

THE UNITED REPUBLIC OF TANZANIA

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SUBSIDIARY LEGISLATION

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THE INCOME TAX ACT,
(CAP. 332)

ORDER

(Made under section 10)

THE INCOME TAX (EXEMPTION) (THE AGREEMENT TO RESTRUCTURE AIRTEL
TANZANIA PLC AND SETTLE DISPUTES) ORDER, 2021

- Citation 1. This Order may be cited as the Income Tax (Exemption) (The Agreement to Restructure Airtel Tanzania PLC and Settle Disputes) Order, 2021 and shall be deemed to have come into operation on the 22nd day of December, 2021.
- Exemption 2. Any tax payable in the transactions stipulated under the Schedule by Airtel Tanzania PLC (“ATZ”) or BHARTI AIRTEL TANZANIA B.V (“BATBV”) or BHARTI AIRTEL INTERNATIONAL (NETHERLANDS) B.V. (“BAINBV”) or the Government of the United Republic of Tanzania (“GoT”) pursuant to the Agreement to Restructure Airtel Tanzania PLC and Settle Disputes dated 7th June, 2019 as amended by an addendum dated 21st day of December, 2021 is hereby exempted.
- Expiry 3. This Order shall expire after completion of the transactions specified under the Schedule to this Order.

Income Tax (Exemption) (The Agreement to Restructure Airtel Tanzania PLC and Settle Disputes)

GN. NO. 808 (Contd.)

SCHEDULE

(Made under paragraph 2)

TRANSACTIONS IN RESPECT OF WHICH TAX PAYABLE IS EXEMPT

S/N	Type of Transaction
1.	New shares equal to 9% of the paid up share capital of 'ATZ' issued on 29 th November 2019 to the GoT at no cost.
2.	ATZ's payment of TZS 1,000,000,000 per month for support services to the GoT for 60 months beginning on 1 st April 2019.
3.	ATZ's special dividend to its shareholders in proportion to their shareholding for the financial year 2019.
4	Sale of Towers and the Towers Sale Proceeds distribution as set out in Part A of Schedule 6 of the Agreement.
5	BATBV waiver of the Outstanding Shareholder Loans and other claims set out in Part B of Schedule 6 of the Agreement.
6	Settlement of the BAIN Tax Assessments, the Compliance Order Decision and the ATZ Tax Assessments as per Article 2.2 (h) of the Agreement.

Dodoma,
24th December, 2021

MWIGULU LAMECK NCHEMBA MADELU
*Minister for Finance and
Planning*