



**LIBERIA REVENUE AUTHORITY
REVENUE ADMINISTRATIVE REGULATIONS**

REGULATION N0. : **IV. [1166-1]- [02-03-20]**

SUBJECT : **Administrative Regulations on the control of
the Liberian Excise Tax Stamp regime.**

DATE : **January 6, 2020**

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I. INTERPRETATION

- a) In these administrative regulations, unless the context otherwise requires –
- b) “authority” means Liberia Revenue Authority.’
- c) “commissioner” means the Commissioner General of the Liberia Revenue Authority or his/her designated person.
- d) “excisable goods” means goods manufactured in Liberia or imported into Liberia and specified in Schedule 1: Excise Tariff of the Reformed Excise Law (2018) of Liberia.
- e) “excise stamps” means stamps approved by the Commissioner to be affixed to excisable goods in accordance with these Regulations.
- f) “importer” means a person registered as an importer by the Commissioner to import excisable goods.
- g) “the law” means the Reformed Excise Tax Law (2018).
- h) “manufacturer” means a manufacturer registered to manufacture excisable goods.
- i) “package” means a packet, bottle or similar unit of excisable goods.
- j) “packet” means a packet containing twenty cigarettes packed for sale.
- k) “printer” means authorized manufacturer of excise tax stamps.



1.0 PREAMBLE

WHEREAS, Part VII, Transitional Provisions of the Liberia Revenue Authority (LRA) Act of 2013, Section 38(1), Repeals and consequential Amendments transferred the administrative and operational powers and duties the Code assigns to the Minister or Deputy Minister of Finance and Development Planning to the Commissioner General of the Liberia Revenue Authority;

WHEREAS, Section 21(1)(a) & (b) of LRA Act of 2013 provides that the Commissioner General shall be responsible for the administration and supervision of the Code, the direction and day-to-day management and administration of the Authority, for the supervision of the execution of officers, managerial staff, and other employees of the Authority as well as other matters of the Authority. The Commissioner General shall also:

- a. Ensure the effective and fair interpretation, application and implementation of the Code;
- b. Ensure the proper and diligent implementation of the LRA Act of 2013;

WHEREAS, the general authorization provision of Section 8(1) of LRA Act of 2013 is to transparently, equitably and fairly administer collection of national revenues and to ensure the deposit of all amounts assessed and collected into the Consolidate Fund;

NOW, THEREFORE, in pursuant to the law, the Commissioner General herewith sets the following procedures and guidelines regarding the requirements for specified excisable goods to carry Excise Tax Stamps and how that system is controlled by the LRA.

2.0 LEGAL BASIS

These Administrative Regulations are in pursuance to Section 1166(1) of the Reformed Excise Tax Law (2018) which states, "The Commissioner General may in regulations specify: (a) the excisable goods to which excise stamps shall be affixed or applied; (b) the systems of management of excisable stamps and excisable goods, and (c) the place and time of affixing or applying excise stamps."

3.0 PURPOSE

The purpose of these Administrative Regulations is to:

- a. make clear the goods to which excise tax stamps shall be affixed or applied;
- b. clearly lay-out the management system that shall be used in the administration of the excise tax stamps and excisable goods; and

- c. identify the place and time of affixing or applying the excise tax stamps on the specified goods.

4.0 PROCEDURE

- 4.1 Goods to which excise tax stamps shall be affixed or applied:
- 4.1.1 Alcoholic beverages for human consumption under HS Codes (2203, 2204, 2205, 2206 and 2208), whether bottled, canned or packaged in any other form;
 - 4.1.2 Non-alcoholic beverages for human consumption under HS Codes (2009 and 2201), whether bottled, canned or packaged in any other form, but locally produced water in plastic bag or sachet shall be excluded;
 - 4.1.3 Cigarettes under HS Code (240220); and
 - 4.1.4 Any other excisable product prescribed by the Commissioner.
- 4.2 Goods exempted from excise tax stamps marking requirements are as follows:
- 4.2.1 Locally produced Palm wine under HS Code (2206.0091.00);
 - 4.2.2 Goods produced for export or that cross Liberia border for transit or goods intended for the supply to a duty-free outlet;
 - 4.2.3 Goods imported into Liberia or purchased in Liberia by a diplomatic or consular mission or diplomat or consul or a member of the diplomat or consul's family forming part of the diplomat or consul's household in Liberia to the extent provided under the Revenue Code;
 - 4.2.4 Goods brought into Liberia by private individuals from abroad for their own personal use.
- 4.3 **Types of excise tax stamps:**
- 4.3.1 The Commissioner shall determine the design and specification of the excise tax stamps. However, designation and specification of the excise tax stamps may be changed at any time for reasonable cause, subject to a reasonable transitional period for any new style of excise tax stamps being introduced.
 - 4.3.2 Design and specification of excise tax stamps for cigarettes:
 - 4.3.2.1 Dry paper stamps, size: 44mm x 20mm.
 - 4.3.2.2 Self-adhesive stamps, size: 20mm x 20mm.
 - 4.3.2.3 Save as the Commissioner otherwise allows, cigarettes may only be sold in Liberia in packets of 10 or 20 sticks per packet. In cases where packet sizes of a number of

cigarettes other than ten or twenty must be notified to the Commissioner for approval.

- 4.3.2.4** Save as the Commissioner otherwise allows, for small consignments imported from countries with a land border with Liberia, the excise tax stamp on cigarettes must be applied in such a way that it becomes broken and unfit for any future use and is across the lid closure and under the cellophane wrapper.

4.3.3 Design and specification of excise tax stamps for alcoholic beverages

- 4.3.3.1** For beer in metallic cans, self-adhesive paper stamps, size: 15mm x 15mm must be used. The stamp contains information of the volume of the package that can be: 33, 50, 75, and 100 centiliters.

- 4.3.3.2** For alcoholic beverages, except beer in metallic cans less than 100 centiliters, self-adhesive paper stamps (70mm x 20mm) must be used. Different categories of alcohol must have different stamps as follows:

- 4.3.3.2.1** HS codes 2203: the stamp has “beer” label printed on Volumes: 33, 50, 75, 100, 300, 500 centiliters;

- 4.3.3.2.2** HS codes 2204, 2205, 2206: the stamp has “alcohol” label printed on volumes: 10, 25, 33, 50, 70, 100, 200, 300, 500 centiliters;

- 4.3.3.2.3** HS code 2208: the stamp has “hard alcohol” label printed on Volumes: 10, 15, 33, 50, 75, 100, 200, 300, 400, 500 centiliters;
Should any alcoholic beverage be sold in package sizes not listed in the above Regulation, the stamp to be used is for the size above the actual size of the package.

4.3.4 Design and specification of excise tax stamps for non-alcoholic beverages

- 4.3.4.1** For non-alcoholic beverages in metallic cans, self-adhesive paper stamps, size (15mm x 15mm) must be used. The stamp contains information of the volume of the package that can be: 33, 50, 75 and 100 centiliters.

- 4.3.4.2** For non-alcoholic beverages, except non-alcoholic beverages in metallic cans less than 100 centiliters, self-adhesive paper stamps, size (70mm x 20mm) must be used.



Different categories of alcohol must have different stamps as follows:

- 4.3.4.2.1 HS Code 2009: the stamp has “fruit juice” label printed on volumes: 33, 50, 75, 100, 300, and 500 centiliters;
- 4.3.4.2.2 HS Code 2201: the stamp has “water” label printed on volumes 33, 50, 75, 100, 300, and 500 centiliters;

4.4 Appointment of a printer to print excise stamps;

- 4.4.1 Subject to the law regulating public procurement, the Commissioner shall appoint a printer to print and deliver excise tax stamps;
- 4.4.2 The printer appointed to print excise tax stamps required under paragraph 4.4.1. shall not print any excise tax stamps required under these Regulations unless authorized by the Commissioner to do so.
- 4.4.3 The appointed printer must keep records of all excise tax stamps produced and distributed.

4.5 Delivery of excise stamps:

- 4.5.1 The printer shall deliver excise tax stamps to the Commissioner at a prescribed address.
- 4.5.2 The Commissioner is responsible for supplying excise tax stamps to the manufacturers or importers of cigarettes or alcoholic beverages.
- 4.5.3 The importer shall request, on a prescribed form, the Commissioner to authorize the printer to make direct supply of excise tax stamps to the foreign manufacturer of cigarettes or alcoholic beverages.
- 4.5.4 The Commissioner may, where necessary and subject to such conditions as the Commissioner may impose, require the



printer to deliver the stamps directly to a foreign manufacturer of cigarettes or alcoholic beverages.

4.5.5 The printer shall notify the Commissioner of the quantity and type of excise tax stamps supplied to foreign manufacturer within such period as the Commissioner may require.

4.6 Requesting and obtaining excise stamps:

4.6.1 A manufacturer or importer of cigarettes or alcoholic beverages shall apply to the Commissioner for excise stamps in the standard form of the LRA as specified in Annex 1 by stating the required excise tax stamp types and quantities.

4.6.2 The Commissioner shall review type and number of excise stamps and inform the manufacturer or importer about the type, quantity and cost of excise stamps within five (5) working-days of the receipt of the order.

4.6.3 The Commissioner may refuse to deliver excise tax stamps to a manufacturer or importer, if any of the following conditions exist:

4.6.3.1 A manufacturer or importer does not fully account for excise tax stamps previously issued to him or her;

4.6.3.2 Failure to comply with provisions of the law pertaining to filing returns and payment of excise tax;

4.6.3.3 The stamps ordered are for a product for which the manufacturer or importer are not approved to manufacture or import.

4.6.4 A manufacturer or importer of cigarettes or alcoholic beverages shall pay the price of excise tax stamps on the approval of the application by the Commissioner. Price of various types of excise tax stamps can also be found on the LRA Website.

4.6.5 The Commissioner shall issue excise tax stamps after payment verification of the excise tax stamps.

4.6.6 The Commissioner may require proof of importation by an importer of cigarettes or alcoholic beverages before issuing the importer with excise tax stamps.

4.6.7 The Commissioner may request a manufacturer or importer to present a bank guarantee or any other proof of financial stability before issuing excise tax stamps.

4.6.8 A manufacturer or importer shall be responsible for transporting excise tax stamps in a secure fashion from the

stamps warehouse to its/his/her own premises either in Liberia or abroad.

4.6.9 A manufacturer or importer of cigarettes or alcoholic beverages may, with the prior approval of the Commissioner, transfer excise tax stamps held in stock by the manufacturer or importer to another manufacturing or importing unit owned by the same manufacturer or importer. However, a manufacturer or importer of cigarettes or alcoholic beverages shall not transfer excise tax stamps to another manufacturer or importer.

4.6.10 The Commissioner may issue a Notice which explains the conditions of the ordering and delivery of excise tax stamps. The process and controls in this Notice must be followed by all relevant persons in the excise tax stamp supply chain.

4.7 Return of excise tax stamps:

A manufacturer or an importer of excisable goods to which these regulations apply shall return any unused or spoilt excise tax stamps to the Commissioner under the following conditions:

- 4.7.1** if there are defects in the excise tax stamp sheets or reels;
- 4.7.2** if the Commissioner makes a declaration that the excise tax stamps or some of them are out of use;
- 4.7.3** if a specific excisable good has become exempt from the requirement to have excise tax stamps;
- 4.7.4** if the manufacturer stops manufacturing of excisable goods; or
- 4.7.5** if there is a discrepancy between declared and the verified imports of relevant excisable goods

4.8 Refund to manufacturer or importer on fees paid for excise tax stamps:

The Commissioner may refund to the manufacturer or importer of cigarettes or alcoholic beverages, as the case may be, the excise tax stamps fees paid for excise stamps within 90 days of return of the stamps.

4.9 Place and time of applying or affixing excise tax stamps on the production or importation of relevant excisable goods:

- 4.9.1** Excise tax stamps shall be applied or affixed by a manufacturer or an importer on each package of relevant excisable goods that are subject to excise tax stamp;
- 4.9.2** A manufacturer shall apply or affix excise tax stamps on every

- package before it is delivered out of the factory;
- 4.9.3** An importer shall be required to apply or affix excise tax stamps on each package before shipment from abroad (i.e. country of origin of goods);
- 4.9.4** In specific cases, if arranged and agreed, the Commissioner can allow affixing stamps in Customs controlled zones;
- 4.9.5** Foreign manufacturers shall apply excise tax stamps on every package before shipment from the country of origin;
- 4.9.6** Application for excise tax stamps onto a relevant excisable good shall be done in a manner that ensures the excise tax stamp will be broken when the package is opened in the normal fashion or will be otherwise rendered unusable;
- 4.9.7** Marking of cigarettes with a dry excise tax stamp shall be carried out inside the polyethylene cover.
- 4.9.8** Except where the Commissioner otherwise allows, excise tax stamps must be affixed in a manner specified by these regulations
- 4.9.9** Damaged excise tax stamps shall be preserved for verification by the Commissioner;
- 4.9.10** The Commissioner has a tolerance threshold for damaged excise tax stamps; which shall be one percent of relevant excisable goods produced or imported during reporting period;
- 4.9.11** Where a manufacturer or importer cannot account for any excise tax stamps issued to him more than specified tolerance threshold, the Commissioner shall compute the excise tax and other taxes on the unaccounted for excise tax stamps based on the highest excise rate of excise tax, value and volume of relevant excisable goods manufactured or imported by the manufacturer or importer, as the case may be;
- 4.9.12** Excise tax stamps placed on cigarettes or alcoholic beverages shall be verified and authenticated by a manufacturer, importer, distributor, retailer or any other person involved in the supply chain of cigarettes or alcoholic beverages before admitting the goods in the manufacturer's, importer's, distributor's, retailer's or other person's premises.

The Commissioner may issue a Notice stating the obligations and processes involved in the correct application of the process in Regulation

5.0 Sales of goods:

- 5.1.1** Selling relevant excisable goods, or the removal of relevant excisable goods from a production premises in Liberia, or the importation into Liberia without the relevant excise tax stamps being fixed in the correct manner, is an offence.
- 5.1.2** Unmarked or incorrectly marked cigarettes or alcoholic beverages will be confiscated.
- 5.1.3** Cigarettes sold per stick must be taken from a packet that has the relevant excise tax stamp fixed during the moment of selling.

6.0 Accounting and reporting:

- 6.1.1** The Commissioner shall maintain a record of excise tax stamps received from the printer and issued to the manufacturers and or importers of relevant excise goods;
- 6.1.2** A manufacturer or importer of relevant excisable goods shall maintain records of excise tax stamps received, affixed, damaged, lost, returned and declare the actual balance of stamps in stock.
- 6.1.3** A manufacturer or importer of relevant excisable goods shall account for excise tax stamp usage in a monthly reconciliation statement given in Annex 2 not later than 21st of the month following the accounting period.
- 6.1.4** A manufacturer or importer of relevant excisable goods shall account and store in a protected environment all documents related to the production or procurement of cigarettes or alcoholic beverages such as delivery notes, invoices or such other documents.

7.0 Penalties:

Penalties for violating provision of these regulations shall be subject to civil or criminal penalties under the Liberia Revenue Code of 2000 as amended, and related laws of the Republic.

8.0 TRANSITIONAL PROVISIONS

- (a) The Commissioner shall by public notice determine the date from which manufactures and importers are to affix the excise tax stamps on the cigarettes and alcoholic beverages.
- (b) Three months after the date determined by the Commissioner, a manufacturer, importer, wholesaler or retailer shall not sell or distribute cigarettes or alcoholic beverages that do not bear the excise tax stamp.
- (c) A manufacturer, importer, wholesaler or retailer that still has a stock of cigarettes or alcoholic beverages not sold after the transitional period

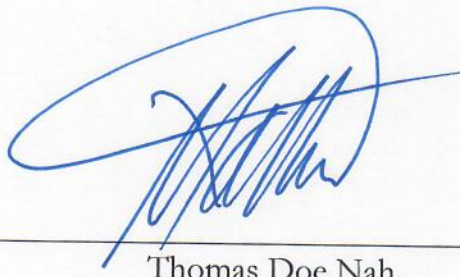
shall take an inventory and buy the commensurate quantity of excise tax stamps from the Commissioner to be affixed to the stock before selling the cigarettes or alcoholic beverages.

9.0 PUBLIC NOTICE

The public is hereby notified that these regulations set the procedures and guidelines for the issuance and use of excise tax stamps on the abovementioned commodities as specified by the Commissioner General of the Liberia Revenue Authority; which is so ordered by Section 1166(c) of the Code.

10.0 EFFECTIVE DATE

These Administrative Regulations shall take effect as of April 1, 2020.



Thomas Doe Nah
COMMISSIONER GENETRAL
Liberia Revenue Authority

Annex 1. Excise Stamps Request Form



LRA
LIBERIA REVENUE AUTHORITY

STAMPS REQUEST FORM



Instructions:

1. Use this form to request new excise stamps for cigarettes and alcoholic beverages.
2. This form must be submitted together with proof of payment made for excise stamps

1. Taxpayer

1a. Taxpayer name		1b. TIN	
1c. Phones		1d. Email	
1e. Representative's full name	1f Representative's identification number	1g. Representative's position in the company	1h. Representative's signature

2. Requested stamps specification

HS code	Name of product	Number of excise stamps	Unit price of Excise Stamps	Total amount

3.Source of goods manufacturers or wholesalers details					
LEGAL NAME, IDENTIFICATION#	ADDRESS		PRODUCTS		

Annex 2: Excise Stamp Monthly form



EXCISE STAMPS MONTHLY RECONCILIATION FORM

Domestic Tax
Department

Instructions:

1. Use this form for monthly reconciliation of excise stamps
2. This form must be submitted before 21st of the next month

1. Taxpayer									
1a. Taxpayer name					1b. TIN				
1c. Phones					1d. Email				
1e. Representative's full name			1f Representative's identification number		1g. Representative's position in the company		1h. Representative's signature		
2. stamps transactions									
Stamps category	Number of stamps at the beginning of the period	Number of stamps purchased	Number of stamps affixed	Number of stamps damaged or lost	Number of stamps returned	Number of stamps in stock (balance)			