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ORDER N°

MINFI/DGI/ of

03 JAN 2022

Establishing the list of private sector companies, mixed companies, public companies, public administrative establishments, and local and regional authorities, entitled to withhold at source the value-added tax and the advance income tax for the 2022 fiscal year. 

THE MINISTER OF FINANCE,

- Mindful of The Constitution ;
- Mindful of The General Tax Code;
- Mindful of Law N°2021/026 of December 2021, bearing on the Finance Law of the Republic of Cameroon for the 2022 financial year;
- Mindful of Decree N° 2011/408 of December 9, 2011, organizing the Government;
- Mindful of Decree N° 2011/410 of December 9, 2011, forming the Government;
- Mindful of Decree N° 2013/066 of February 28, 2013, organizing the Ministry of Finance;
- Mindful of Decree N°2015/434 of October 2, 2015 bearing on the reorganization of the Government, modified and complicated by decree N° 2018/191 of March 2 2018
- Mindful of Decree N°2019/002 of January4, 2019 bearing on the reorganization of the Government.

HEREBY ORDERS AS FOLLOWS:

Section 1. - Under the provisions of sections 21, 92, 92 a, 143 et 149 of the General Tax Code, the following private sector companies, mixed companies, public companies, public establishments and local and regional authorities listed in the appendix of this order are entitled to withhold at source the Value Added Tax and advance payment of the income tax.

Section 2. –With exception to the administrative price scheme provided for in section 21 of the General Tax Code, the aforementioned withholdings are carried out during the settlement of their suppliers' invoices at the rates of 19.25% for the value-added tax and 2.2%, or 5.5% for the advance payment of the income tax for suppliers under the actual or the simplified tax assessment schemes, respectively.

Section 3. - Liberal professionals are liable to withholdings at the 5.5 % rate, irrespective of their tax assessment scheme.

Section 4. - The act constituting liability and the due dates are those provided for by the general tax code.

Section 5. - Any compensation between sums withheld at source and taxes owed by the collector is prohibited.

Section 6. - Local and regional authorities, Public Establishments and the companies listed in the appendix of this order are exempt from the withholding at source on invoices for their reciprocal services.

Section 7. - Local and decentralized bodies, public administrative establishments and companies listed in the appendix shall remit the taxes withheld at source into the coffers of the public treasury before the 15th of the month following that in which the withholdings are carried out.

Section 8. Failure to withhold or remit within the time limit shall be sanctioned per the provisions of the manual of tax procedures.

Section 9. - Failure to remit taxes withheld at source within the deadlines indicated in section 7 above shall immediately entail the application of forceful collection procedures provided for by the General Tax Code, without any prejudice of the sanctions defined by section 11 below.

Section 10. - Taxpayers enabled to withhold shall append to their annual tax returns, a list of all companies on which they have withheld taxes alongside their tax payers' numbers and the corresponding taxes withheld.

Section 11. - The entitlement to withhold at source can be suspended or temporarily awarded by the Director-General of Taxation during an exercise.

Section 12. - The Director-General of Taxes, the Director-General of the Treasury and Financial and Monetary Cooperation and the Director-General of the Budget shall each be charged in what concerns the application of this Order.

Section 13. - This order shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

THE MINISTER OF FINANCE



LOUIS PAUL MOTAZE