

Simplified Approval Process

Annex 9a: Legal due diligence



A Legal Due Diligence

1. Government or regulatory approvals, licenses or permits

a. The project activities envisaged will adhere to the following regulations pre-approved by the Ministries below:

- Ministry of Agriculture
 - [Protocole of execution in application from 2023 to 2028](#)
- Ministry of Foreign Affairs:
 - [Signed cooperation agreement](#)
- Ministry of Interior, community development and public safety
 - One Acre Fund [NGO Registration](#)

b. Other applicable regulations:

- [NGO legislation](#)
- [Environment and biodiversity](#)
- [Tree planting and protection of the environment:](#)
- [Seed sector law](#) regulating seed importation

2. Applicable taxes (or exemptions thereof) and foreign exchange regulations related to the project/programme.

a. Tax exemption on goods and funds, necessary for the execution of programs:

- i. The executing entity is exempted from tax according to [the law of NGOs](#) article 30 that states: The Government will grant, in accordance with the Finance Law, exemption from taxes, duties and fees on the organization's goods and funds, necessary for the execution of programs submitted to the Government in accordance with article 12, imported or acquired in Burundi. The said exemption is decided by the Ministry of Finance, on the advice of the Ministry of External Relations and International Cooperation.

b. Other applicable taxes:

- i. Payment of [professional tax on remuneration of local staff](#) (IPR), Every 15th of the month: The tax rate is set out in Article 21 of the Burundi Income Tax Act.
- ii. Payment of social security contributions to INSS, Every 3 months according to [the civil protection law](#),
- iii. Annual tax on expatriate staff, once a year, The tax is governed by Ministerial Ordinance no. 660/086/92 of 17 February 1992 regulating foreign employment in Burundi, article 12 of which stipulates that: 'Employers who resort to the employment of foreign labor are required to pay a tax calculated on the basis of 3% of the gross annual salary.
- iv. Taxes and customs duties on imports according to the [general code of taxation](#):
 1. Administrative fees
 2. Customs duty
 3. Flat tax