



TAX NEWSLETTER

January 2024

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INTRODUTORY NOTE

The purpose of this Tax Newsletter is to draw attention to the relevant aspects of tax /parafiscal obligations of a periodic nature, as well as to highlight those in spite of not being of this nature should be complied during or from this month.

In particular, this month we highlight the registration of Foreign Direct Investment at the Bank of Mozambique.

However, it should be noted that this publication is not exhaustive and does not waive the consultation of the applicable legislation and is intended exclusively to be distributed to Mazars customers and partners.

Good reading!

(Joel Almeida)

JANUARY TAX CALENDAR

Deadline	Obligation
Until 5 th	Presentation of the information on the production and sales of minerals - no. 7, art. 4 of the Law of Decree no. 28/2015 of 28 th December.
Until 10 th	<p>Delivery, in the Directorate of Tax Areas, of the revenues collected by the Public Services in the previous month.</p> <p>Payment of contributions to the National Institute of Social Security (INSS) of the previous month- no. 3, art. 14 of Decree no. 51/2017 of 8th October.</p> <p>Settlement of the production tax (Mining Production Tax) – paragraph 1, article 7 of the Law of Decree No. 28/2015 of 28th December.</p> <p>Settlement of the tax on Petroleum Production – paragraph 1, Article 9 of of Decree no. 32/2015 of 31st December.</p>
Until 15 th	Delivery of VAT returns (normal regime) with Recoverable Tax - line a), paragraph 1, art. 32 of CIVA-Law no. 13/2016, of 30 th December.
Until 20 th	<p>Payment of PIT (IRPS) and CIT (IRPC) withheld at source in the previous month- paragraph 3 of article 25 of PIT Code Regulation, approved by Decree no. 8/2008, amended and republished by Decree no. 51/2018, of 31 August, of 16th April and paragraph 5 of article 67 Of the CIT code, approved by Law no. 34/2007, of 31st December.</p> <p>Delivery to the holders of income, of supporting documents (declaration) of the sums due in the preceding year, including income in species and their PIT (IRPS) withheld at source, to be processed by the entities responsible for any income that is obliged to Carry out retention at source – Line b), paragraph 1 of art. 40 of the RCIRPS, approved by decree 8/2008 of 16 April, amended and republished by Decree no. 51/2018, of 31 August.</p> <p>Payment of the stamp tax settled in respect of the preceding month-Art. 17 of Decree 6/2004 of 1 April</p> <p>Payment of the Petroleum Production Tax for the previous month, paragraph 2 of article 11 of the Regulation Specific Regime of Petroleum Taxation, approved by decree 32/2015 of December 31.</p> <p>Payment of Mining Tax for the previous month, paragraph 2 of article 9 of the Regulation of the Specific Regime of Mining Activity, approved by Decree 28/2015 of 28 December.</p>
Until the last day of the month	<p>Payment of VAT in respect of the previous month by the taxable persons of the normal regime - line b), paragraph. 1, article 32 of the VAT Code, approved by Law no. 13/2016, of 30th December.</p> <p>Payment of VAT in respect of the previous quarter by taxable persons of the simplified taxation regime - article 49 of the CIVA, approved by Law no. 13/2016, of 30th December;</p> <p>Payment of the ISPC for the previous quarter, paragraph 1, article 15 of the ISPC Regulation, approved by Decree No. 14/2009, of 14 April.</p>
During the month and until the end of the month of March	<p>Payment of vehicle tax- paragraph 1, article 8 of the ISV regulation approved by Decree No. 19/02 of 23 July.</p> <p>Delivery of the Declaration of communication of withholding tax-paragraph 1, line c), of article 40 of the CIRPS regulation approved by Decree No. 8/2008 of 16 April – M 20H.</p>

	Delivery by the debtors of the annual income Declaration on income subject to withholding tax at withholding rates whose holders benefit from exemption or reduction of rate - Art. ° 45 of Decree No. 8/2008 of 16 April.
During the month and until 30 April	Delivery of the annual income tax return for the previous financial year by PIT taxpayers who have earned income beyond the 1st Category – no. 1, Article 10 of the PIT Code Regulation approved by Decree no. 8/2008, of 16 April, amended and republished by Decree no. 51/2018, of 31 August - Model 10 and Annexes.
During the month and until the last working day of May	Delivery of the annual tax return for the previous financial year by CIT taxpayers - no. 1, art. 39 of the CIT Code Regulation approved by Decree no. 9/2008, of April 16 - Model 22 / 22A. Final payment of CIT and PIT (excluding individuals who have only received income from the 1st category) relating to income from the previous year - Alinea b) n° 1 art.27 of the CIT Code Regulation approved by Decree no. 9/2008, of 16 April and al. b), art.24 of the PIT Code Regulation approved by Decree no. 8/2009, of 16 April
During the month until the last working day of June	Delivery of the Annual Return of Accounting and Tax Information for the previous financial year by PIT taxpayers - 2nd category and CIT taxpayers - M 20 and Annexes - no. 3 art. 40 of the CIT Code Regulation, approved by Decree 9/2008 of 16 April and art. 35 of the PIT Code Regulation, approved by Decree no. 8/2009 of 16 April.

Registration of Foreign Direct Investment at the Bank of Mozambique

Introduction

Foreign Direct Investment consists in the application of capital from an individual or entity from another country to carry out an economic activity project, through a company registered and operating from the country.

The operations for the entry and exit of this capital into the country are regulated by the Bank of Mozambique in Notice 20/GBM/2017 of 27 December, which establishes the rules and procedures to be observed when carrying out foreign exchange operations.

Registration of Investment

According to article 73 of Notice 20/GBM/2017, of 27 December, Foreign Direct Investment is authorised, subject only to registration for exchange control purposes, which must be made with the Intermediary Bank (Commercial Bank) within 90 days of the effective entry of the investment amount. Registration is carried out by filling in the form drawn up by the Bank of Mozambique, accompanied by the following information:

- ✓ Identification documents;
- ✓ Copy of the Bank *Bordereau* issued by the Commercial Bank, proving the receipt of foreign currency in favour of the enterprise, when the investment is made through the entry of foreign currency;
- ✓ Presentation of single documents, when the investment is made through the import of equipment, machinery and other material goods provided for under the terms of the Contract¹;

- ✓ The investment is made through the right to use patented technologies and trademarks, the value of which is determined under the terms of the respective legislation¹.

Implications of non-registration of investment

Failure to register a foreign direct investment with Banco de Mozambique, through a commercial bank, after 3 years from the date of the effective entry of the value of the investment determines the non-recognition of the right to export profits or dividends, as well as the re-export of the invested capital, as established in no. 4 article 73 of Notice no. 20/GBM/2017, of 27 December.

Re-export of invested capital

Under the terms of article 76 of Notice no. 20/GBM/2017, of 27 December, in the context of liquidation of the company or divestment, the request for authorization to re-export the invested capital is made by filling out a form on a specific template at Banco de Mozambique, attaching the following elements:

- ✓ Identification documents of the parties;
- ✓ Proof of the realisation of the foreign direct investment;
- ✓ General meeting resolution authorising divestment or liquidation;
- ✓ Financial statements relating to the liquidation of the company;
- ✓ Proof of fulfilment of tax obligations in relation to the general situation of the applicant entity;
- ✓ Certificate of registration of legal entities proving liquidation

¹ When the investment is made through the delivery of these elements, the investment must be registered directly with the Bank of Mozambique.

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*where permitted under applicable country laws.

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