

To Our Esteemed Clients,

Kindly note that the Finance Bill, 2019 (Hereinafter “the Bill”) has not yet been assented into Law. As such the provisions of the said Bill are not in operation.

Please be advised that the Bill initially released had indicated that the commencement date of all other provisions except Sections 7, 12 and 46 was 1st October 2019. However, the updated version specifically highlights under Section 1 that the commencement dates of the Finance Act, 2019 are as follows:-

(1) This Act may be cited as the Finance Act, 2019, and shall come into operation, or be deemed to have come into operation, as follows—

(a) sections 7, 12 and 46, on the 1st January, 2020; and

(b) all other sections, on the assent.

The change of the commencement dates to be upon assent could have been informed by the decision of the High Court in *Petition No. 253 of 2018, Okiya Omtatah Okiiti V Cabinet Secretary, National Treasury & 3 Others [2018] ECLR*, where it specifically declared that:-

The Finance Bill 2018, or any parts or provisions thereof, including on taxation, could not be implemented before the Bill becomes the Finance Act after it goes through the parliamentary legislative process laid put in the Constitution for approval and adoption by Parliament, and assent by the President.

To that end and based on the provisions of Section 1 of the Bill, we wish to advise you that the Finance Bill, 2019 will only be implemented upon assent by the President.

We shall keep you updated once the Finance Bill, 2019 is assented into Law.