

EXECUTIVE ORDER NO. 3

GOVERNMENT REVENUES AND OBLIGATIONS

WHEREAS, it is provided by Chapter one, section seven of the Tax Code of Liberia that all tax revenue shall be considered the general revenues of Liberia and shall be paid into **the Consolidated Fund** and available for appropriation for the general purpose of the Liberian Government; and

WHEREAS, it is further provided by Chapter one subchapter B, section fifty six subsections (a) and (b) of the Tax Code that the Minister of Finance and the Deputy Minister of Revenues are authorized and required to collect and oversee the collection of all tax revenues of the Liberian Government; and

WHEREAS, it is also provided by Chapter one, section two of the Act Abolishing the payment of non-refundable fees and taxes to Agencies and Ministries of Government other than the Ministry of Finance that only the Ministry of Finance shall collect and deposit all legal taxes; and

WHEREAS, it is provided by section thirty nine of the Act establishing Central Bank of Liberia that the Central Bank of Liberia shall be the fiscal agent and depository of all government revenues and funds; and

WHEREAS, notwithstanding the above provisions of law, various Agencies and Ministries of the government continue to assess and collect taxes, fees and other assessments and deposit them in depositories other than the Central Bank of Liberia; and

WHEREAS, it is necessary to enhance, ensure and keep inviolate the centralization of collections and deposits of all government revenues, as provide for in the Tax Code and the Act establishing the Central Bank of Liberia, so as to facilitate better fiscal management, transparency and accountability;

WHEREAS, it is hereby further provided that all guarantees and encumbrances issued or to be issued against the general revenue of Government of Liberia, by of Public Corporations and or other Governmental Agencies and Institutions shall be signed or attested to by the Minister of Finance.

NOW, THEREFORE, the Government of Liberia hereby adopts and incorporates by reference the revenue code and other relevant statues, and orders the following measures:

1. The Ministry of Finance shall be the only authorized Agency of the Government to contract, obligate, negotiate for the procurement of goods and services for and on behalf of the Government of Liberia, thus creating legal and legitimate obligations and encumbrances, including all guarantees against the general revenue of the Government.
2. The Ministry of Finance is the only authorized and empowered Agency of the Government to collect taxes, fees and assessments of whatever nature or kind on behalf of the Government of Liberia, and that any official of Government, other than designated official of the Ministry of Finance, who collects any tax, fees or assessment for the Government of Liberia shall, consistent with law, be removed from office and prosecuted for the offence of felony of the third degree.
3. The Ministry of Finance shall sign all contracts, obligations, and negotiations for the procurement of goods and services for and on behalf of the Government of Liberia, thus creating legal and legitimate obligations and encumbrances against the general revenue of the Government;
4. Any payment to any agency or ministry, other than the Ministry of Finance, of any tax, fee or assessment due to the Government of Liberia shall not be acknowledged by the Ministry of Finance and that the taxpayer shall continue to be obligated to the Ministry of Finance for such tax, fee or assessment.
5. The Central Bank of Liberia is the only depository of revenues and funds of the Government of Liberia; and accordingly, all payments of taxes, fees and assessment shall be made to the Ministry of Finance by deposit with the Central Bank of Liberia. Also any payment to any agency or ministry or any other person shall not be considered as payment of the tax, fee or assessment due and payable to the Government of Liberia.
6. The procedure for the payment of all taxes, fees and assessments due payable to the Government of Liberia is as follows:
 - i. The taxpayer shall process his document(s) at the Ministry of Finance or other Ministry or Agency and obtain a bill indicating the total amount of taxes, fees or assessment required to be paid.
 - ii. Based upon the processed document(s), the Ministry of Finance shall issue the taxpayer a Bank Payment Slip (BPS), which contains the taxpayer's name, address, tax code, type of tax, tax period, bill number, amount and any other information deemed necessary by the Ministry of Finance.

- iii. The taxpayer shall take the BPS to the BPS automated Cashier and make payment. For amount greater than L\$5,000.00 (Liberia Dollars Five Thousand) or US\$100.00 (United States Dollars One Hundred), payment must be made by a manager's or certified check. Any amount lower may be paid in cash.
 - iv. Evidence of payment of any tax, fee or assessment shall be by a flag receipt, issue in triplicate copies by the PBS automated Cashier to the taxpayer and each copy shall be machine-stamped. The original receipt shall be for the taxpayer, while the Ministry shall retain the two copies.
 - v. The BPS Automated Cashier shall prepare a Daily Revenue Collection Report (DRCR) for all payments of taxes, fees and assessments for each day; and to the DRCR, the Cashier shall attached one copy of the BPS and one copy of the flag receipt. The DRCR shall be sent to the Minister of Finance on the day following the date of all payments listed in said DRCR.
7. The only exceptions to the above procedures for centralized collection of taxes, fees and assessment due and payable to the Government of Liberia are as follows:
- i. Revenue from the maritime and corporate registry programs which shall be sent by the manager of these programs by telegraphic transfer directly to specified account(s) of the Liberian Government at the Central Bank of Liberia,
 - ii. Court fines and taxes due from petty traders may, by directives of the Minister of Finance, be paid to designated cashiers at the Ministry of Finance and that total daily payments sent over to the Central Bank of Liberia at the end of the business day or the following business day; and
 - iii. Taxes, fees and assessments in small amounts due from taxpayers outside of Monrovia and its immediate environs may, upon the directives of the Minister of Finance, be collected by designated tax collectors of the Ministry of Finance, who shall issue flag receipt, deposit and the amount collected with the Central bank of Liberia on a monthly basis on the first business day after the end of the month, and file a report with the Ministry of Finance.

8. Custom duty drawbacks and tax credits are hereby abolished. Holders of the existing custom duty drawbacks and tax credits are hereby ordered to submit to the Minister of Finance within **Thirty (30) days** as of the date of this **Executive Order** the instrument(s) and the evidence to substantiate the provision of the goods and services against which the drawback(s) and or credit(s) is or are in support thereof. Any custom duty drawback and tax credit which is not submitted within this time, shall be considered lapse and be of no effect whatsoever.
9. Within **ninety (90) days** as of this **Executive Order**, the Minister of Finance shall scrutinize and process all custom duty drawbacks and tax credits and, if legitimate, confirms these as obligations of the Liberian Government for settlement.

**GIVEN UNDER MY HAND AND THE SEAL
OF THE REPUBLIC OF LIBERIA
THIS 31st DAY OF MARCH, A.D. 2006**

**Ellen Johnson-Sirleaf
PRESIDENT OF LIBERIA**