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Stamp Duty Code

Approved by Decree 6/2004 of 1 April 2004

(As amended by Decree 38/2005 of 29 August)

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Decree 6/2004

of 1 April 2004

Approves the Stamp Duty Code

(As amended by Decree 38/2005 of 29 August)

Considering the need to revise and update Stamp Duty, as provided for in Law 15/2002 of 26 June on the Bases of the Taxation System, under the authority vested in it by article 72(2) of the same Law, the Council of Ministers decrees:

Article 1. The Stamp Duty Code and the Schedule thereto, which are attached to and form an integrated part of this decree, are hereby approved.

Article 2. The Minister that oversees the area of Finance shall approve the forms, procedures and other measures required for the implementation of the obligations arising under the Code that is hereby approved.

Article 3. The Stamp Duty Regulations and the General Schedule thereto approved by Legislative Diploma 763 of 11 August 1941, as well as all legislation that is contrary to the provisions of the Code and the respective Schedule approved under this Decree, are repealed.

Article 4. This Decree enters into force on 1 July 2004.

Approved by the Council of Ministers on 1 April 2004.

Let it be published.

The Prime Minister

Luísa Dias Diogo

STAMP DUTY CODE

As amended by Decree 38/2005 of 29 August

CHAPTER I Incidence

Article 1 Objective Incidence

1. Stamp duty is assessed on all documents, contracts, books, papers and deeds designated in the Schedule that is attached to and forms and integrated part of this Code.
2. Transactions covered by value added tax and not exempt from it are not subject to stamp duty.

Article 2 Incidence on Persons^(*)

1. Entities that have an economic interest in the matters referred to in article 1 are liable persons for the purposes of stamp duty and bear the respective charge to tax.
2. Where several entities have a common economic interest, the liability is shared among all of them proportionately.
3. For the purposes of the preceding paragraphs, an economic interest is considered to belong to:
 - a) The transferees, in the acquisition of shareholdings and credit rights of shareholders and in the acquisition of bonds;
 - b) The transferees for value or donees, in the acquisition of a right of ownership or divisions thereof in respect of immovable property;
 - c) The lessor and sub-lessor in leases and subleases;
 - d) The account holder, in the case of cheques and credit cards;
 - e) The borrower under a loan of a thing [other than money];

^(*) As amended by Decree 38/2005 of 29 August

- f) The parties obligated to provide/create guarantees;
- g) The bettor, in bets, and prize winners in the case of gaming;
- h) The proxy and sub-proxy, in powers of attorney and substitutions under powers of attorney;
- i) The beneficiary under loans/credit transactions;
- j) The customers of banks, finance companies or other financial institutions, in all other financial operations carried out by or through such institutions;
- k) The policy holder, in insurance, and the broker, in brokering activities;
- l) The drawee and the debtor, under bills and promissory notes;
- m) The creditor, under credit instruments not already mentioned above;
- n) The applicant, petitioner, first signatory, beneficiary or recipient under any other deeds, contracts and transactions.

Article 3 Tax Substitutes

Without prejudice to the provisions of the preceding article, entities that are legally required to assess and pay over stamp duty under article 14 are also liable persons.

Article 4 Territorial scope

1. Without prejudice to provisions to the contrary in this Code and the Schedule, stamp duty applies to all the facts referred to in article 1 that occur in national territory.
2. The following are also subject to stamp duty:
 - a) Documents, deeds or contracts issued or executed outside national territory under the same terms as they would have been had they been issued or executed in national territory, when they are presented in Mozambique for any legal purposes;
 - b) Credit operations carried out and guarantees provided by credit institutions, finance companies or any other entities of whatsoever nature, whose head office is abroad, or by foreign subsidiaries or branches of credit institutions, finance companies or any other entities whose head office is in national territory, to any entities of whatsoever nature, which are domiciled in this territory, domicile being considered to be a head office, subsidiary, branch, or permanent establishment;

- c) Interest, commissions and other forms of consideration charged by credit institutions or finance companies whose head office is abroad or by foreign subsidiaries or branches of credit institutions or finance companies whose head office is in national territory, to any entities that are domiciled in this territory, domicile being considered to be the head office, subsidiary, branch or permanent establishment of the entities participating in the operations.

CHAPTER II Exemptions

Article 5 Exempt persons

The following entities are exempt from stamp duty, when the obligation is theirs under the terms of article 2:

- a) The State.
- b) Local autarchic councils and their municipal associations and federations;
- c) Legally recognised social security institutions and social welfare institutions;
- d) Duly recognised public utility associations referred to in Law 8/91 of 18 July;
- e) Purely public utility associations that pursue predominantly scientific, cultural, charitable, caring or benevolent purposes.

Article 6 Other exemptions^(*)

1. The following are exempt from stamp duty:

- a) The policies referred to in the Schedule hereto, for reinsurance, underwritten by companies operating legally in Mozambique;
- b) The policies referred to in the schedule hereto, for "Life" and "Health" insurance;
- c) Writings of any contracts that are entered into within the framework of cash or term transactions that are realised, registered, settled or set off through the Mozambique Stock Exchange and whose subject matter is, directly or indirectly, negotiable securities;
- d) Loans, including interest thereon and respective commissions and collateral securities, granted to residents by Mozambican credit institutions or by legally constituted funds for the purposes of industrial, agricultural, forestry, livestock, fisheries and rural trade activities in national territory;

^(*) As amended by Decree 38/2005 of 29 August

- e) Loans, including interest thereon, for the acquisition, construction, reconstruction or upgrading of personal dwellings;
- f) Loans in the nature of shareholders loans to companies, including interest thereon, where they specify an initial term of not less than one year and are not repaid before the expiry of such term;
- g) The constitution and increase of company share capital;
- h) The constitution and increase of capital resulting from one or more commercial companies giving the whole of their respective property or one or several arms of their business to one or more commercial companies that are being incorporated or that already exist;
- i) Public sector securities issued to finance Budget and State Treasury deficits, including interest thereon and transfers thereof, as well as Monetary Authority Certificates, including Interbank Money Market transactions and Interbank Forex Market transactions;
- j) Transfers of shares in companies and securities representing the capital of companies, as well as bonds, when these are carried out as a condition for admission to listing on the Mozambique Stock Exchange;
- k) Guarantees to secure obligations, when they are materially ancillary to contracts that are specifically taxed under the stamp duty Schedule hereto and are created simultaneously with the obligation secured, albeit in a different instrument;
- l) Gambling bets that are not subject to special gaming tax, when they are promoted by not-for-profit entities;
- m) Finance leasing contracts provided for in the respective Regulations approved by Decree 45/94 of 12 October, as well as guarantees and other deeds and documents that are part of the operation.
- n) Gifts and partitions of real property provided for in articles 3.2 and 3.3 of the Schedule, when made to a spouse, descendant or ascendant.
- o) Probate proceedings for minors; indigent records, ad hoc family council (board of guardians) proceedings and any other actions in the interest of minors or persons under judicial disability; expropriation proceedings instituted by the State on grounds of public utility and the instruments and deeds required for uplifting compensation due to the dispossessed parties, including judicial requests; appeals against compensation awarded pursuant to expropriations, when such appeals are held to be admissible; military proceedings; disciplinary proceedings instituted against civil servants; proceedings to which the Treasury, Public Prosecution Service or any benevolent establishment are parties, comprising documents that are extracted from such proceedings at the request of these entities, and those that are necessary to institute and prepare them.

- p) Judicial requests for uplifting provisional deposits for public auctions or supplies that are not awarded to the depositors, and those for uplifting legal costs referred to in the Code of Fiscal Executions, and for uplifting bills given as surety for revenue collectors, and deposits made by State services when they are uplifted for a legal purpose other than delivery to non-official entities.
2. The provisions of paragraph 1(h) do not apply when the shareholder is an entity domiciled in territory that is subject to a more favourable tax regime as contemplated by article 59 of the Corporate Income Tax Code (CIRPC) enacted by Decree 21/2002, of 30 June.
 3. For the purposes of subparagraphs (d) and (e) of the paragraph 1 above, loans shall only comprise credits documented by contract (instalment loans), and they exclude collateralised current account credit, overdrafts, bills of exchange and promissory notes.

Article 7

Reference to exemption

When any exemption applies, the legal provision by which it is granted shall be indicated in the document or certificate.

CHAPTER III Taxable value

Article 8

Taxable value

1. The taxable value for stamp duty purposes is such amount as the Schedule determines, without prejudice to the provision of the following paragraph.
2. Where the value of contracts is not determined, the parties shall determine it in the document formalising the contract, based on criteria and particulars that allow the economic value of the deed to be estimated.
3. When the value of a contract is a price to be effective at a future date, the duty shall be paid according to the price that is effective on the date when the deed is formalised.
4. If there are no precedents or if it is not possible to estimate the economic value of the deed, the tax shall be the fixed sum of 5.000.000,00MT.
5. When the taxable value is to be determined using indirect methods, the income tax rules shall be applied, with the necessary adaptations.

Article 9

Value expressed in foreign currency^(*)

1. When the particulars necessary for determining the taxable value are expressed in currency other than national currency, the exchange rates to be used shall be the value-metric exchange rates published by the Bank of Mozambique on the date when the tax obligation is created.
2. If there is no exchange rate on the aforementioned date, the last quotation published prior to that date shall apply.

Article 10

Value expressed in kind

The equivalence in national monetary units of values in kind shall be determined according to the following rules, in the following order:

- a) The officially listed price;
- b) The official buying quotation;
- c) The market value in conditions of competition;

Article 11

Correction of the taxable value

1. Without prejudice to the provisions of article 8, the Tax Department in the area where the liable person is domiciled can alter the declared taxable value whenever the rules set out in articles 8 and 10 have not been followed, respectively, in contracts whose value is undetermined or in determining the equivalence in national monetary units of values in kind.
2. The procedure referred to in the preceding paragraph is without prejudice to the sanctions applicable when improper criteria or false information are used to determine the taxable value.

CHAPTER IV

Rates

Article 12

Rates

1. The rates are those set out in the Schedule hereto, which are in force when the tax obligation is created.

^(*) As amended by Decree 38/2005 of 29 August

2. In the cases contemplated in article 6(2), stamp duty is due at the rate for those deeds referred to in article 1 of the Schedule, which rate is applied to the value of the capital or increase thereof.
3. There shall be no accumulation of stamp duty rates on any one deed or document.
4. When more than one rate is prescribed, only the highest rate applies.

CHAPTER V Assessment and payment

Article 13 Birth of the tax obligation^(*)

For the purposes of the obligations contemplated in this chapter, it is considered that the tax obligation is created:

- a) As regards deeds and contracts, upon the signature thereof by the parties thereto;
- b) As regards insurance policies, at the moment when the premiums are charged;
- c) As regards credit cards and cheques issued by credit institutions domiciled in national territory, at the moment when the issue commission is charged, whether printing is carried out by the credit institution or by any other entity;
- d) As regards documents, deeds or contracts issued or entered into outside national territory, upon their being presented in Mozambique to any entities;
- e) As regards bills issued in national territory, upon their signature by the drawer or upon their being discounted by credit institutions;
- f) As regards bills issued abroad, upon their being accepted, endorsed or presented for payment in national territory;
- g) As regards blank bills and promissory notes, at the moment when they can be filled in according to the respective agreement on filling them in;
- h) As regards credit transactions, at the moment when they are carried out; if the credit is used in the form of a current account, overdraft or any other form in which the term is not determined or determinable, on the last day of each month;
- i) As regards transactions carried out by or through credit institutions, finance companies or other legally equivalent entities, at the moment when interest, premiums, commissions or other forms of

^(*) As amended by Decree 38/2005 of 29 August

consideration are charged, it being considered that interest and commissions are effectively charged when they are debited against the client's current account;

- j) As regards public wills, at the moment when they are made, and as regards sealed or international wills, when they are approved or opened;
- k) As regards books, before they are used, except if loose pages written up by computer or other similar system are used for the purpose of being used as a book later, in which case the duty is considered to be due 60 days following the end of the financial year or of the cessation of activities;
- l) As regards loans made by shareholders to companies, where a term of not less than one year is stipulated and where they are repaid before the expiry of that term, upon repayment;
- m) In all other cases, on the date when the documents, instruments and papers are issued or when the facts occur;
- n) In the case of deeds, contracts, documents, instruments, books, papers and other facts provided for in the Schedule hereto, in which corporate entities or individuals carrying on commercial or industrial activity or the provision of services do not participate in any capacity, upon their presentation to any public entity.

Article 14

Assessment and payment

1. The following entities are responsible for assessing and paying over stamp duty:

- a) Notaries, civil, commercial and real estate registrars and other public entities, including State establishments and organisations, in respect of deeds, contracts and other facts in which they intervene, with the exception of those executed before notaries in respect of credits and guarantees granted by credit institutions, finance companies or other legally similar entities and by any other financial institutions, and when, in terms of sub-paragraph (n) of the preceding article, the contracts or documents are presented to them for any legal purpose;
- b) Entities that grant credit or guarantees or creditors of interest, premiums, commissions and other forms of consideration;
- c) Resident credit institutions, finance companies or other legally similar entities that have discounted credit instruments, intermediated in credit operations, guarantees that have been called up or interest, commissions and other forms of consideration owed by persons residing in national territory to credit institutions or finance companies domiciled abroad;
- d) Borrowers, beneficiaries under guarantees or debtors of interest, commissions and other forms of consideration in respect of operations referred to in the preceding sub-paragraph in which credit institutions, finance companies or other legally similar entities have not intermediated, and the

- creditor of which does not carry on business as an independent service provider in Mozambican territory;
- e) Insurance companies, as regards the sum of the insurance premium, policy cost and any other amounts charged collectively or in a separate document, as well as commissions paid to brokers net of tax;
 - f) Issuers of bills and other credit instruments, entities that issue cheques, credit and debit cards and promissory notes or, in the case of instruments issued abroad, the first entity that participates in the negotiation or payment thereof;
 - g) Lessors and sub-lessors, in leases and subleases;
 - h) Other entities that participate in deeds and contracts or issue or use documents, books, instruments or papers;
 - i) Representatives who are obligatorily appointed as such in Mozambique by credit institutions or finance companies that carry out finance operations in Mozambican territory as independent service providers, which are not intermediated by credit institutions or finance companies domiciled in Mozambique;
 - j) Representatives who are obligatorily appointed as such in Mozambique by any entities who, as independent service providers, carry out any other operations in Mozambican territory, which fall under the application of this Code.
2. With regard to stamp duty due on credit operations or guarantees given by a group of credit institutions or finance companies, the duty can be assessed as a whole by any of these entities, without prejudice to the liability of each of them, in general terms, in the event of non-performance.

Article 15 Tax liability

1. Without prejudice to the provisions of article 14, persons who in any way intervene in deeds, contracts and operations, or receive or use books, papers and other documents, are jointly and severally liable for the tax, as liable persons, provided that they wilfully contributed to the failure to assess or collect the tax or, on the date of their intervention, receipt or use, they wilfully failed to require the reference mentioned in article 17(2).
2. As regards the operations referred to in subparagraphs (i) and (j) of the preceding article, the entity to whom the services are rendered is always jointly and severally liable with the entities issuing the policies and the credit institutions, finance companies and other entities referred to therein.

3. The provisions of paragraph 1 apply to public servants who have been found guilty in a disciplinary action for wilful failure to assess or pay over the tax, or for failure to fulfil the requirement contemplated in the final part of that paragraph.

Article 16
Form of payment

Stamp duty is always paid using a special payment slip.

Article 17
Time limit, place of payment, expiry and penalty interest

1. Stamp duty is paid by the entities upon whom the payment obligation is incumbent, at Tax Departments or any other legally authorised entity, by the 20th day of the month following that in which the tax obligation was created.
2. Documents, instruments and books subject to stamp duty shall make mention of the amount of the tax and the assessment date.
3. Whenever the assessment to stamp duty is to be done by the tax administration authorities and the assessment is not less than 100.000 MT, the liable person shall be notified to effect payment within 15 days, at the Tax Department in the area to which the assessment authority belongs.
4. Stamp duty due on customs operations is assessed by the General Customs Directorate and paid to this authority, together with other customs charges, if any are due.
5. Whenever there is a delay in the assessment or payment of all or part of the stamp duty owed, for reasons attributable to the liable person, penalty interest shall be added to the amount of the stamp duty in terms of article 76 of the Personal Income Tax Code.
6. The interest referred to in the preceding paragraph accrues daily, counting from the day immediately following the end of the time limit for delivery of the tax or, in the case of late assessment, from the day on which it became late, until the failure has been corrected or removed.
7. Stamp duty can only be assessed up to the end of the fifth year following the year in which the taxable event occurred, and the taxpayer shall be notified of the corresponding assessment within that time limit.

CHAPTER VI
Ancillary obligations and inspection

SECTION I
Declaratory and accounting obligations

Article 18
Annual declaration

1. Liable persons or their legal representatives are obligated to submit an annual declaration setting out what stamp duty has been assessed.
2. The declaration referred to in the preceding paragraph is made on an official form and is appended as an annexe to the annual declaration of accounting and tax information contemplated in article 106 of the Corporate Income Tax Code (CIRPC) and article 98 of the Personal Income Tax Code (CIRPS), and it should be submitted within the time limits provided for in those articles.
3. Whenever the Tax Administration Authorities have doubts about any information contained in the declarations, they shall give the taxpayers notice to provide the necessary clarification, in writing, within the established time limit, which shall be no shorter than 10 days.

Article 19
Accounting obligations

1. Entities that are obligated to keep organised accounting records under the IRPS and IRPC Codes shall organise them in such a way that the information necessary for the verification of assessments to stamp duty is clearly and unequivocally evident, and so that the records can be controlled.
2. For the purposes of compliance with paragraph 1, a record must be kept of operations and deeds that have been carried out and are subject to stamp duty.
3. The recording of operations and deeds referred to in the preceding paragraph shall be done in a manner that shows:
 - a) The value of operations and deeds that are subject to stamp duty, according to the applicable article in the Schedule;
 - b) The value of operations and deeds that are exempt from stamp duty;
 - c) The value of stamp duty that has been assessed, according to the applicable article in the Schedule;
 - d) The value of stamp duty set off.

4. Persons who are not obligated to keep organised accounting records in terms of the IRPC and IRPS Codes, as well as public services, which are under a duty to assess and deliver stamp duty to the State, shall keep sufficient records to meet the requirements of the sub-paragraphs in the preceding paragraph.
5. Supporting documentation for the records referred to in this article and documentary evidence of payment of stamp duty shall be kept in good order for a period of 10 years.

Section II

Other ancillary obligations of public and private entities

Article 20

Annual declaration by public entities

Services, establishments and organisations of the State and local autarchic authorities, including those endowed with administrative and financial autonomy, and associations and federations of municipalities, even if personalised, as well as other corporate persons under public law, public utilities and public enterprises shall submit the declaration referred to in article 18 to the Tax Departments in their respective areas.

Article 21

Preparation of questionnaires

The Tax Administration services may send to individuals, corporate entities and public services questionnaires about specific data and facts that are relevant for controlling stamp duty, and these should be returned after they have been filled in and signed, within such time limit as is indicated, which shall not be shorter than 10 working days.

Article 22

Fiscal vigilance

In judicial proceedings, where it is seen that there has been a failure to comply with any of the obligations established in this Code, which are directly or indirectly related to the case, the judicial officer shall within 10 days report the infraction to the Tax Department in the area where the taxable event occurred, for the purposes of application of this Code.

Article 23

Credit instruments issued abroad

Credit instruments issued abroad cannot be drawn, accepted, endorsed, paid or in any way negotiated in national territory unless it can be shown that the respective stamp duty has been charged.

Article 24
Legalisation of books

Books subject to stamp duty cannot be legalised until the respective stamp duty has been assessed and the reference required under article 17(2) has been made.

Article 25
Lease contracts

1. The entities referred to in article 2, as well as lessors and sub-lessors who, being individuals, are not engaged in commerce, industry or the provision of services, are obligated to notify the Tax Department in the area where the real estate is located of lease and sublease contracts and undertakings to lease and sublease, as well as alterations to such contracts.
2. The notification referred to in the preceding paragraph shall be given by the end of the month following that in which the lease, sublease or alterations commenced, or, in the case of undertakings, in which the leased property was made available.
3. If the lease or sublease is in writing, the notification referred to in paragraph 1 shall be accompanied by a copy of the contract.

Article 26
Individual file

1 – The competent Tax Department shall organise a confidential individual file for each liable person, incorporating the declarations and other particulars pertaining to that person.

2 – Liable persons, personally or through a duly accredited representative, may examine their individual file at the respective Tax Department.

CHAPTER VII
Miscellaneous provisions

Article 27
Cheques

1. Cheques shall be printed by credit institutions for use by issuing entities that have funds there.
2. Cheques shall be numbered by series and, within series, by numbers.
3. Each credit institution shall keep a register of cheques printed, containing the series number, the number of cheques in each series, the total number of cheques in each printing, the date of receipt of the printed cheques, the stamp duty due and the date and place of payment.

Article 28

Bills of exchange and promissory notes

1. Bills of exchange shall adhere to the requirements set down in the uniform law on bills of exchange and promissory notes.
2. The form for bills of exchange and promissory notes and the characteristics thereof are established in a Ministerial Diploma issued by the Minister in charge of Finance.
3. Bills of exchange issued by public enterprises and properly constituted companies shall be printed by typographical printers authorised for this purpose by dispatch of the Minister in charge of Finance.
4. The bills of exchange referred to in the preceding paragraph shall have sequential numbering printed typographically in one or more series that are suitably referenced.
5. Bills of exchange are acquired by means of official request forms containing the tax identification of the acquiring entity, as well as that of the printer, who shall be subject to the same obligations with regard to registration and notification as those applicable to the printing of invoices, with the necessary adaptations.
6. Entities that issue bills of exchange and promissory notes shall keep a register containing the sequential number, issue date and value of the bill or promissory note, as well as the value and date of the stamp duty assessment.
7. Officially issued bills of exchange are requested from the local tax administration services or other establishments that are authorised by the tax administration authorities.
8. Promissory notes are issued exclusively by credit institutions and finance companies.

**CHAPTER VIII
Taxpayers' Guarantees**

Article 29

Taxpayers' guarantees

Law 15/2002 of 26 June, on the Bases of the Taxation System, and other applicable legislation, apply to taxpayers' guarantees.

Article 30

Tax refund

1. Without prejudice to the provisions of the foregoing articles, liable persons may request a refund of stamp duty that has been paid unduly, within five years of the date of payment.

2. For the purposes of the preceding paragraph, interested parties shall submit documentary evidence of assessment and payment of the tax together with their request.

Article 31

Set-off

1. If, after the entities referred to in article 14(1)(a) to (e) have made the assessment, the transaction is cancelled or its taxable value is reduced due to error or invalidity, the entities can set-off the stamp duty assessed and paid, up to the amount of subsequent assessments and payments in respect of the same number or point in the Schedule.
2. In the case of material errors or errors in calculating the stamp duty assessed and paid, the entities referred to in the preceding paragraph may correct these by setting off against subsequent payments.
3. Set-off as referred to in the preceding paragraphs shall be done within a period of one year counting from the date on which the tax falls due.
4. Stamp duty can only be set off if it is duly evidenced in the accounting records in terms of article 19(3)(d).

CHAPTER IX Final provisions

Article 32

Signature of documents

1. Declarations, reports and notifications shall be signed by the entities obligated to submit them or by their duly identified representatives or business managers.
2. Declarations, reports and notifications that have not been properly filled in and signed will be rejected, without prejudice to the sanctions established for failure to submit them.

Article 33

Sending documents by post

1. Declarations foreseen in this Code, as well as other declarative or informative elements that must be sent to the tax administration authorities, may be sent by post.
2. In the case contemplated in the preceding paragraph, the remittance must be effected so that the documents are received with the prescribed time limit, and it is considered that this time limit is met where it can be proved that the remittance took place at least five days before the expiry of the time limit.

Stamp Duty Schedule^(*)

Article numbers	Incidence	Rates
1.	Shares of joint stock companies and partnerships limited by shares and any other instruments representing capital of any type of company, as well as bonds, when they are transferred by simple delivery or by endorsement, including those in which the State has investments – on the value thereof.	0,4%
2.	Contractor's building permits:	
2.1	Works up to the value 200 000 000MT.	500 000MT
2.2	Works over the value of 200 000 000MT.	800 000MT
3.	Acquisition of ownership rights or divisions thereof, over immoveables, as well as the avoidance, invalidity or termination by mutual agreement of the corresponding contracts:	
3.1	Sale and purchase, exchange and transfer for valuable consideration of immoveable property – on the value thereof	0,2%
3.2	Gifts inter vivos of immoveable property – on the value thereof	0,4%
3.3	Partitions and divisions of immoveable property – on the value thereof	0,2%
3.4	Other acquisitions of immoveable property for valuable consideration – on the value thereof	0,2%
4.	Leases and subleases of immoveable property:	
4.1	Leases and subleases of immoveable property – on the value of the monthly rental as stipulated in the contract	2%
4.2	Leases and subleases of immoveable property for periods shorter than one month, without an option to renew or extend – on the highest rental or increase thereof stipulated for the term of the lease or sublease	2%
4.3	Alterations involving rent increases by way of contract review – on the highest contracted increase for a one month period	2%
4.4	Undertakings to lease or sublease, when followed by the leased property being made available to the lessee or sub lessee - on the value of the highest monthly rental	2%
5.	Instruments and documents executed before courts and services, establishments or organisations of the State or local autarchic authorities, even if personalised, including public institutes, involving the letting or auctioning of immoveable property, payment bonds for inheritance and gift tax, assignment, conference of interested parties agreeing on the adjudication of common property, acknowledgement of indebtedness, third party guarantee, mortgage, pledge, liability for losses and damages and transactions - each	250 000MT
6.	Credit cards, issued by credit institutions based or domiciled in national territory:	

^(*) As amended by Decree 38/2005 of 29 August

Article numbers	Incidence	Rates
6.1	Where a sum is to be paid for each card issued, renewed or replaced – on the sum paid, but not less than 10 000MT	4%
6.2	If no sum is to be paid – per card	10 000MT
7.	Any type of cheques, issued by credit institutions based or domiciled in national territory - each	500MT
8.	Loan (of things other than money) – on the value thereof, when it exceeds 5 000 000MT	2%
9.	Civil deposits in whatsoever form– on the respective value.	0,2%
10.	Writings of contracts, addenda, agreements or conventions, which are not specifically provided for herein, including those executed before public entities – each	200 000MT
11.	Exploitation, exploration and prospecting of geological resources that are public State property – per administrative contract	5 000 000MT
12.	Guarantees to secure obligations, in whatsoever nature or form, noting that an extension of the contract is always treated as a new transaction:	
12.1	Aval, bond, third party guarantee, autonomous bank guarantee and guarantee insurance – on the respective value, according to the term thereof:	
12.1.1	Created for a term of less than one year – per month or fraction thereof	0,02%
12.1.2	Created for a term of one year or more	0,2%
12.1.3	Created with no term or for a term of five years or more	0,3%
12.2	Mortgage and pledge – on the value thereof	0,3%
12.3	Other forms of security	0,3%
13.	Gaming:	
13.1	Gambling bets that are not subject to special gaming tax, in particular, those represented by tickets, slips, cards, raffles or tombolas, even if electronic processes are used – on the respective value:	
13.1.1	Totaliser bets	5%
13.1.2	Other bets	5%
13.2	Access cards/tickets for gambling rooms, or equivalent documents, under Law 8/94 of 14 December and the implementing regulations thereof, even if the respective price is not payable, has been waived by the grantor or the approval thereof has not been requested - each:	
13.2.1	Entry cards for casinos under special licence (casino clubs):	
13.2.1.1	C1, valid for one day, on the value thereof, which shall not be less than 50 000MT	50%

Article numbers	Incidence	Rates
13.2.1.2	C2, valid for eight days, on the value thereof, which shall not be less than 150 000MT	50%
13.2.1.3	C3, valid for one month, on the value thereof, which shall not be less than 300 000MT	50%
13.2.1.4	C4, valid for three months, on the value thereof, which shall not be less than 400 000MT	50%
13.2.1.5	C5, valid for the current year, on the value thereof, which shall not be less than 500 000MT	50%
13.2.2	Entry tickets for casinos under an exclusive licence (public casino):	
13.2.2.1	B1, valid for one day, on the value thereof, which shall not be less than 20 000MT	50%
13.2.2.2	B2, valid for eight days, on the value thereof, which shall not be less than 60 000MT	50%
13.2.2.3	B3, valid for one month, on the value thereof, which shall not be less than 120 000MT	50%
13.2.2.4	B4, valid for three months, on the value thereof, which shall not be less than 160 000MT	50%
13.2.2.5	B5, valid for the current year, on the value thereof, which shall not be less than 200 000MT	50%
13.3	Prizes from social amusement games:	
13.3.1	Lottery prizes – on the value thereof	5%
13.3.2	Prizes from any other form of social amusement game – on the value thereof	5%
14.	Licences:	
14.1	For establishments providing catering and beverages:	
14.1.1	Nightclubs and other establishments with spaces reserved for dancing, in particular, bars and discothèques	2 500 000MT
14.1.2	Other establishments	1 200 000MT
14.2	For the installation of automatic vending machines for goods or services in public places – per machine	1 200 000MT
14.3	Hunting licence – on the value of the fee	10%
14.4	Licence for felling forest products for commercial or industrial purposes – on the value of the fee	10%
14.5.	Fishing licences, excluding artisanal fishing – on the value of the fee	5%
14.6.	Other licences not specifically listed in this Schedule, granted by the State and local autarchic authorities or any of their services, establishments or organisations, even if they are personalised, including public institutes, per licence:	
14.6.1	When any fee or emolument is due in respect of the issue thereof - on the respective value	5%
14.6.2	When no fee or emolument is due	100 000MT

Article numbers	Incidence	Rates
15.	Traders books that are obligatory under the Commercial Code and other commercial legislation – per page	5 000MT
16.	Marks and patents – on the value resulting from the fees payable for all registrations and certificates.	10%
17.	Notarial business and deeds:	
17.1	Written deeds, wills and other instruments executed in the books of notaries, including private notaries – per instrument	250 000MT
17.2	Entitlement of heirs and legatees – per inheritance opened	100 000MT
17.3	Instruments for the opening and approval of closed and international wills – per instrument	250 000MT
17.4	Powers of attorney and other instruments for the granting of powers of voluntary representation, including mandates and appointments of substitutes under powers of attorney:	
17.4.1	Powers of attorney and other instruments conferring powers of voluntary representation – each:	
17.4.1.1	With commercial management powers	300 000MT
17.4.1.2	With any other powers	100 000MT
17.4.2	Appointment of substitutes – each	50 000MT
17.5	Recording of documents presented to notaries so that they can be archived – per recording	20 000MT
17.6	[Deleted]	
18.	Customs operations:	
18.1	Licence of appointment and log book of customs clearing agents:	
18.1.1	Self-employed, as an independent professional	2 500 000MT
18.1.2	As a partner, director or manager in a firm of clearing agents	1 800 000 MT
18.1.3	As a salaried employee in a firm or other entity	1 200 000 MT
18.1.4	As a forwarding agent	1 200 000 MT
18.2	[Deleted]	
18.2.1	[Deleted]	
18.2.1.1	[Deleted]	
18.2.1.2	[Deleted]	

Article numbers	Incidence	Rates
18.2.2	[Deleted]	
18.2.3	[Deleted]	
18.3	[Deleted]	
18.4	[Deleted]	
18.4.1	[Deleted]	
18.4.2	[Deleted]	
18.4.3	[Deleted]	
18.4.4	[Deleted]	
18.5	[Deleted]	
18.6	[Deleted]	
18.7	[Deleted]	
18.8	[Deleted]	
18.9	[Deleted]	
18.10	[Deleted]	
18.11	[Deleted]	
18.11.1	[Deleted]	
18.11.2	[Deleted]	
18.12	[Deleted]	
18.13	[Deleted]	
18.14	Personal guarantees or bank letters of credit (including declarations of responsibility registered by ships captains and their representatives, as surety for shortfalls in cargo on unloading)	0,5%
18.15	[Deleted]	
19.	Finance operations:	
19.1	Use of credit, in the form of funds, goods and other values, pursuant to the granting of credit in whatever manner, including the opening of credit facilities, advances, credit cards, debt instruments, bank loans, mutual funds, factoring, cash flow operations that involve financing, shareholder loans and any other credit operations, excluding the obligations referred to in article 1, noting that extensions of the contract are always considered as	

Article numbers	Incidence	Rates
	new loans – on the respective value, according to the term:	
19.1.1	Credit for a term of less than one year – per month or fraction thereof	0,03%
19.1.2	Credit for a term of one year or more	0,4%
19.1.3	Credit for a term of five years or more.	0,5%
19.1.4	Credit in the form of a current account, bank overdraft or any other form where the term is not determined or determinable, on the monthly average produced by adding the daily outstanding balances, during the month, and dividing the result by 30	0,03%
19.2	Operations carried out by or through credit institutions, finance companies or other legally similar entities and any other financial institutions – on the amount charged:	
19.2.1	Interest in respect of, namely, discounting of bills and public sector securities, loans, credit accounts and credits being settled	2%
19.2.2	Premiums and interest in respect of bills received/accepted, bills receivable for the account of third parties, drafts drawn on domestic entities or any transfers	2%
19.2.3	Commissions on guarantees given	1%
19.2.4	Other commissions and forms of consideration for financial services	2%
20.	Judicial requests or orders for the uplifting and delivery of money or existing values – on the amount to be uplifted or delivered	0,3%
21.	Legal, judicial, fiscal and customs proceedings – per page	1 000MT
22.	Registrations and entries in registers of moveable property subject to registration - each	100 000MT
23.	Repurchase operations – on the contract value	0,5%
24.	Insurance:	
24.1	Insurance policies – on the sum of the insurance premium, policy cost and any other amounts that constitute revenue for insurance companies and are charged together with the premium or under a separate document:	
24.1.1	“Life”, “Accident” and “Health” insurance	1%
24.1.2	“Motor vehicle – civil liability” insurance – and other insurance that is compulsory by law	2%
24.1.3	“Transport” insurance	2%
24.1.4	“Maritime”, “Railway” and “Aircraft” insurance	2%
24.1.5	“Guarantee” insurance	3%

Article numbers	Incidence	Rates
24.1.6	"Credit" insurance	3%
24.1.7	Any other class of insurance	5%
24.2	Brokering commissions – on the respective value net of stamp duty	2%
25.	Credit instruments:	
25.1	Bills – on the respective value, subject to a minimum of 50 000MT	0,2%
25.2	Promissory notes – on the respective value, subject to a minimum of 50 000MT	0,2%
25.3	Any nature of orders and writings, excluding cheques, which call for payment or delivery of money to someone's order, even if in the form of correspondence – on the respective value, subject to a minimum of 50 000MT	0,1%
25.4	Extracts of invoices ¹ and accepted invoices, on the respective value, subject to a minimum of 30 000MT.	0,3%
26.	Titles or licences for the right of land use and benefit, and addenda thereto – on the value of the fee	10%
27.	Public sector securities issued by foreign governments, excluding public sector securities issued by member States of the African Union, when they are in the national territory or are on sale there – on the nominal value.	1%

¹ Translator's note: *Extracto de factura* - a credit instrument representing the value of sales on credit between traders, drawn by the vendor on the purchaser.