



**UMOA-Titres**

Bâtir un Marché intégré des Titres Publics

# WAEMU GOVERNMENT SECURITIES MARKET TAX GUIDE

Produced by the group :



**BENIN**

C/1143 Immeuble AKAKPO Gaspar  
AGONTIKON 03BP2277 Cotonou



**SENEGAL**

Liberté 6 Extension, Rte du Front de Terre  
Immeuble Serigne Cheikh Mbacké  
4ème étage A Dakar

September 2019



# **WAEMU Government Securities Market tax guide**

**\*\*\*\*\***

**This document specifies the taxation applicable on investors' income (interest and capital gains) as per securities issued on the WAEMU Government Securities Market (sovereign securities issued by auction).**

**For each issuance of securities, the scenarios likely to arise are distinguished according to the issuing State and the location of the creditor in one of the WAEMU or non-WAEMU States.**

**For each country, the charts presented make it possible to clearly identify the direct and indirect taxes applicable (A) or not applicable (N/A) to government securities of each WAEMU member state.**



**BENIN**

## 1- BENIN

## TAX SYSTEM FOR GOVERNMENT SECURITIES ISSUED ON THE WAEMU REGIONAL MARKET

Subscription by a bank, a financial institution, an insurance company, a social security fund domiciled in Benin or in another Member State or by investors domiciled in England, USA or France.

Scenarios	Taxation in Benin of income paid to investors on securities (T-bonds, T-bills, SUKUK ...) issued by the Public Treasury of Benin					
	Direct tax and/or withholding tax applicable in Benin			Indirect tax applicable or paid in Benin (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Bank/financial institution and insurance company subscribers domiciled in <b>Benin</b>	YES	<b>Personal income tax</b> - 6% with the possibility of a reduced rate (maturity less than or equal to 5 years) - 3% (maturity ranging from 5 to 10 years) - 0% (maturity over 10 years) T - 5% for capital gains on bonds	In practice, income from government securities is not subject to personal income tax (IRPP/RVM): Article 97 of the General Tax Code exempts them from this tax. Also, the "Information Notes" and the "Terms and Conditions" of the issuances generally mention the tax exemption of government securities.	NO	VAT and FAT	The General Tax Code has remained silent on the taxation or exemption of securities products from VAT or FAT.  Therefore, in practice, proceeds from government securities are not subject to any indirect taxes.
Bank/financial institution and insurance company domiciled abroad ( <b>WAEMU</b> )	YES	<b>Personal income tax</b> - 6% with the possibility of a reduced rate (maturity less than or equal to 5 years) - 3% (maturity ranging from 5 to 10 years) - 0% (maturity over 10 years) - 5% for capital gains on bonds	The General Tax Code contains no specific provisions applicable to investors domiciled in another WAEMU State and receiving income from securities issued by Benin. In practice, however, income from government securities issued by Benin is, in application of Article 97 of the General Tax Code, exempt from IRPP in Benin.  However, the "Information Notes" and the "Terms and Conditions" of issuances generally state that the law governing securities income in the beneficiary's country is applicable. Pursuant to Article 12 of Regulation No. 08/CM/UEMOA adopting rules to avoid double taxation, the tax is due in Benin.	NO	VAT and FAT	The General Tax Code has remained silent on the taxation or exemption of securities products from VAT or FAT.  In practice, however, proceeds from government securities are not subject to any indirect taxes.  In the case of an investor domiciled in another WAEMU State, the legislation of that State shall be applied.
Provident institutions (Social Security Fund, Pension Fund, etc.) domiciled in <b>Benin</b>	Same as for banks and insurance companies domiciled in Benin	Same as for banks and insurance companies domiciled in Benin	Same as for banks and insurance companies Also, the statutes of the CNSS provide a tax exemption regime	Same as for banks and insurance companies domiciled in Benin	-	Same as for banks and insurance companies domiciled in Benin. Also, the statutes of the CNSS provide a tax exemption regime



Scenarios	Taxation in Benin of income paid to investors on securities (T-bonds, T-bills, SUKUK ...) issued by the Public Treasury of Benin					
	Direct tax and/or withholding tax applicable in Benin			Indirect tax applicable or paid in Benin (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Provident institutions (Social Security Fund, Pension Fund, etc.) domiciled abroad (WAEMU)	Same as for banks and insurance companies domiciled abroad (WAEMU).	Same as for banks and insurance companies domiciled abroad (WAEMU).	Same as for banks and insurance companies domiciled abroad (WAEMU).	Same as for banks and insurance companies domiciled abroad (WAEMU)	-	Same as for banks and insurance companies domiciled abroad (WAEMU).
Investors domiciled abroad outside the WAEMU (ENGLAND)	<b>NO</b>	Personal Income Tax (PIT/RMT)	<b>Article 61</b> of the General Tax Code exempts from IRPP/RVM, bond income received by residents outside the WAEMU. England will apply its legislation	<b>NO</b>	<b>VAT</b>	England applies its legislation.
Investors domiciled abroad outside the WAEMU (USA)	<b>NO</b>	Personal Income Tax (PIT/RMT)	<b>Article 61</b> of the General Tax Code exempts from IRPP/RVM, bond income received by residents outside the WAEMU. The USA applies its legislation	<b>NO</b>	<b>VAT</b>	The USA applies its legislation.
Investors domiciled abroad outside the WAEMU (FRANCE)	<b>NO</b>	Personal Income Tax (PIT/RMT)	<b>Article 61</b> of the General Tax Code exempts from IRPP/RVM, bond income received by residents outside the WAEMU. France applies its legislation	<b>NO</b>	<b>VAT</b>	France applies its legislation.

Scenarios	Taxation in Benin of income paid to investors on government securities (T-bond, T-bill, SUKUK ...) issued by another WAEMU State					
	Direct tax and/or withholding tax applicable in Benin			Indirect tax applicable or paid in Benin (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Bank/financial institution and insurance company	<b>YES</b>	<b>Personal Income Tax (PIT)</b> - 6% with the possibility of a reduced rate (maturity less than or equal to 5 years) - 3% (maturity ranging from 5 to 10 years) - 0% (maturity over 10 years) - 5% for capital gains on bonds	The applicable legislation is that of Benin. However, the General Tax Code does not make any provision for this. However, the practice is non-taxation since income from government securities issued by Benin is not taxed. Pursuant to Article 12 of Regulation No. 08/CM/UEMOA adopting rules for the avoidance of double taxation. The tax must be established in Benin	<b>NO</b>	<b>VAT</b>	No indirect taxation is provided by the General Tax Code. In practice, no indirect taxation is based on this income.
Provident institutions (Social Security Fund, Pension Fund, etc.)	<b>YES</b>	Same as for bank/financial institution and insurance company	Same as for bank/financial institution and insurance company	<b>NO</b>	<b>VAT</b>	Same as for bank/financial institution and insurance company
Investors domiciled abroad outside the WAEMU (ENGLAND)	<b>NO</b>	Same as for bank/financial institution and insurance company domiciled outside the WAEMU	Same as for bank/financial institution and insurance company domiciled outside the WAEMU	<b>NO</b>	-	Same as for bank/financial institution and insurance company domiciled outside the WAEMU
Investors domiciled abroad outside the WAEMU (USA)	<b>NO</b>	Same as for bank/financial institution and insurance company domiciled outside the WAEMU	Same as for bank/financial institution and insurance company domiciled outside the WAEMU	<b>NO</b>	-	Same as for bank/financial institution and insurance company domiciled outside the WAEMU
Investors domiciled abroad outside the WAEMU (FRANCE)	<b>NO</b>	Same as for bank/financial institution and insurance company domiciled outside the WAEMU	Same as for bank/financial institution and insurance company domiciled outside the WAEMU	<b>NO</b>	-	Same as for bank/financial institution and insurance company domiciled outside the WAEMU



**BURKINA FASO**

## 2- BURKINA FASO

### TAX SYSTEM FOR GOVERNMENT SECURITIES ISSUED ON THE WAEMU REGIONAL MARKET

Subscription by a bank, a financial institution, an insurance company, a social security fund domiciled in Burkina Faso or in another Member State or by investors domiciled in England, USA or France.

#### Taxation in Burkina Faso of income paid to investors on securities (T-bond, T-bill, SUKUK...) issued by the Public Treasury of Burkina Faso

Scenarios	Direct tax and/or withholding tax applicable in Burkina Faso			Indirect tax applicable or paid in Burkina Faso (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Bank/financial institution and insurance company subscribers domiciled in <b>Burkina Faso</b>	<b>NO</b> This is a general and real exemption which does not take into account the residence or nationality of the beneficiary of the interest, nor the maturity of the bond. Article 134-5° of the General Tax Code	<b>IRVM</b> 6% (Article 140-2 of the General Tax Code)	Income from T-bond, T-bill, SUKUK, etc. issued by Burkina and received by Burkinabe banks/financial institutions and insurance companies is subject to corporate tax at the rate of 27.5%.	<b>YES</b>	<b>VAT 18%</b>	Any provision of the General Tax Code exempts the proceeds from government securities or from value added tax (VAT). Article 307-9 of the General Tax Code only provides for exemption from VAT for : - the income from shares and social shares - the transfers of securities and receivables <b>In practice, however, these bond products are not subject to both taxes.</b>
Bank/financial institution and insurance company domiciled abroad ( <b>UEMOA</b> )	<b>NO</b> This is a general and real exemption which does not take into account the residence or nationality of the beneficiary of the interest, nor the maturity of the bond. Article 134-5° of the General Tax Code	<b>IRVM</b> 6% (Article 140-2 of the General Tax Code)	For banks/financial institutions and insurance companies established abroad (WAEMU), no direct tax is applied in Burkina.	<b>YES</b>	<b>VAT 18%</b>	Any provision of the General Tax Code exempts the proceeds from government securities or from value added tax (VAT). Article 307-9 of the General Tax Code only provides for exemption from VAT for : - the income from shares and social shares - the transfers of securities and receivables <b>In practice, however, these bond products are not subject to both taxes.</b>
Provident institutions (Social Security Fund, Pension Fund, etc.) domiciled in <b>Burkina Faso</b>	Same as for banks/financial institutions and insurance companies.	Same as for banks/financial institutions and insurance companies	For provident institutions (social security funds, pension funds, etc.) domiciled in <b>Burkina Faso</b> , no direct tax is applied in Burkina.	Same as for banks/financial institutions and insurance companies	Same as for banks/financial institutions and insurance companies	Same as for banks/financial institutions and insurance companies. Provident institutions (Social Security Fund, Pension Fund, etc.) are exempt from all direct and indirect taxes depending on their status.
Provident institutions (Social Security Fund, Pension Fund, etc.) domiciled abroad ( <b>WAEMU</b> )	Same as for banks/financial institutions and insurance companies	Same as for banks/financial institutions and insurance companies	For provident institutions (social security funds, pension funds, etc.) <b>domiciled abroad (WAEMU)</b> , no direct tax is applied in Burkina.	Same as for banks/financial institutions and insurance companies	Same as for banks/financial institutions and insurance companies	Same as for banks/financial institutions and insurance companies



### Taxation in Burkina Faso of income paid to investors on securities (T-bond, T-bill, SUKUK...) issued by the Public Treasury of Burkina Faso

Scenarios	Direct tax and/or withholding tax applicable in Burkina Faso			Indirect tax applicable or paid in Burkina Faso (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Investors domiciled abroad outside the WAEMU (ENGLAND)	Same as for banks/financial institutions and insurance companies	Same as for banks/financial institutions and insurance companies	For investors established abroad outside the WAEMU (England), no direct tax is applied in Burkina.	Same as for banks/financial institutions and insurance companies.	Same as for banks/financial institutions and insurance companies.	Same as for banks/financial institutions and insurance companies.
Investors domiciled abroad outside the WAEMU (USA)	Same as for banks/financial institutions and insurance companies	Same as for banks/financial institutions and insurance companies	For investors established abroad outside the WAEMU (USA), no direct tax is applied in Burkina.	Same as for banks/financial institutions and insurance companies.	Same as for banks/financial institutions and insurance companies.	Same as for banks/financial institutions and insurance companies.
Investors domiciled abroad outside the WAEMU (FRANCE)	Same as for banks/financial institutions and insurance companies	Same as banks/financial institutions and insurance companies	For investors established abroad outside the WAEMU (France), no direct tax is applied in Burkina.	Same as for banks/financial institutions and insurance companies.	Same as for banks/financial institutions and insurance companies.	Same as for banks/financial institutions and insurance companies.

Taxation in Burkina Faso of income paid to investors on government securities (T-bond, T-bill, SUKUK, ...) issued by another WAEMU State						
Scenarios	Direct tax and/or withholding tax applicable in Burkina Faso			Indirect tax applicable or paid in Burkina Faso (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Bank/financial institution and insurance company	<b>NO</b> It is the responsibility of the issuing State to operate the RASRVM.	<b>IRVM</b>	Income from T-bond, T-bill, SUKUK, etc. issued by another State and received by the Burkinabe bank/financial institution and insurance company is subject to corporate tax at the rate of 27.5%.	<b>NO</b>	<b>VAT 18%</b>	No indirect tax is provided for by the General Tax Code with regard to extraterritoriality.
Provident institutions (Social Security Fund, Pension Fund, etc.)	<b>NO</b> It is the responsibility of the issuing State to operate the RASRVM.	<b>IRVM</b>	For provident institutions (social security funds, pension funds, etc.) domiciled in Burkina Faso, no direct tax is applied in Burkina.	<b>NO</b>	<b>VAT 18%</b>	Same as for banks and insurance companies
Investors domiciled abroad outside the WAEMU (ENGLAND)	<b>NO</b> It is the responsibility of the issuing State to operate the RASRVM.	<b>IRVM</b>	The transaction is not carried out in Burkina Faso and does not involve a Burkina Faso entity.	<b>NO</b>	<b>VAT 18%</b>	The service provided is not used in Burkina Faso and does not involve a Burkina Faso entity.
Investors domiciled abroad outside the WAEMU (USA)	<b>NO</b> It is the responsibility of the issuing State to operate the RASRVM.	<b>IRVM</b>	The service provided is not used in Burkina Faso and does not involve a Burkina Faso entity.	<b>NO</b>	<b>VAT 18%</b>	The service provided is not used in Burkina Faso and does not involve a Burkina Faso entity.
Investors domiciled abroad outside the WAEMU (FRANCE)	<b>NO</b> It is the responsibility of the issuing State to operate the RASRVM.	<b>IRVM</b>	The service provided is not used in Burkina Faso and does not involve a Burkina Faso entity.	<b>NO</b>	<b>VAT 18%</b>	The service provided is not used in Burkina Faso and does not involve a Burkina Faso entity.



**CÔTE D'IVOIRE**

### 3- CÔTE D'IVOIRE

#### TAX SYSTEM FOR GOVERNMENT SECURITIES ISSUED ON THE WAEMU REGIONAL MARKET

Subscription by a bank, a financial institution, an insurance company, a social security fund domiciled in Côte d'Ivoire or in another Member State or by investors domiciled in England, USA or France.

Taxation in Côte d'Ivoire of income paid to investors on securities (T-bond, T-bill, SUKUK...) issued by the Public Treasury of Côte d'Ivoire						
Scenarios	Direct tax and/or withholding tax applicable in Côte d'Ivoire			Indirect tax applicable or paid in n Côte d'Ivoire (only on income and not on intermediation services)		
	Applicable (YES/NO) Under current legislation	Nature and tax rate	Comments (highlighting current practice)	Applicable (YES/NO)	Nature and tax rate	Comments (highlighting current practice)
Bank/financial institution and insurance company subscribers domiciled in Côte d'Ivoire	NO	The provisions of Article 219 of the General Tax Code provide for an exemption of interest, arrears and all other income from bonds and loans issued by the Treasury Tax Income from Movable Debts. (IRCM)	In practice, the provisions of Article 219 are complied with and, as a result, income from government securities is not subject to the IRCM.	YES	Tax on banking transactions at the rate of 10% in accordance with Article 395 of the General Tax Code.	In practice, no indirect taxation is based on this income.
Bank/financial institution and insurance company domiciled abroad (UEMOA)	YES	Application of the provisions of Article 12 of Regulation N° 08/2008/CM/UEMOA which authorizes the State of Côte d'Ivoire to levy a tax not exceeding 15% of the amount of interest if the bank/financial institution or insurance company is the beneficial owner.	In practice, this Community provision is not applied to income from government securities	YES	Tax on banking transactions at the rate of 10% in accordance with Article 395 of the General Tax Code	In practice, no indirect taxation is based on this income.
Provident institutions (Social Security Fund, Pension Fund, etc.) domiciled in Côte d'Ivoire	NO	The provisions of article 219 of the General Tax Code provide for an exemption from interest, arrears and any other income from bonds and loans issued by the IRCM Treasury	In practice, the provisions of Article 219 are complied with and, as a result, income from government securities is not subject to the IRCM	YES	Tax on banking transactions at the rate of 10% in accordance with Article 395 of the General Tax Code	In practice, no indirect taxation is based on this income.
Provident institutions (Social Security Fund, Pension Fund, etc.) domiciled abroad (WAEMU)	YES	Application of the provisions of Article 12 of Regulation N°08/2008/CM/UEMOA which authorizes the State of Côte d'Ivoire to levy a tax not exceeding 15% of the amount of interest if the bank/financial institution or insurance company is the beneficial owner.	In practice, this Community provision is not applied to income from government securities.	YES	Tax on banking transactions at the rate of 10% in accordance with Article 395 of the General Tax Code	In practice, no indirect taxation is based on this income



Taxation in Côte d'Ivoire of income paid to investors on securities (T-bond, T-bill, SUKUK...) issued by the Public Treasury of Côte d'Ivoire						
Scenarios	Direct tax and/or withholding tax applicable in Côte d'Ivoire			Indirect tax applicable or paid in n Côte d'Ivoire (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Investors domiciled abroad outside the WAEMU (ENGLAND)	NO	The provisions of Article 236 of the General Tax Code provide for an exemption from the IRCM on products; lots and bond redemption premiums paid to legal entities and individuals not established in the WAEMU.	The provisions of Article 236 shall apply in practice.	YES	Tax on banking transactions at the rate of 10% in accordance with Article 395 of the General Tax Code	In practice, no indirect taxation is based on this income.
Investors domiciled abroad outside the WAEMU (USA)	NO	The provisions of Article 236 of the General Tax Code provide for an exemption from the IRCM on products; packages and bond redemption premiums paid to legal entities and individuals not established in the WAEMU.	The provisions of Article 236 shall apply in practice.	YES	Tax on banking transactions at the rate of 10% in accordance with Article 395 of the General Tax Code	In practice, no indirect taxation is based on this income.
Investors domiciled abroad outside the WAEMU (FRANCE)	NO	- Application of the provisions of Article 236 of the General Tax Code which provide for an exemption from the IRCM on products; packages and bond redemption premiums paid to legal and natural persons not established in the WAEMU - Application of the tax treaty between France and Côte d'Ivoire	The provisions of Article 236 of the General Tax Code apply in practice.	YES	Tax on banking transactions at the rate of 10% in accordance with Article 395 of the General Tax Code	In practice, no indirect taxation is based on this income.

Taxation in Côte d'Ivoire of income paid to investors on government securities (T-bond, T-bill, SUKUK ...) issued by another WAEMU State						
Scenarios	Direct tax and/or withholding tax applicable in Côte d'Ivoire	Indirect tax applicable or paid in n Côte d'Ivoire (only on income and not on intermediation services)				
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Bank/financial institution and insurance company	NO	Industrial and Commercial Profits Tax and Farm Profits Tax	Income, capital gains and transactions relating to securities issued by WAMU Member States are exempt from tax on industrial and commercial profits and farm profits in accordance with the provisions of Article 4 A) 5 of the General Tax Code. In practice, this tax provision is respected.	YES	10% tax on banking transactions	In practice, no indirect taxation is based on this income
Provident institutions (Social Security Fund, Pension Fund, etc.)	NO	Industrial and Commercial Profits Tax and Farm Profits Tax	Income, capital gains and transactions relating to securities issued by WAMU Member States are exempt from tax on industrial and commercial profits and farm profits in accordance with the provisions of Article 4 A) 5 of the General Tax Code. In practice, this tax provision is respected.	YES	10% tax on banking transactions	In practice, no indirect taxation is based on this income.





**GUINEA-BISSAU**

#### 4- GUINEA-BISSAU

##### TAX SYSTEM FOR GOVERNMENT SECURITIES ISSUED ON THE WAEMU REGIONAL MARKET

Subscription by a bank, a financial institution, an insurance company, a social security fund domiciled in Guinea-Bissau or another Member State or by investors domiciled in England, USA or France.

Taxation in Guinea Bissau of income paid to investors on securities (T-bond, T-bill, SUKUK...) issued by the Public Treasury of Guinea Bissau						
Scenarios	Direct tax and/or withholding tax applicable in Guinea-Bissau			Indirect tax applicable or paid in Guinea Bissau (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Bank/financial institution and insurance company underwriters domiciled in Guinea-Bissau	<b>NO</b> for Withholding Tax as Capital Tax  <b>YES</b> for the Industrial Contribution (Corporation Tax) at the rate of 25%.	Industrial Contribution (Corporation Tax) at the rate of 25%	No withholding tax but taxation on the industrial contribution. Article 4 of the decree n°8/84 modified by the finance law of the year 2015 (N°03/2015 of December 09th) provides for an exemption from capital tax, in particular for credit institutions with regard to the interests received and which are taxed to the industrial contribution (corporation tax).	<b>YES</b>	General Sales and Services Tax (IGVS) at 17%.	Law No. 16-97 of 31 March 1997 on the General Sales and Services Tax (IGVS) does not provide for an exemption for the State.
Provident institutions (Social Security Fund, Pension fund and other investors, etc.) domiciled abroad (WAEMU or outside WAEMU, including England, USA or France)	<b>YES</b>	Capital tax at a variable rate depending on the maturity of the government securities (Article 22 modified by Law n°03-2015) : - 10% if less than 3 years for T-bonds and T-bills - 5% if more than 3 years for T-bonds and T-bills - 15% for interest on deposits and financial transactions of less than 1 year.	The tax applies to income earned in the territory of Guinea-Bissau, i.e. income received from persons or companies domiciled in Guinea-Bissau or having a permanent establishment there which bears the burden of the income paid. In principle, the exemption concerns only investors domiciled in Guinea-Bissau who are subject to the industrial contribution (corporation tax).  The obligation to make the declaration and the payment will fall on the State in cases where the beneficiary of the capital income is domiciled abroad (Article 9 paragraph 3 of the CIC).  In practice, the withholding tax is not applied to non-residents. Therefore, Guinea Bissau has not signed a tax treaty with England, the USA and France.	<b>YES</b>	IGVS at 17% rate	Article 16 of the IGVS Code provides that for taxable services provided by a non-resident, the beneficiary of the service is the legal tax payer, in this case the Guinean State. This situation may justify the exemption of IGVS in practice, of the operation



Taxation in Guinea Bissau of income paid to investors on securities (T-bond, T-bill, SUKUK...) issued by the Public Treasury of Guinea Bissau						
Scenarios	Direct tax and/or withholding tax applicable in Guinea-Bissau			Indirect tax applicable or paid in Guinea Bissau (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Provident institutions (Social Security Fund, Pension Fund, etc.) domiciled <b>in Guinea Bissau</b>	<b>NO</b> for Withholding Tax as Capital Tax  <b>YES</b> for the Industrial Contribution (Corporation Tax) at the rate of 25%.	Industrial Contribution (Corporation Tax) at the rate of 25%.	Article 4 of the decree n°8/84 modified by the finance law of the year 2015 (N°03/2015 of December 09th) provides for an exemption from capital tax, in particular for credit institutions with regard to the interests received and which are taxed to the industrial contribution (corporation tax).	<b>YES</b>	General Sales and Services Tax (IGVS) at 17%.	The law n°16-97 of March 31, 1997 on the General Sales and Services Tax (IGVS) does not provide for an exemption for the benefit of the State.
Provident institutions (Social Security Fund, Pension fund and other investors, etc.) domiciled <b>abroad (WAEMU or outside WAEMU, including England, USA or France)</b>	<b>YES</b>	Capital tax at a variable rate depending on the maturity of the government securities (Article 22 modified by Law n°03-2015) : - 10% if less than 3 years for T-bonds and T-bills - 5% if more than 3 years for T-bonds and T-bills - 15% for interest on deposits and financial transactions of less than 1 year.	In principle, the exemption concerns only banks and financial institutions in Guinea-Bissau which are subject to the industrial contribution (corporate tax). The obligation to make the declaration and the payment will fall on the State in cases where the beneficiary of the capital income is domiciled abroad (Article 9 paragraph 3 of the CIC). In practice, withholding is not applied to non-residents.	<b>YES</b>	IGVS at 17% rate	Article 16 of the IGVS Code provides that for taxable services provided by a non-resident, the beneficiary of the service is the legal tax payer, in this case the Guinean State. This situation in which the Guinean Bissau State is both legally and actually liable for the tax can justify the exemption of IGVS in practice

### Taxation in Guinea Bissau of income paid to investors on government securities (T-bond, T-bill, SUKUK...) issued by another WAEMU State

Scenarios	Direct tax and/or withholding tax applicable in Guinea-Bissau			Indirect tax applicable or paid in Guinea Bissau (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Bank/financial institution, insurance company and provident institutions (Social Security Fund, Pension Fund, etc.) domiciled in Guinea Bissau	<b>NO</b> for Withholding Tax as Capital Tax  <b>YES</b> for the Industrial Contribution (Corporation Tax) at the rate of 25%.	Industrial Contribution (Corporation Tax) at the rate of 25%.	The article 4 of the decree n°8/84 modified by the finance law of the year 2015 (N°03/2015 of December 09th) provides for an exemption from capital tax in particular for the credit institutions as regards the interests received and which are taxed to the industrial contribution (corporation tax). The interest received by the Guinean bank will be subject to the industrial contribution and is therefore exempt from capital tax. No withholding tax in Guinea Bissau because the withholding tax has to be considered in the issuing State.	<b>NO</b>	IGVS at 17% not applicable	Law n°16/97 of 31 March 1997 on the General Sales and Services Tax Code (CIGVS), amended in particular in its article 6, provides that services (except for salaried work) which are provided for consideration on the national territory or for the benefit of persons or companies established on the national territory are subject to tax. This is not the case for subscriptions by a Guinean bank to issues of government securities of States other than the Guinean State.
Investors domiciled abroad outside the WAEMU (ENGLAND, USA and FRANCE)	<b>NO</b>	-	The transaction is not carried out in Guinea Bissau and does not involve a Guinean entity.	<b>NO</b>	-	The transaction is not carried out in Guinea Bissau and does not involve a Guinean entity.



**MALI**



## 5- MALI

## TAX SYSTEM FOR GOVERNMENT SECURITIES ISSUED ON THE WAEMU REGIONAL MARKET

Subscription by a bank, a financial institution, an insurance company, a social security fund domiciled in Mali or in another Member State or by investors domiciled in England, USA or France.

Scenarios	Taxation in Mali of income paid to investors on securities (T-bond, T-bill, SUKUK...) issued by the Public Treasury of Mali					
	Direct tax and/or withholding tax applicable in Mali			Indirect tax applicable or paid in Mali (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Bank/financial institution and insurance company subscribers domiciled in Mali	YES	<b>RASRVM</b> – 6% general duty rate – 3% for T-bonds with a maturity of between 5 and 10 years – Exemption for T-bonds with a maturity of more than 10 years (Art.42.2, 3 and 5 CGI).	RASRVM is not applied to income from T-bond, T-bill, SUKUK, etc. issued by Mali and received by Malian bank/financial institution and insurance company in practice. Nor is corporate tax applied to such income received by banks domiciled in Mali. (Letter No. 0537/MEF-DGI of 8 March 2010) However, there remains the question of the share of expenses to be allocated to income not subject to corporation tax, which is the subject of litigation between the tax authorities and the banks. As far as insurance companies are concerned, such income is subject to corporation tax.	NO	<b>FAT 15%</b>	Article 248 of the General Tax Code exempts from Financial Activity Tax (FAT), interest and commissions relating to transactions carried out on the money market
Bank/financial institution and insurance company domiciled abroad (UEMOA)	YES	<b>RASRVM</b> – 6% general duty rate – 3% for T-bonds with a maturity of between 5 and 10 years – Exemption for T-bonds with a maturity of more than 10 years (Art.42.2, 3 and 5 CGI).	The RASRVM is not applied to income from T-bond, T-bill, SUKUK, etc. issued by Mali and received by Bank/financial institution and insurance company established abroad (UEMOA), no direct tax is applied in Mali in practice.	NO	<b>FAT 15%</b>	Article 248 of the General Tax Code exempts from the Financial Activity Tax (FAT), interest and commissions relating to transactions carried out on the money market.
Provident institutions (Social Security Fund, Pension Fund, etc.) domiciled in Mali	Same as for banks/financial institutions and insurance companies	Same as for banks/financial institutions and insurance companies.	For provident institutions (Social Security Fund, Pension Fund, etc.) domiciled in Mali, no direct tax is applied in Mali.	NO	<b>FAT 15%</b>	Article 248 of the General Tax Code exempts from the Financial Activity Tax (FAT), interest and commissions relating to transactions carried out on the money market.



Scenarios	Taxation in Mali of income paid to investors on securities (T-bond, T-bill, SUKUK...) issued by the Public Treasury of Mali					
	Direct tax and/or withholding tax applicable in Mali			Indirect tax applicable or paid in Mali (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Provident institutions (Social Security Fund, Pension Fund, etc.) domiciled <b>abroad (WAEMU)</b>	Same as for banks/financial institutions and insurance companies	Same as for banks/financial institutions and insurance companies	For provident institutions (Social Security Fund, Pension Fund, etc.) domiciled <b>abroad (WAEMU)</b> , no direct tax is applied in Mali.	<b>NO</b>	<b>FAT 15%</b>	Article 248 of the General Tax Code exempts from the Financial Activity Tax (FAT), interest and commissions relating to transactions carried out on the money market
Investors domiciled <b>abroad outside the WAEMU (ENGLAND)</b>	Same as for banks/financial institutions and insurance companies	Same as for banks/financial institutions and insurance companies	For investors established abroad outside the WAEMU (England), no direct tax is applied in Mali.	<b>NO</b>	<b>FAT 15%</b>	Article 248 of the General Tax Code exempts from the Financial Activity Tax (FAT), interest and commissions relating to transactions carried out on the money market.
Investors domiciled <b>abroad outside the WAEMU (USA)</b>	Same as for banks/financial institutions and insurance companies	Same as for banks/financial institutions and insurance companies	For investors established abroad outside the WAEMU (USA), no direct tax is applied in Mali.	<b>NO</b>	<b>FAT 15%</b>	Article 248 of the General Tax Code exempts from the Financial Activity Tax (FAT), interest and commissions relating to transactions carried out on the money market
Investors domiciled <b>abroad outside the WAEMU (FRANCE)</b>	Same as for banks/financial institutions and insurance companies	Same as for banks/financial institutions and insurance companies	For investors established abroad outside the WAEMU (France), no direct tax is applied in Mali.	<b>NO</b>	<b>FAT 15%</b>	Article 248 of the General Tax Code exempts from the Financial Activity Tax (FAT), interest and commissions relating to transactions carried out on the money market.

Taxation in Mali of income paid to investors on government securities (T-bond, T-bill, SUKUK...) issued by another WAEMU State						
Scenarios	Direct tax and/or withholding tax applicable in Mali			Indirect tax applicable or paid in Mali (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Bank/financial institution and insurance company	<b>NO</b> It is the responsibility of the issuing State to operate the RASRVM.	<b>IRVM</b>	Income from T-bond, T-bill, SUKUK, etc. issued by another State and received by Malian Bank/financial institution and insurance company is subject to corporate tax at the rate of 30%.	<b>NO</b>	<b>FAT 15%</b>	Article 248 of the General Tax Code exempts from the Financial Activity Tax (FAT), interest and commissions relating to transactions carried out on the money market
Provident institutions (Social Security Fund, Pension Fund, etc.)	<b>NO</b> It is the responsibility of the issuing State to operate the RASRVM.	<b>IRVM</b>	For Provident Institutions (Social Security Fund, Pension Fund, etc.) domiciled <b>in Mali</b> , no direct tax is applied in Mali.	<b>NO</b>	<b>FAT 15%</b>	Article 248 of the General Tax Code exempts from the Financial Activity Tax (FAT), interest and commissions relating to transactions carried out on the money market.
Investors domiciled abroad outside the WAEMU (ENGLAND)	<b>NO</b> It is the responsibility of the issuing State to operate the RASRVM.	<b>IRVM</b>	L'opération n'est pas réalisée au Mali et n'implique pas une entité malienne	<b>NO</b>	<b>VAT 18%</b>	Le service rendu n'est pas utilisé au Mali et n'implique pas une entité malienne
Investors domiciled abroad outside the WAEMU (USA)	<b>NO</b> It is the responsibility of the issuing State to operate the RASRVM.	<b>IRVM</b>	The operation is not carried out in Mali and does not involve a Malian entity.	<b>NO</b>	<b>VAT 18%</b>	The service provided is not used in Mali and does not involve a Malian entity.
Investors domiciled abroad outside the WAEMU (FRANCE)	<b>NO</b> It is the responsibility of the issuing State to operate the RASRVM.	<b>IRVM</b>	The operation is not carried out in Mali and does not involve a Malian entity.	<b>NO</b>	<b>VAT 18%</b>	The service provided is not used in Mali and does not involve a Malian entity.



**NIGER**

## 6- NIGER

## TAX SYSTEM FOR GOVERNMENT SECURITIES ISSUED ON THE WAEMU REGIONAL MARKET

Subscription by a bank, a financial institution, an insurance company, a social security fund domiciled in Niger or in another Member State or by investors domiciled in England, USA or France.

Scenarios	Taxation in Niger of income paid to investors on securities (T-bond, T-bill, SUKUK...) issued by the Public Treasury of Niger					
	Direct tax and/or withholding tax applicable in Niger			Indirect tax applicable or paid in Niger (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Bank/financial institution and insurance company subscribers domiciled in Niger	YES	<b>Securities income tax</b> - 6% (regardless of the issuer) - 3% (maturity ranging from 5 to 10 years) - 0% (maturity over 10 years) - 5% for capital gains on bonds	In practice, income from government securities is not subject to the Securities Income Tax; Article 100 of the CGI exempts them from this tax. Also, the "Information Notes" and the "Terms and Conditions" of issue generally mention the tax exemption of government securities for Nigerien residents.	NO	VAT	Article 219-22 of the General Tax Code exempts from VAT, among other products, interest on bonds.
Bank/financial institution and insurance company domiciled abroad (UEMOA)	YES	<b>Securities income tax</b> - 6% (regardless of the issuer) - 3% (maturity ranging from 5 to 10 years) - 0% (maturity over 10 years) - 5% for capital gains on bonds	In practice, income from government securities is not subject to IRVM because <b>Article 100 of the CGI exempts them from it.</b> However, the "Information Notes" as well as the "Terms and Conditions" of issuance, generally mention the tax exemption of government securities for Nigerien residents and that for other investors the legislation of the country of residence is applicable. Pursuant to Article 12 of Regulation 08/2008/CM/UEMOA adopting rules for the avoidance of double taxation, taxation is levied in Niger.	NO	VAT	Article 219-22 of the General Tax Code exempts interest on loans from VAT, among other things.  The legislation of the WAEMU country in which the bank/financial institution and insurance company is domiciled
Provident institutions (Social Security Fund, Pension Fund, etc.) domiciled in Niger	Same as for banks and insurance companies domiciled in Niger	Same as for bank/financial institution and insurance company domiciled in Niger	Same as for bank/financial institution and insurance company domiciled in Niger	Same as for banks and insurance companies domiciled in Niger.	VAT	Same as for bank/financial institution and insurance company domiciled in Niger



Scenarios	Taxation in Niger of income paid to investors on securities (T-bond, T-bill, SUKUK...) issued by the Public Treasury of Niger					
	Direct tax and/or withholding tax applicable in Niger			Indirect tax applicable or paid in Niger (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Provident institutions (Social Security Fund, Pension Fund, etc.) domiciled abroad (WAEMU)	Same as for banks and insurance companies domiciled abroad (WAEMU).	Same as for banks and insurance companies domiciled abroad (WAEMU).	Same as for banks and insurance companies domiciled abroad (WAEMU)	Same as for banks and insurance companies domiciled abroad (WAEMU).	VAT	Same as for bank/financial institution and insurance company domiciled abroad (WAEMU)
Investors domiciled abroad outside the WAEMU (ENGLAND)	NO	Securities Income Tax (IRVM)	Article 73 of the CGI exempts from the IRVM, bond income received by residents outside the WAEMU. England will therefore apply its legislation	NO	VAT	England applies its legislation
Investors domiciled abroad outside the WAEMU (USA)	NO	Securities Income Tax (IRVM)	Article 73 of the CGI exempts from the IRVM, bond income received by residents outside the WAEMU. The USA applies its legislation.	NO	VAT	The USA applies its legislation
Investors domiciled abroad outside the WAEMU (FRANCE)	NO	Securities Income Tax (IRVM)	Article 73 of the CGI exempts from the IRVM, bond income received by residents outside the WAEMU. France applies its legislation	NO	VAT	France applies its legislation

Taxation in Niger of income paid to investors on government securities (T-bond, T-bill, SUKUK...) issued by another WAEMU State						
Scenarios	Direct tax and/or withholding tax applicable in Niger			Indirect tax applicable or paid in Niger (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Bank/financial institution and insurance company	<b>YES</b>	<b>Securities income tax</b> - 6% (regardless of the issuer) - 3% (maturity ranging from 5 to 10 years) - 0% (maturity over 10 years) - 5% for capital gains on the sale of bonds	There is no provision in the General Tax Code specifying the tax treatment of the proceeds of securities issued by WAEMU States other than Niger. In practice, however, the income from these securities is not subject to any taxation. Pursuant to Article 12 of Regulation No 08/CM/UEMOA adopting rules for the avoidance of double taxation, the tax is due in Niger.	<b>NO</b>	<b>VAT</b>	Application of Article 219-22) of the CGI which exempts interest from the bonds.
Provident institutions (Social Security Fund, Pension Fund, etc.)	<b>NO</b>	Same as for bank/financial institution and insurance company	Same as for bank/financial institution and insurance company	<b>NO</b>	<b>VAT</b>	Same as for bank/financial institution and insurance company
Investors domiciled abroad <b>outside the WAEMU (ENGLAND)</b>	<b>NO</b>	Same as for bank/financial institution and insurance company domiciled outside the WAEMU	Same as for bank/financial institution and insurance company domiciled outside the WAEMU	Same as for bank/financial institution and insurance company domiciled outside the WAEMU	<b>VAT</b>	Same as for bank/financial institution and insurance company domiciled outside the WAEMU
Investors domiciled abroad <b>outside the WAEMU (USA)</b>	<b>NO</b>	Same as for bank/financial institution and insurance company domiciled outside the WAEMU	Same as for bank/financial institution and insurance company domiciled outside the WAEMU	Same as for bank/financial institution and insurance company domiciled outside the WAEMU	–	Same as for bank/financial institution and insurance company domiciled outside the WAEMU
Investors domiciled abroad <b>outside the WAEMU (FRANCE)</b>	<b>NO</b>	Same as for banking/financial institution and insurance company domiciled outside the WAEMU	Same as for banks/financial institutions and insurance companies domiciled outside the WAEMU	Same as for banks/financial institutions and insurance companies domiciled outside the WAEMU	–	Same as for banks/financial institutions and insurance companies domiciled outside the WAEMU



**SENEGAL**

## 7- SENEGAL

## TAX SYSTEM FOR GOVERNMENT SECURITIES ISSUED ON THE WAEMU REGIONAL MARKET

Subscription by a bank, a financial institution, an insurance company, a social security fund domiciled in Senegal or in another Member State or by investors domiciled in England, USA or France.

## Taxation in Senegal of income paid to investors on government securities (T-bond, T-bill, SUKUK...) issued by the Senegalese Public Treasury

Scenarios	Direct tax and/or withholding tax applicable in Senegal			Indirect tax applicable or paid in Senegal (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Bank/financial institution and insurance company subscribers domiciled in Senegal	NO	IRC withholding tax at 16% for companies other than banks/financial institutions (BFI)  IRC withholding at 8% for BFIs  Corporate income tax at the rate of 30%	<b>With regard to withholding tax</b> Exemption from RSRVM of the proceeds of negotiable debt securities issued by the CGI) Exemption from IRC withholding tax on Debt Securities issued by the State: (Article 105.1 and 10 of the CGI)  <b>With regard to Corporate Income Tax</b> Reinstatement, when determining corporate income tax (CIT), of a representative share of expenses set uniformly at 2.5% of the total income from the securities	NO for BFI	Tax on Financial Activities (FAT) at the rate of 17% for BFIs	Exemption from Tax on Financial Activities (FAT) on interest on loans granted to the State (Article 402.8 of the General Tax Code (CGI))
				NO with the entry into force of Law no. 10.2018	VAT at 18% rate	Law n°10.2018 provides for the exemption of interest on loans granted to the State.
Bank/financial institution and insurance company domiciled abroad (WAEMU)	YES	Withholding IRC at a rate of 15% (in application of the WAEMU tax treaty)	In principle, the exemption concerns only residents of Senegal.  Indeed, the tax authorities consider that the generic expression "State" used in the General Tax Code refers to the State of Senegal (N°014009 MEF/CAB/CT NAN of 20 December 2013).  In practice, withholding is not applied to non-residents.	YES for BFI	FAT at 17% rate	Interest on loans and advances granted to the State is exempt from FAT (Article 402.8 of the CGI). However, the tax authorities consider that income from WAEMU States' borrowings does not benefit from this exemption. Their non-taxation is currently allowed but results from an administrative tolerance (N°014009 MEF/CAB/CT NAN of 20 December 2013).
				NO with the entry into force of Law no. 10.2018	VAT at 18% rate	Law n°10.2018 provides for the exemption of interest on loans granted to the State.



Taxation in Senegal of income paid to investors on government securities (T-bond, T-bill, SUKUK...) issued by the Senegalese Public Treasury						
Scénarii	Direct tax and/or withholding tax applicable in Senegal			Indirect tax applicable or paid in Senegal (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Provident institutions (Social Security Fund, Pension Fund, etc.) domiciled in <b>Senegal</b>	<b>NO</b>	Withholding IRC at 16% rate  Corporate income tax at the rate of 30%.	<b>With regard to withholding tax</b> Exemption from RSRVM of the proceeds of negotiable debt securities issued by the State (Article 91 of the CGI)  Exemption from IRC withholding tax on Debt Securities issued by the State: (Article 105.1 and 10 of the CGI)  <b>With regard to Corporate Income Tax</b> Reinstatement, when determining corporate income tax (CIT), of a representative share of expenses set uniformly at 2.5% of the total income from the securities.  <b>Note :</b> Exemption from corporation tax on financial income and IRC withholding tax in favor of the Senegalese Provident Institution (letter n°0013846/MEFP/DGID of 28 December 2016).	<b>NO</b> with the entry into force of Law no. 10.2018	<b>VAT at 18% rate</b>	Law n°10.2018 provides for the exemption of interest on loans granted to the State.  In addition, the Senegalese pension provident institution benefits from a VAT exemption on the proceeds of its investments (letter n°0013846/MEFP/DGID of 28 December 2016).

## Taxation in Senegal of income paid to investors on government securities (T-bond, T-bill, SUKUK...) issued by the Senegalese Public Treasury

Scenarios	Direct tax and/or withholding tax applicable in Senegal			Indirect tax applicable or paid in Senegal (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Provident institutions (Social Security Fund, Pension Fund, etc.) domiciled abroad (WAEMU)	<b>YES</b>	IRC withholding at 15% rate	The exemption applies only to residents of Senegal. Indeed, the tax authorities consider that the generic expression "State" used in the General Tax Code refers to the State of Senegal (N°014009 MEF/CAB/CT NAN of 20 December 2013).	<b>NO</b> with the entry into force of Law no. 10.2018	<b>VAT at 18% rate</b>	Law n°10.2018 provides for the exemption of interest on loans granted to the State.
Investors domiciled abroad outside the WAEMU (ENGLAND)	<b>YES</b>	Withholding IRC at a rate of 10% in application of the tax treaty between Senegal and the United Kingdom.	In principle, the exemption concerns only residents of Senegal.  In practice, withholding is not applied to non-residents.	<b>NO</b> with the entry into force of Law no. 10.2018	<b>VAT at 18% rate</b>	Law n°10.2018 provides for the exemption of interest on loans granted to the State.
Investors domiciled abroad outside the WAEMU (USA)	<b>YES</b>	Withholding IRC at 16% rate	In principle, the exemption concerns only residents of Senegal.  In practice, withholding is not applied to non-residents.	<b>NO</b> with the entry into force of Law no. 10.2018	<b>VAT at 18% rate</b>	Law n°10.2018 provides for the exemption of interest on loans granted to the State.
Investors domiciled abroad outside the WAEMU (FRANCE)	<b>YES</b>	Withholding IRC at a rate of 15% in application of the tax treaty between Senegal and France.	In principle, the exemption concerns only residents of Senegal.  In practice, withholding is not applied to non-residents.	<b>NO</b> with the entry into force of Law no. 10.2018	<b>VAT at 18% rate</b>	Absence of express exemption from VAT Law n°10.2018 provides for the exemption of interest on loans granted to the State.

Taxation in Senegal of income paid to investors on government securities (T-bond, T-bill, SUKUK...) issued by another WAEMU State						
Scenarios	Direct tax and/or withholding tax applicable in Senegal			Indirect tax applicable or paid in Senegal (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Bank/financial institution and insurance company	<b>NO</b> for Source Deduction	Corporate income tax at the rate of 30%.	Lack of withholding tax in Senegal. Withholding must be considered in the issuing State. The income received is in principle subject to corporate income tax (CIT) since the tax authorities consider that the generic term "State" used in the General Tax Code refers to the State of Senegal and that only the interest on loans and advances granted to the State of Senegal are subject to exemption.  In the absence of a legal basis, their non-taxation would result from a simple tolerance by the tax authorities.	<b>YES</b>	<b>FAT at 17%</b> for BFIs	Interest on loans and advances granted to the State is exempt from FAT (Article 402.8 of the CGI).  However, the tax authorities consider that income from WAEMU States' borrowings does not benefit from this exemption.  Their non-taxation is currently allowed but results from an administrative tolerance (N°014009 MEF/CAB/CT NAN of 20 December 2013).
	<b>YES</b> for Corporation Tax			<b>NO</b>	-	Transaction outside the scope of VAT
Provident institutions (Social Security Fund, Pension Fund, etc.)	<b>NO</b> for Source Deduction  <b>YES</b> for Corporation Tax	Corporate income tax at the rate of 30%.	Lack of withholding tax in Senegal.  Withholding must be considered in the issuing State.	<b>NO</b>	-	Transaction outside the scope of VAT
Investors domiciled abroad outside the WAEMU (ENGLAND)	<b>NO</b>	-	The operation is not carried out in Senegal and does not involve a Senegalese entity.	<b>NO</b>	-	The service provided is not used in Senegal and does not involve a Senegalese entity.
Investors domiciled abroad outside the WAEMU (USA)	<b>NO</b>	-	The operation is not carried out in Senegal and does not involve a Senegalese entity.	<b>NO</b>	-	The service provided is not used in Senegal and does not involve a Senegalese entity.
Investors domiciled abroad outside the WAEMU (FRANCE)	<b>NO</b>	-	The operation is not carried out in Senegal and does not involve a Senegalese entity.	<b>NO</b>	-	The service provided is not used in Senegal and does not involve a Senegalese entity.



**TOGO**



## 8- TOGO

## TAX SYSTEM FOR GOVERNMENT SECURITIES ISSUED ON THE WAEMU REGIONAL MARKET

Subscription by a bank, a financial institution, an insurance company, a social security fund domiciled in Togo or in another Member State or by investors domiciled in England, USA or France.

Taxation in Togo of the income paid to investors on securities (T-bond, T-bill, SUKUK...) issued by the Togolese Public Treasury						
Scenarios	Direct tax and/or withholding tax applicable in Togo			Indirect tax applicable or paid in Togo (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Bank/financial institution and insurance company underwriters domiciled in Togo	NO	Income tax/corporate tax	Income tax, interest, arrears and all other proceeds from annuities, bonds and other public instruments issued by the Togolese State and secondary public authorities shall be exempt from tax. <b>(Art.97 of the CGI)</b>  Income from bonds issued by public authorities and their branches when their term is more than ten (10) years <b>(Art. 139 of the CGI)</b> is exempt from corporate income tax. In practice, the provisions of Articles 97 and 139 of the General Tax Code are complied with in practice.	NO	Tax on Financial Activities	Pursuant to the provisions of Article 346 of the CGI, income from securities is exempt from the FAT and, in practice, this provision is respected.
Bank/financial institution and insurance company domiciled abroad (WAEMU)	YES	Income Tax on Income from Movable Capital Goods	Application of the provisions of Article 12 of Regulation N°08/2008/CM/UEMOA which authorizes the State of Togo to levy a tax not exceeding 15% of the amount of interest if the bank/financial institution or insurance company is the beneficial owner. In practice, this Community provision is not applied to income from government securities.	NO	Tax on Financial Activities	Pursuant to the provisions of Article 346 of the CGI, income from securities is exempt from the FAT and, in practice, this provision is respected.

Taxation in Togo of the income paid to investors on securities (T-bond, T-bill, SUKUK...) issued by the Togolese Public Treasury						
Scenarios	Direct tax and/or withholding tax applicable in Togo			Indirect tax applicable or paid in Togo (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Provident institutions (Social Security Fund, Pension Fund, etc.) domiciled in Togo	NO	Income tax/corporate tax	Income tax, interest, arrears and all other proceeds from annuities, bonds and other public instruments issued by the Togolese State and secondary public authorities shall be exempt from tax. <b>(Art.97 of the CGI)</b>  Income from bonds issued by public authorities and their branches when their term is more than ten (10) years <b>(Art. 139 of the CGI)</b> is exempt from corporate income tax. In practice, the provisions of Articles 97 and 139 of the General Tax Code are complied with in practice.	NO	Tax on Financial Activities	Pursuant to the provisions of Article 346 of the CGI, income from securities is exempt from the FAT and, in practice, this provision is respected.
Provident institutions (Social Security Fund, Pension Fund, etc.) domiciled abroad (WAEMU)	YES	Income Tax on Income from Movable Capital Goods	Application of the provisions of Article 12 of Regulation N°08/2008/CM/UEMOA which authorizes the State of Togo to levy a tax not exceeding 15% of the amount of interest if the bank/financial institution or insurance company is the beneficial owner. In practice, this Community provision is not applied to income from government securities.	NO	Tax on Financial Activities	Pursuant to the provisions of Article 346 of the CGI, income from securities is exempt from the FAT and, in practice, this provision is respected.
Investors domiciled abroad outside the WAEMU (ENGLAND)	NO	Income Tax on Income from Movable Capital Goods	Income from movable capital from Togolese sources paid in Togo and received by individuals or legal entities having their tax domicile or registered office outside Togo, shall in principle be subject to a withholding tax equal to 13% of the gross amount of the distributed income. However, the following are excluded from the scope of the withholding tax: income from bonds and other negotiable securities issued by legal persons governed by public or private law and income from savings bonds. (Article 1173 of the CGI). In practice, no withholding tax is levied on the income of foreign investors established in England; the tax laws of their country will apply.	NO	Tax on Financial Activities	Pursuant to the provisions of Article 346 of the CGI, income from securities is exempt from the FAT and, in practice, this provision is respected.

Scenarios	Taxation in Togo of the income paid to investors on securities (T-bond, T-bill, SUKUK...) issued by the Togolese Public Treasury					
	Direct tax and/or withholding tax applicable in Togo			Indirect tax applicable or paid in Togo (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Investors domiciled abroad outside the WAEMU (USA)	<b>NO</b>	Income Tax on Income from Movable Capital Goods	Income from movable capital from Togolese sources paid in Togo and received by individuals or legal entities having their tax domicile or registered office outside Togo, shall in principle be subject to a withholding tax equal to 13% of the gross amount of the distributed income. However, the following are excluded from the scope of the withholding tax: income from bonds and other negotiable securities issued by legal persons governed by public or private law and income from savings bonds. (Article 1173 of the CGI). In practice, no withholding tax is levied on the income of foreign investors established in the USA; the tax laws of their country will have to apply.	<b>NO</b>	Tax on Financial Activities	Pursuant to the provisions of Article 346 of the CGI, income from securities is exempt from the FAT and, in practice, this provision is respected.
Investors domiciled abroad outside the WAEMU (FRANCE)	<b>NO</b>	Income Tax on Income from Movable Capital Goods	Application of the provisions of Article 1173 of the General Tax Code, which provide for exemption of income from bonds and other negotiable securities issued by public or private legal entities and income from savings bonds Application of the tax treaty between France and Togo.	<b>NO</b>	Tax on Financial Activities	Pursuant to the provisions of Article 346 of the CGI, income from securities is exempt from the FAT and, in practice, this provision is respected.

Taxation in Togo of income paid to investors on government securities (T-bond, T-bill, SUKUK...) issued by another WAEMU State						
Scenarios	Direct tax and/or withholding tax applicable in Togo			Indirect tax applicable or paid in Togo (only on income and not on intermediation services)		
	Applicable (YES/NO) <i>Under current legislation</i>	Nature and tax rate	Comments <i>(highlighting current practice)</i>	Applicable (YES/NO)	Nature and tax rate	Comments <i>(highlighting current practice)</i>
Bank/financial institution and insurance company	<b>NO</b>	Income tax/corporate tax	Income tax, interest, arrears and all other proceeds from annuities, bonds and other public instruments issued by the Togolese State and secondary public authorities shall be exempt from tax. <b>(Art.97 of the CGI)</b> Income from bonds issued by public authorities and their branches when their term is more than ten (10) years <b>(Art. 139 of the CGI)</b> is exempt from corporate income tax. In practice, the provisions of Articles 97 and 139 of the General Tax Code are complied with in practice	<b>NO</b>	Tax on Financial Activities	Pursuant to the provisions of Article 346 of the CGI, income from securities is exempt from the FAT and, in practice, this provision is respected.
Provident institutions (Social Security Fund, Pension Fund, etc.)	<b>NO</b>	Income tax/corporate tax	Income tax, interest, arrears and all other proceeds from annuities, bonds and other public instruments issued by the Togolese State and secondary public authorities shall be exempt from tax. <b>(Art.97 of the CGI)</b> Income from bonds issued by public authorities and their branches when their term is more than ten (10) years <b>(Art. 139 of the CGI)</b> is exempt from corporate income tax. In practice, the provisions of Articles 97 and 139 of the General Tax Code are complied with in practice	<b>NO</b>	Tax on Financial Activities	Pursuant to the provisions of Article 346 of the CGI, income from securities is exempt from the FAT and, in practice, this provision is respected.





## Marché des Titres Publics

Animé par l'UMOA-Titres

### Contact us

Boulevard General de Gaulle  
National Directorate – BCEAO  
BP 4709 Dakar, Senegal  
Phone : **00221 33 849 28 28**

---

Email: [umoatitres@umoatitres.org](mailto:umoatitres@umoatitres.org)  
Web site: <http://www.umoatitres.org>

**Stay connected to  
Government Securities Market**

