented to on 19 December and commenced on 1 January 2018.	 amends the Independent Broadcasting Act, 2002; amends ss 2, Part IV heading, 39(1)(b); and inserts ss 5(2)(k), 22A.
Information and communications technology	Zambia National Broadcasting Corporation (Amendment) Act, 2017	Assented to on 19 December and commenced on 1 January 2018.	 repeals Part IV of the Zambia National Broadcasting Corporation Act; and amends s 2.



Zimbabwe

sector	legislation	effective date/status	key points and impact
All	Labour Court (Amendment) Rules, 2018	Gazetted on 22 December 2017.	 repeal the Labour Court Rules, 2006; and amend Rule 3, 28(1), and 36 of the Labour Court Rules, published in Statutory Instrument 150 of 2017.
All	Public Procurement and Disposal of Public Assets (General) Regulations, 2018	Gazetted on 19 January 2017.	 the leasing of facilities or amenities for sporting purposes or for a specific event, for a period not exceeding twelve months; and the leasing of accommodation for office space or other purposes, so long as the lease is not for a period of more than three years.
Finance	Customs and Excise (Tariff) (Amendment) Notice, 2018 (No.2)	Gazetted on 23 January 2018.	The notice repeals the Customs and Excise (Tariff) (Amendment) Notice, 2013 and Customs and Excise (Tariff) (Amendment) Notice, 2015.
Finance	Customs and Excise (Tariff) (Amendment) Notice, 2018 (No.3)	Gazetted on 23 January 2018.	The notice amends the Customs and Excise (Tariff) Notice, 2017.
Finance	Customs and Excise (General) (Amendment) Regulations, 2018 (No.89)	Gazetted on 26 January 2018.	The regulations amend the Customs and Excise (General) Regulations, 2001 in Part II by substituting s 5A.
Finance	Customs and Excise (Tourism) (Rebate) (Amendment) Regulations, 2018 (No.1)	Gazetted on 26 January 2018 and came into effect on 1 January 2018.	The regulations amend the Customs and Excise (Tourism) (Rebate) Regulations, 2016 by replacing the words "31st December, 2017" with "31st December, 2019".
Finance	Zimbabwe Iron and Steel Company Debt Assumption Bill	Gazetted on 19th January 2018.	The bill allows the State to assume the debts of the Zimbabwe Iron and Steel Company subject to the validation and reconciliation processes. This will clean the balance sheet of the company thereby paving way for investors to start on a clean slate.

The information provided herein is intended to provide a general overview, and is not an exhaustive list of all legislative developments across Sub-Saharan Africa. For more information, please contact info@ENSafrica.com