

THE PROPERTY TRANSFER TAX (AMENDMENT) BILL, 2021

MEMORANDUM

The object of this Bill is to amend the Property Transfer Tax Act so as to—

- (a) provide for a ten percent property transfer tax rate on the transfer of a mineral processing licence;
- (b) provide clarity on the period for the exemption of property transfer tax on an indirect transfer of shares;
- (c) permit the filing of a return by proxy where the transferor may be dead, absent from the Republic or cannot be located; and
- (d) provide for matters connected with, or incidental to, the foregoing.

M. D. KABESHA,
Attorney-General

A BILL

ENTITLED

An Act to amend the Property Transfer Tax Act.

ENACTED by the Parliament of Zambia

Enactment

1. (1) This Act may be cited as the Property Transfer Tax (Amendment) Act, 2021, and shall be read as one with the Property Transfer Tax Act, in this Act referred to as the principal Act.

Short title and commencement

Cap. 340

(2) This Act shall come into operation on 1st January, 2022.

2. Section 2 of the principal Act is amended by the—

Amendment of section 2

(a) deletion of the definition of “property” and the substitution therefor of the following:

10 “property” means—

(a) a land in the Republic;

(b) a share issued by a company incorporated in the Republic or a share issued by a company incorporated outside the Republic where the company directly or indirectly owns at least ten percent of the shares in a company incorporated in the Republic;

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(c) a mining right issued under the Mines and Minerals Development Act, 2015, or an interest in the mining right;

Act No. 11 of 2015

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(d) a mineral processing licence issued under the Mines and Minerals Development Act, 2015, or an interest in the mineral processing licence; and

Act No. 11 of 2015

(e) intellectual property; and