

REPUBLIC OF RWANDA



Tax Expenditure Report

2022/23

MINISTRY OF FINANCE AND ECONOMIC PLANNING

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Contents

SUMMARY FINDINGS.....	3
1. Introduction	4
2. Value Added Tax.....	5
Benchmark.....	5
VAT estimations.....	7
3. Income Tax	12
Benchmark.....	12
Income tax estimations	13
4. Import Duties	17
Benchmark.....	17
Import duties estimations	18
TECHNICAL ANNEX	20
1. Value Added Tax.....	21
Data sources	21
Reallocation of wholesale and retail trade.....	21
Growth rate calculations	21
Exclusion of Government	22
2. Income Tax	22
Data sources	22
3. Import Duties	22
Data sources	22
Calculation notes	23

SUMMARY FINDINGS

Tax expenditure (TE) is concentrated in VAT and import duties which have an approximately equal share. In previous years VAT expenditure has been the largest contributor. This changed as customs expenditure increased substantially both in nominal terms and as a percentage of potential revenues. The main expenditures in import duty come from stays of application and investment incentives. The majority of overall tax expenditure relates to the activities of large producers. Tax expenditure has increased by Rwf 104.9 billion compared to 2021/22, representing additional 2.4% of potential tax revenue.

The increase in import duties tax expenditure compared to 2021/22 is largely explained by increased imports of industrial inputs by investors and the Stays of Application on specific products like sugar, wheat and rice. VAT expenditure changes are driven by increases across a range of sectors, but particularly Education, energy equipment (fuel and LPG), while the decreasing Income tax expenditure is attributed to loss carried forward and accelerated depreciation provision arising from Financial and telecommunication sector.

Table 1: Overview of total tax expenditure by tax type in 2022/23

Tax type	Tax expenditure (Rwf bn)						Tax expenditure as % of potential tax revenue***						TE as % of total TE
	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	
VAT	117.9	133.4	141	172.6	205.4	248.6	26.0%	26.0%	23.5%	28.0%	29.4%	26.2%	44.7%
Income tax *	22.9	33.4	41.3	54.9	76	50.5	8.9%	10.9%	12.1%	13.6%	16.2%	4.6%	9.1%
Import duties **	49	79.5	110.2	145	170	258.8	39.8%	33.3%	39.6%	41.6%	43.4%	60.4%	46.5%
Total	189.8	246.3	292.5	372.5	451.4	556.3	14.3%	16.5%	17.9%	19.3%	20.1%	22.5%	100%

Across all tax types, we exclude TE on purchases and outputs by public institutions because it is tax revenue spent to provide public services. Including govt, VAT TE is Rwf 458.3bn and import duties TE is Rwf 289.7bn. For consistency, we also exclude VAT revenue from govt.

* Income tax estimations are for the previous calendar year, not fiscal year due to the CIT tax schedule. (E.g. 2022 instead of 2022/23.) The estimations exclude some tax expenditures that are not currently measurable.

** we measure TE compared to a baseline of EAC / COMESA tariffs, and we have included excise duty, WHT 5% and Infrastructure Development Levy TE based on the same Customs laws.

*** Potential tax revenue is obtained as the sum of tax expenditure and actual tax collection



The figures in **Table 1** do not show the revenue that would be gained from removing tax expenditures. For any such decisions, it will be at least as important to consider the context and rationale for each tax expenditure rather than just the estimates in isolation.

Estimating these requires different assumptions depending on the granularity of the data available. The VAT calculations uses 2017 SUT data and sector-specific growth rates to estimate 2022/23 levels. They also exclude the 46% of production by the informal sector – we assume there are no changes to what proportion of the economy is informal.

Rationale for tax expenditure

The reasons for Rwanda's tax expenditure can be broadly summarized into five groups:

- Improving affordability of sensitive products (such as healthcare, education and agriculture);
- Internationally recognized administrative difficulties about how to apply taxes (such as defining the value added in financial services or gambling);
- Regional integration and harmonization (such as EAC-wide import duty exemptions);
- Targeting development and competitiveness of priority sectors (such as transport); and
- Attracting investment to Rwanda, which generates other economic benefits (such as job creation, export, economic growth, knowledge sharing and local production).

Tax expenditure decisions should be considered as trade-offs between the benefits and their costs, and any policy evaluations should consider the magnitude of the benefits too. Estimating this is a separate question beyond the scope of this report. We see that VAT and import duty provisions form the majority of measured tax expenditure. Most of these have the primary aim of improving affordability and/or promoting priority sectors.

1. Introduction

Tax expenditure is one of the channels that GoR uses to support economically a given type of taxpayer if they meet certain outlined criteria but are frequently subject to less scrutiny than direct spending and subsidies. It is the tax revenue that is foregone through, but not limited to, provisions in the law such as VAT exemptions and zero-ratings, income tax holidays and preferential rates, duty remission and regional integration. Tax revenue foregone through supporting and attracting investors have been published in the Investment Code since 2006 to make the support delivered through the tax system more transparent. Reports about tax expenditures with revenue foregone estimates have been published since 2019. The present report is an annex to the 2024-2027 State Finance Bill submitted to Parliament according to "Law n° 002/2022.OL of 12/12/2022 on Public Finance Management". Publication of the cost of tax expenditures is as important to the transparency of public finance as publication of budgetary outlays.

To set up Rwanda's tax expenditure inventory, we had to compare the actual tax system to the benchmark tax system. Generally, to estimate the cost of Rwanda's tax expenditure, a simulation model with Supply Use Table of 2017 from National Institute of Statistics were used to estimate the VAT tax expenditure; and estimates for business and personal tax expenditures are generated by a microsimulation model that can recalculate the tax owed for each taxpayer when variables are adjusted. We used different models for each of income tax, VAT and import duties.

Tax expenditures are defined as tax measures that deviate from an established benchmark tax system, assuming that taxpayer behavior remains unchanged. This benchmarking approach provides a baseline for selecting which tax measures to report on. There is, however, no consensus definition of a benchmark income tax system, though there is an international standard for the value added tax (VAT) benchmark. The benchmark business and personal tax system for Rwanda reflects debate over the core structural characteristics of Rwanda's tax system, including: progressive taxation of labor income; flat rate taxation of investment income; a presumptive tax regime for micro and small businesses; and the importance of Pay As You Earn (PAYE) as a final tax on employment income.

Tax expenditure publication serves different objectives including, among others, the transparency of public finance and publication of budgetary outlays. Tax expenditure provisions are linked to direct spending programs and may be considered alternative means of accomplishing similar budget policy objectives. Governments keep detailed accounting of their program spending to ensure that spending efficiently and effectively supports policy objectives. Tax expenditure reporting can provide a more complete picture of where governments spend their money, improving transparency and accountability.

In raising a given level of revenue, providing tax relief to specific groups requires that tax rates on other taxpayers be higher than would otherwise be necessary. In addition, the regular publication of tax expenditure estimates implicitly creates a catalog of measures that can be used to raise revenues, when needed. Repealing the least effective tax expenditures is often an economically efficient means of raising revenue, as broadening the tax base raises revenues without the need for increasing distortionary tax rates.

2. Value Added Tax

Benchmark

The Value Added Tax has an international benchmark, which makes it simple to compute in theory. In Rwanda's VAT model, benchmark is defined as below:

The VAT is intended to be borne by final consumers—*typically households*—by collecting VAT on all goods or services supplied to them at a rate of 18%. Therefore, the benchmark VAT base is consumption, broadly defined and comprises all goods and services consumed in Rwanda. As such, the benchmark provides that the tax applies on a “destination basis”—that is, at the point of consumption in Rwanda—and that it applies to goods and services imported into Rwanda, but not to goods and services exported from Rwanda. The zero-rating of exports is a fundamental characteristic of a value-added tax; it is thus part of the benchmark.¹ The benchmark for the VAT provides that the tax is imposed to the sales of goods and services at all stages of the production and marketing chain. At each stage, businesses can claim input tax credits to recover the VAT paid on their business inputs, so that the VAT effectively applies only to the value added at each stage. Since the only tax that is not

¹ The legislative reference for zero-rating of exported goods and services is: Article 1 of Law N° 2/2015 of 25 February 2015 (sub-paragraph 1^o) modifying and complementing Article 5 of Law N° 37/2012 of 9 November 2012 establishing the *Value-Added Tax*.

refunded is the tax collected on sales to final consumers, the VAT is effectively imposed on final domestic consumption and providing a credit or refund for VAT on business inputs is not a tax expenditure. Financial service, gaming and life insurance tax were considered part of the benchmark in consistent with the international practice. Furthermore, the benchmark VAT tax base includes tax paid on the entire purchase price of newly constructed buildings and land by consumers for their own use. In the case of mixed use property, for example a working farm that includes a personal residence, the portion intended for personal use is final consumption that forms part of the benchmark, while any VAT paid on the portion intended for business use would be eligible for input tax credits and therefore does not form part of the benchmark VAT tax base. The exclusion of Government from the benchmark is a discretionary choice made that will not be followed by all countries. Tax expenditure on Government is for required public services rather than discretionary tax policies, and it is somewhat circular to consider as it affects its own budget. The rationale is explained in further detail in the Technical Annex.

The tax expenditure in VAT law comes through two types of provisions with the exceptions mentioned above:

- **Zero-ratings.** These mean that firms do not charge output VAT but can still reclaim input VAT. While exports are zero-rated, this is not considered tax expenditure because it is a necessary feature of Rwanda's VAT system – the products are taxed in the country they are consumed in, not where they are produced.
- **Exemptions.** These mean that firms do not charge output VAT and cannot reclaim input VAT. As a result, removing an exemption has a positive and a negative impact on tax revenue. The positive impact is through the output VAT they would charge, and the negative impact is through the input VAT that they can now reclaim.

The relevant VAT laws are “Law N° 2/2015 of 25 February 2015 (sub-paragraph 1^o) modifying and complementing Article 5 of Law N° 37/2012 of 9 November 2012 establishing the *Value-Added Tax*”. They reference schedules which provide detailed lists of specific products that are exempted or zero-rated, available on the RRA's website.

VAT estimations

Table 2 shows that most non-government VAT tax expenditure is concentrated in a few sectors:

Table 2: Sectors targeted most through current VAT tax expenditure (exc. government)

Sector	Tax expenditure (Rwf bn) on outputs produced by...						As % of total VAT tax expenditure					
	2017/ 18	2018/ 19	2019/ 20	2020 /21	2021 /22	2022 /23	2017/ 18	2018/ 19	2019/ 20	2020/ 21	2021/ 22	2022/ 23
Financial services	17.5	16.8	15.5	27.4	31.1	38.1	15%	13%	11%	16%	15%	16%
Education	10.5	12.9	17.1	19.5	23.5	31.9	9%	10%	12%	11%	11%	13%
Transport services	10.0	12.5	15.0	16.4	21.4	29.3	8%	9%	11%	9%	10%	12%
Construction (modern)		10.6	11.5	11.2	13.2	23.2		5%	6%	5%	6%	10%
Other service activities *				14.2	11.7	6.7				8%	6%	3%
Refined petroleum products	14.0	13.9	11.9	11.9	17.8	16.1	12%	10%	8%	7%	9%	7%
Human health activities **	5.2	4.6	7.9	8.8	7.5	6.0	4%	3%	6%	5%	4%	3%
Pharmaceutical products *				8.6	11.5	14.2				5%	6%	6%
Textiles, clothing and leather products *		4.9	4.5	7.7	7.8	-0.6		4%	3%	4%	4%	0%
Other manufactured food products *				7.4	8.1	10.4				4%	4%	4%
Chemicals and chemical products	5.7	4.9	7.2	7.0	6.7	6.9	5%	4%	5%	4%	3%	3%
Other sectors	55.0	62.9	61.9	43.7	45.0	59.7	47%	47%	44%	25%	22%	25%
Total	118	133	141	173	205	242	100%	100%	100%	100%	100%	100%

* Included in 'Other sectors' in previous estimates.

** This includes medical consultation and treatment; short- or long-term hospital activities; and health activities not performed by hospitals, medical doctors or dentists.

We highlight the following VAT tax expenditure provisions from this law:

Table 3: VAT tax expenditure by provision (exc. government)

#	Provision	TE estimate (Rwf bn)					Rationale / description
		2018/19	2019/20	2020/21	2021/22	2022/23	
1	VAT exemption for financial services	15.9	13.5	25.5	29.0	36.4	Intended to increase affordability of a sensitive product. Exemptions are applied by many countries because of difficulties in applying VAT to this sector.
2	VAT exemption for educational materials, services and equipment	9.8	13.5	15.6	20.7	29.5	Increasing affordability of a sensitive product. Excludes TE on public sector education.
3	VAT exemption for specified energy equipment and fuels	14.0	12.8	12.1	18.8	24.5	Harmonize with EAC VAT policies; increase affordability of a sensitive product; target development of electricity generation.
4	VAT exemption for agricultural products and milk	23.7	18.1	14.8	21.2	25.0	Increase affordability of products from a sensitive sector. Since most of agricultural produce is informal, the tax expenditure is driven by agricultural products sold by food manufacturers.
5	Zero-rating for goods and services intended for people of a "Special Category"	3.9	8.0	6.2	12.9	21.0	Facilitates the supply of public goods and services by organizations working in partnership with the Government for the benefit of Rwanda. Excludes TE on government-led projects. Increase in TE driven by construction projects.
6	VAT exemption for supplies for health related purposes	6.3	10.5	16.9	18.3	20.0	Increasing affordability of a sensitive product. Excludes TE on public healthcare provision.
7	VAT exemption for transportation services	13.1	10.1	10.9	14.7	18.3	Targeting development of a priority sector and increasing affordability of these services.

#	Provision	TE estimate (Rwf bn)					Rationale / description
		2018/19	2019/20	2020/21	2021/22	2022/23	
							Majority of the TE is through international passenger transport.
8	VAT exemption for Information, Communications and Technology equipment	18.9	16.8	16.3	14.6	14.3	Encourage use of modern ICT equipment and technologies.
9	Zero-rating of international transportation services for goods	1.4	4.5	5.6	7.3	9.8	Target a priority sector, improve the regional competitiveness by harmonising with EAC treatment, and address administrative challenges in refunding input VAT for their buyers. Increase in TE driven by expansion and greater formalisation of transport sector in updated SUT.
10	VAT exemption for raw materials and capital equipment supplied to the manufacturing and processing sector	2.2	3.1	3.3	4.3	5.4	Targeting development of a priority sector in line with 'Made in Rwanda' strategy; address administrative challenges in refunding input VAT; improve cash flow position for the sector.
11	VAT exemption for agricultural inputs		6.2	5.6	6.1	6.2	Reduce costs of production for a sensitive sector with high informality.
12	Zero-rating of goods sold in the Armed Forces Shops	3.4	1.8	4.4	6.1	11.4	Improve the welfare of members of the Rwanda Defence Forces and the Rwanda National Police and their immediate families, by reducing their cost of living.
13	Zero-rating of package tours	2.1	1.5	1.6	3.0	5.0	Improve the competitiveness of Rwanda as a destination for foreign tourists.

#	Provision	TE estimate (Rwf bn)					Rationale / description
		2018/19	2019/20	2020/21	2021/22	2022/23	
14	Zero-rating of minerals sold domestically	1.3	0.0	1.5	2.3	2.2	Targeted at businesses involved in preparing minerals for export. Aims to address administrative challenges in refunding input VAT to domestic manufacturers that are using these minerals.
15	VAT exemption for mobile telephones and SIM cards	2.2	1.7	0.8	1.0	1.7	Improve affordability of modern communication technologies and support the movement towards a cashless economy.
16	VAT exemption for the personal effects of returning Rwandan diplomats and other Rwandan citizens	0.4	0.3	0.5	0.7	0.8	Facilitate citizens returning to Rwanda.
17	VAT exemption for gaming activities	0.6	1.1	0.8	0.4	0.1	No effective administrative mechanism for determining the value added. Exempting ensures input VAT is not recovered by firms.
18	VAT exemption for lease or sale of land or residential buildings	0.4	0.3	0.3	0.2	0.2	Increasing affordability of a sensitive product, and it should benefit everyone (either by owning or living in a residence). Limited data and not strong enough enforcement on transactions to know the value of this.
19	VAT exemption for books, newspapers and journals	0.3	0.0	0.1	0.0	0.0	Originally part of the education-related exemption but was split into its own provision in order to clearly allow all readers to benefit.
20	VAT exemption for the supply of clean water by non-profits	0.01	0.01	0.02	0.03	0.05	To encourage the supply of clean, treated water in remote areas.

#	Provision	TE estimate (Rwf bn)					Rationale / description
		2018/19	2019/20	2020/21	2021/22	2022/23	
21	VAT exemption for all goods supplied to public institutions in charge of national defense or security	0	0	0	0	0	Improve the cash flow position of public institutions in charge of national defense or security. Its zero because of government exclusion from the benchmark.
22	VAT exemption for trade union subscriptions	Negl.	Negl.	Negl.	Negl.	Negl.	Increase affordability of a sensitive product. Negligible subscription expenditure since it is largely informal transactions of small value.
23	VAT exemption for precious metals sold to the National Bank of Rwanda	0	0	0	0	0	Prevents precious metal suppliers from reclaiming input VAT. This will be zero when excluding government.
24	VAT exemption for burial or cremation of a body	Not enacted	Not enacted	Not enacted	Not enacted	Not enacted	Increase affordability of a sensitive product. No schedule was published listing the eligible goods or services.
25	Exemption for rice and maize flour	0	0	0	0	8.9	Recently introduced for food security purposes
26	Other unattributed tax expenditures	7.1	8.4	8.0	9.2	17.2	

The estimates we obtain depend on many factors:

- The size of the affected sector(s). In general, the larger the sector, the greater the tax expenditure from an exemption / zero-rating on its production.
- The growth of the affected sector(s). If the affected sector is growing significantly, the estimates for 2018/19 will be larger and it is likely to continue growing as a tax expenditure.
- The proportion of the sector, which is informal. A largely informal sector will be affected less by changes to VAT policy, meaning it will not have a proportionately large tax revenue impact. However, policy changes may be desirable for other reasons such as encouraging firms to become formal.

- The proportion of the formal sector which is claiming the exemption / zero-rating. If the majority of a sector uses relevant tax expenditure provisions, the tax revenue impact of removing this provision will be larger.

3. Income Tax

Benchmark

The total income tax expenditure is calculated as the increase in CIT payable by removing all the relevant provisions simultaneously in a “revenue gain method”. Furthermore, the benchmark unit of taxation for the corporate income tax is the single company, cooperative society, public business, partnership or other entity established to realize profits from business activities within a calendar year. However, the Minister may allow a qualifying taxpayer to apply any other twelve-month period as a tax period. The statutory general rate of 30% is applied to worldwide income of Rwanda businesses minus expenses incurred to earn that income. Beyond this general concept, the benchmark includes the following specific rules:

- In the case of a capital asset that contributes to earning business income beyond the year in which the asset is purchased, the benchmark accounts for the cost being allocated over the useful life of the asset (i.e., the period during which the capital asset contributes to earnings). The cost of a capital asset “economic depreciation” is thus deducted over the period during which the capital asset contributes to the earning of business income. Losses can be deducted against income, but the excess of losses over income in a given taxation period is not refundable.
- Measures that provide relief from double taxation are considered part of the benchmark income tax system.
- The simplified presumptive tax regime for small businesses is also considered part of our benchmark.

CIT tax returns are filed according to calendar year and not fiscal year, so these estimates are not entirely aligned in time with estimations for tax expenditures in other taxes. We align each fiscal year with the previous calendar year, e.g. 2022/23 with 2022.

The relevant laws for income tax are “Law N° 016/2018 of 13/04/2018 Establishing Taxes on Income” and law n° 006/2021 of 05/02/2021 on investment promotion and facilitation. The law establishing income tax was revised in 2022 and further amended in 2023 reducing the marginal rate at 28%. However, it is important to note that this change did not affect CIT TE as this is determined by the calendar year 2022 returns. Furthermore, PAYE TE was also unaffected as the 2022 law changed its structure, which is not considered a TE.

The tax expenditure in Income Tax law comes through the following types of provisions:

- **Tax holidays.** These mean that firms registered for this benefit from a corporate income tax rate of 0% for a defined period of time e.g. five, seven or ten years, but they are still required to file CIT.
- **Preferential tax rates.** Firms and individuals that qualify pay a reduced income tax rate, sometimes for a defined time period.
- **Deductions.** This can be:
 - increased deductible expenses (e.g. accelerated deduction of an asset's value); or
 - direct deductions from the profit calculated (e.g. previous losses deducted from current profits).
- **Tax exemptions.** Income from certain activities is defined as being non-taxable (for example, the first Rwf 12m of income from agriculture and livestock activities is exempt). There are also CIT exemptions for certain entities (although they are still required to file CIT).

In summary, 84,877 entities declared their corporate income tax in the year 2022 of which 53,846 provided a nil declaration; 28,589 declared under the real regime; and 56,288 declared under the simplified regimes. Of the 28,589 in the real regime, 13,226 declared a taxable profit (before preferential rates and tax holidays) and 4,719 declared a loss.

Income tax estimations

Table 4: Sectors benefitting most through current income tax expenditure

Sector	Tax expenditure (Rwf bn) on companies supplying...					As % of total income tax expenditure				
	2018	2019	2020	2021	2022	2018	2019	2020	2021	2022
Transportation and storage	0.15	1.30	0.46	15.16	2.76	1.2%	0.5%	3.4%	0.88%	5%
Information and communication	7.99	6.62	6.10	14.51	2.45	3.0%	24.6%	17.2%	11.78%	5%
Manufacturing	8.99	9.24	5.81	11.46	6.98	32.0%	27.7%	24.0%	11.21%	14%
Financial and insurance activities	5.25	5.94	5.25	10.71	2.96	11.5%	16.2%	15.4%	10.13%	6%
Wholesale and retail trade; repair of motor	1.60	2.31	0.71	4.65	3.30	6.8%	4.9%	6.0%	1.38%	7%

vehicles and motorcycles										
Electricity, gas, steam and air conditioning supply	2.39	1.96	4.22	4.38	0.95	30.4%	7.4%	5.1%	8.14%	2%
Construction	1.12	2.35	3.68	3.20	5.37	4.0%	3.5%	6.1%	7.10%	11%
Agriculture, forestry and fishing	0.56	0.56	0.46	2.03	3.42	0.1%	1.7%	1.5%	0.89%	7%
Real estate activities	2.31	1.44	20.67	1.68	1.20	6.5%	7.1%	3.7%	39.91%	2%
Other sectors	2.06	9.16	7.57	8.36	21.11	6.3%	6.4%	23.8%	14.62%	42%
Total	32.43	38.45	51.80	76.14	50.50	100%	100%	100%	100%	100%

Table 5 shows the relevant provisions and their tax expenditures:

Table 5: Income tax expenditure by provision

#	Provision	Tax expenditure (Rwf bn)				Rationale and statistics
		2019	2020	2021	2022	
1	Loss Carry-Forward	23.92	43.3	51.97	39.35	The ability to carry losses forward recognizes the cyclical nature of business activity and low or no business revenues during the initial business development phase. It allows business expenses to reduce total taxes paid over a longer time frame and reduces the economic distortions generated by the non-refund ability of income tax in years when a business has negative taxable income. <i>In total, 940 companies benefit from this, with nearly 40% of TE going to 10 companies.</i>
2	Accelerated Depreciation	11.14	6.61	16.7	4.4	To promote investment in priority sectors of the economy. <i>This incentive has been claimed by 43 companies, most of it by companies in the information and communication and financial sector.</i>

#	Provision	Tax expenditure (Rwf bn)				Rationale and statistics
		2019	2020	2021	2022	
3	Preferential 15% Tax Rate for Exporters	3.05	3.60	2.69	4.22	Attract investment in Rwanda, increase exports to improve the balance of payments, and facilitate knowledge transfers. <i>18 companies benefit from this provision.</i>
4	Employment Income of a Casual Labourer	0.43 (PAYE)	0.79 (PAYE)	0.93 (PAYE)	0.7 (PAYE)	Reduce the compliance burden and administrative burden compared to annual personal tax returns for employees.
5	Preferential 15% Tax Rate for Freight Transportation	0.04	0.07	0.10	0.00	Attract investment in Rwanda, increase exports to improve the balance of payments, and facilitate knowledge transfers.
6	Exemption from Tax for Agricultural and Livestock Activities	0.25	0.26	0.00	0.00	Supports agricultural production in Rwanda and recognizes the risks inherent in agricultural production.
7	Five-Year Tax Holiday for Microfinance Institutions	0.01	0.15	0.41	0.00	Improve access to capital, encouraging venture capital and microfinance institutions to start-up in Rwanda.
8	Preferential 0% rate for Large Foreign Investors with their Headquarters or Regional Office in Rwanda	1.59	0.00	0.46	1.19	Attract investment in Rwanda, increase exports to improve the balance of payments, and facilitate knowledge transfers. <i>2 firms benefiting from this exemption.</i>
9	Preferential 15% Tax Rate for Renewable Energy	0.00	0.00	0.00	0.00	Attract investment in Rwanda, increase exports to improve the balance of payments, and facilitate knowledge transfers.
10	Preferential 15% Tax Rate for Information and	0.15	0.37	0.00	0.00	Attract investment in Rwanda, increase exports to improve the balance of payments, and facilitate knowledge transfers.

#	Provision	Tax expenditure (Rwf bn)				Rationale and statistics
		2019	2020	2021	2022	
	Communication Technology					
11	Preferential 15% Tax Rate for Financial Services	0.00	0.00	0.00	0.00	Attract investment in Rwanda, increase exports to improve the balance of payments, and facilitate knowledge transfers.
12	Preferential 15% Tax Rate for Passenger Transport or Low Cost Housing	0.00	0.00	0.04	0.00	Attract investment in Rwanda, increase exports to improve the balance of payments, and facilitate knowledge transfers.
13	Preferential Tax Rates for Newly Listed Companies on Capital Market	0.00	0.00	0.00	0.21	Introduced on 28th May 2010 to support the growth of domestic capital markets.
14	Seven-Year Tax Holiday for Very Large Investments in Energy, Manufacturing, Tourism, Health, ICT or Exports	No data			0.00	Attract investment in Rwanda, increase exports to improve the balance of payments, and facilitate knowledge transfers.
15	Capital Gains Exemptions					Promote private savings and indirectly support the growth of domestic capital markets.
16	Employment Income from a Non-Resident Employer					Recognizes the contribution that development partners make to Rwanda.
17	Preferential corporate income tax rate			0.73	0.00	Attract investment in Rwanda, increase exports to improve the balance of payments, and facilitate knowledge transfers.

#	Provision	Tax expenditure (Rwf bn)				Rationale and statistics
		2019	2020	2021	2022	
	of three per cent (3%)					
18	Preferential corporate income tax rate for export investments (15%)			2.79	0.09	Attract investment in Rwanda, increase exports to improve the balance of payments, and facilitate knowledge transfers. <i>3 companies benefit from this provision.</i>
19	Preferential corporate income tax rate of fifteen per cent (25%) for other priority Sectors			0.3	0.30	Attract investment in Rwanda, increase exports to improve the balance of payments, and facilitate knowledge transfers. <i>Only 1 large firm benefits from this provision.</i>
20	Preferential tax incentives for a philanthropic investor				0.01	Reduce taxes with a social impact to stimulate investment. <i>1 company benefits from this provision.</i>

4. Import Duties

Benchmark

The benchmark unit of taxation is the importer, a business, incorporated or not, broker or individual. Furthermore, the benchmark tax base includes all imports into Rwanda. The benchmark value for duty is: Cost, Insurance and Freight (CIF). The benchmark duty rate depends on whether the imports originate from outside or inside the communities with which Rwanda has trade agreements. For imported goods originating outside the East African Community or Common Market for Eastern and Southern Africa, the benchmark rates for: raw materials is 0%; intermediate inputs is 10%; and finished goods is 25% or 35%². Some products are classified by EAC as Sensitive Items and have a benchmark rate which varies from this.

Because free trade with regional partners is a structural component of customs in Rwanda, the benchmark customs rates are usually duty-free importation from members of either the East African Community (EAC) or the Common Market for Eastern Southern Africa (COMESA). This means that such duty-free importation is not considered as tax expenditure.

² <https://www.eac.int/documents/category/eac-common-external-tariff>

Excise duty on imports covers a list of products mainly, motor vehicle with respect to their engine capacity, lubricant, cigarettes, beer, liquor, soft drinks, water and milk powder, with all of those products attracting different rates. The benchmark tax base and rate are those specified in “*LAW N° 050/2023 OF 05/09/2023 ESTABLISHING THE EXCISE DUTY*”.

Withholding 5% (WHT 5%) is a Customs tax that is deductible from an importer’s income tax declaration. However, this is not deductible for those who cannot or do not file an income tax declaration. Exemption of WHT 5% at importation for a non-registered person’ is therefore considered to be tax expenditure. The withholding mentioned in this paragraph is covered under the *LAW N° 027/2022 OF 20/10/2022 ESTABLISHING TAXES ON INCOME* in its article 62.

Regarding the Infrastructure development levy (IDL) and the African Union Levy (AUL), ad-valorem rates of 1.5% and 0.2% on the CIF value of imports are charged on all products. These rate are provided for under *the Law n°34/2015 of 30/06/2015 establishing the infrastructure development levy on imported goods and the Law n°19/2017 of 28/04/2017 establishing the levy on imported goods for financing African union activities* respectively and any exemption is considered a tax exemption.

Tax expenditure is considered to be the deviation from the standard EAC / COMESA tariffs:

- **Exemptions** at Customs are mostly legislated by the EAC Customs Management Act 2004 in its fifth Schedule, which details exempted products, some of which are for specific persons or institutions only.
- **Preferential tariffs** may be granted to Rwandans on certain goods through an EAC Stay of Application for a finite time. This does not include ‘Sensitive Items’ where there is a common EAC tariff.
- **Registered investors** or manufacturers can also claim import duty exemptions for their raw materials and industrial inputs if not already provided for under EAC’s Common External Tariff.

Import duties estimations

As one would expect, import duty contributes the most on tax expenditure at customs compared to other customs taxes and levies while excise is the smallest contributor. In terms of products, incentives on sugar, wheat, flat rolled iron and rice cost Frw 100.7 bln for FY2022/23.

The list of the top 10 products that contribute the most to high import duties has shifted this fiscal year, with two new products making the list. These are clinker from the DRC, used as raw material by new cement producers, and malt inputs for breweries. However, the inclusion of clinker in the list is not likely to repeat once DRC start benefiting from East African Community (EAC) preferential treatment, which is in the benchmark.

It is pertinent to note that the incentives on raw materials and industrial inputs for registered investors cost more tax revenue compared to other exemption provisions but its share in total tax expenditure has been gradually going down, mainly due to the separation of an increasing tax expenditure through Stays of Application. The latter is concentrated in sugar, wheat and rice where

Rwanda applies an import duty rate of 25% instead of 100% rate on sugar; a rate of 0% instead of 35% on wheat; and a rate of 45% instead of 75% on rice. The sharp increase in “other” is mainly driven by fuel.

In addition, the excise duty tax expenditure more than doubled from 10.58 bln Frw in FY2021/22 to 27.9 bln Frw mainly due to a temporary fuel exemption introduced to alleviate inflation burden.

In the below tables, tax expenditure are broken down based on the reason for the reduced rate or exemption, product and tax categories:

Table 6: Tax Expenditure by tax category for FY2022/23

Provision	Tax expenditure (Rwf bn) through...					
	Import duty	Excise duty	WHT 5%	IDL	AUO	Combined 2022/23
Raw materials and industrial inputs for registered investors	104.33	2.82	0.01	12.7	1.71	121.67
Stay of Application	65.59	-	-	-	-	65.59
Electric Vehicle	6.34	-	0.80	0.08	0.01	7.23
Manufacturing and Build to Recover Program (MBRP)	4.89	-	-	0.4	0.06	5.42
Fuel exemption for public transport	-	0.55	0.02	0.0	0.00	0.56
Customs Law exemptions	18.15	24.57	8.08	6.5	1.01	58.39
- Agriculture inputs	1.45	-	0.20	2.7	0.37	4.75
- Diplomatic imports	1.60	0.09	0.31	0.1	0.02	2.16
- Armed Forces Shop	3.96	-	-	0.3	0.04	4.30
- Mosquito nets	0.14	-	0.01	0.1	0.01	0.28
- NGOs projects	3.53	0.01	1.12	2.2	0.30	7.20
- Returning residents	0.80	0.25	0.16	0.0	0.01	1.26
- Other	6.67	24.22	6.29	1.0	0.27	38.45
Total	199.30	27.94	8.90	19.9	2.80	258.86
Total TE in % of total CIF						7%

Table 7: Trend in import duties tax expenditure by provision (exc. govt)

Provision	Combined						As % of total TE					
	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
Raw materials and industrial inputs for registered investors			66.6	69.4	84.2	121.7	70%	78%	60%	48%	50%	47%
Stay of Application	34.2	61.8	23.4	46.9	43.5	65.6			21%	32%	26%	25%
Electric Vehicle					1.6	7.2					1%	3%
Manufacturing and Build to Recover Program (MBRP)					0.9	5.4					1%	2%
Fuel exemption for public transport					3.7	0.6					2%	0.2%
Customs Law exemptions	14.8	17.7	20.2	28.8	36.1	58.4	30%	22%	18%	20%	21%	23%
- Agriculture inputs	1.3	3.1	4.4	4.6	4.6	4.8	3%	4%	4%	3%	3%	2%
- Diplomatic imports	0.0	1.8	1.0	2.8	2.0	2.2	0%	2%	1%	2%	1%	1%
- Armed Forces Shop	2.7	3.2	2.0	2.4	3.6	4.3	6%	4%	2%	2%	2%	2%
- Mosquito nets	1.5	0.4	0.1	0.1	1.3	0.3	3%	1%	0.1%	0.1%	1%	0.1%
- NGOs projects	2.3	3.3	4.7	4.6	10.1	7.2	5%	4%	4%	3%	6%	3%
- Returning residents	0.8	0.7	0.5	0.9	1.0	1.3	2%	1%	0%	1%	1%	0.5%
- Other	6.2	5.3	7.4	13.4	13.6	38.4	13%	7%	7%	9%	8%	15%
Total	49.0	79.5	110.2	145.0	170.1	258.9	100%	100%	100%	100%	100%	100%
Total TE in % of total CIF	3%	4%	6%	6%	6%	7%						

Table 8: Import duties tax expenditure by product (top 10)

TE by Products , EAC,COMESA and Government all excluded						
Top 10 products						
Products description	Tax expenditure (Rwf bn)			Tax expenditure in % of total TE		
	2020/21	2021/22	2022/23	2020/21	2021/22	2022/23
Sugarcane and sucrose	27.2	21.1	37.7	19%	12%	15%
Wheat and meslin	18.3	20.6	30.2	13%	12%	12%
Rice	9.8	4.7	17.3	7%	3%	7%
Flat-rolled iron	16.4	15.1	15.4	11%	9%	6%
Milk, concentrated	4.7	7.7	12.8	3%	5%	5%
Palm oil	5.4	8.5	12.4	4%	5%	5%
Cars	1.4	5.2	8.1	1%	3%	3%
Malt			7.7			3%
Motor vehicles for transporting goods	7.4	7.3	6.1	5%	4%	2%
Cements			5.2			2%
Refined petroleum oils	3.4	4.0		2%	2%	
Medicaments	2.8	3.6		2%	2%	
Subtotal	96.8	97.9	153.0	67%	58%	59%
Total	145.0	170.1	258.9	100%	100%	100%

TECHNICAL ANNEX

In this Annex we explain the data sources, approach, further analysis and issues to address for a subsequent tax expenditure report.

1. Value Added Tax

Data sources

For the VAT tax expenditure estimation, the main source of data is NISR's Supply Use Tables (SUT) for 2017. These tables are comprehensive national accounts which show what different industries purchase from each other as well as final consumption by households and government, taking into account the informal sector too. This allows us to aggregate the impacts of exemptions and zero ratings occurring at different stages in supply chains, but also observe which sectors are most affected.

Since this provides data for 2017, we then applied appropriate sector-specific growth rates (mostly sourced from GDP publications) to estimate the levels for following years. The SUT for 2017 can be used for the following fiscal year as it will capture the recent changes in the Rwandan economy.

We use RRA VAT declaration data to calculate some of the more specific sector growth rates as well as the shares of each industry that are benefitting from exemptions and zero ratings. We plan to incorporate the more detailed RRA data in the future so that we can improve its accuracy. One such case is through updates of the effective tax rates. The main constraint on this would be the quality of data from the VAT Sales Annexes on the TIN of the buyer. This data is important for showing how much VAT is paid on transactions of each commodity to each sector.

The majority of tax expenditure calculations are done using the VAT Tax Expenditure model built by the IMF consultants during their 2018 technical missions to Rwanda. For two provisions the customs expenditure model is used to estimate VAT expenditure: these are the zero-rating for purchases from the Armed Forces Shops (both models) and the exemption for returning residents (only customs model). These are estimated using exempted VAT on imports based on the Customs Procedure Clearance Codes (explained further in the calculation notes below).

Reallocation of wholesale and retail trade

The SUTs show that the sectors containing wholesale and retail trade do not contain data i.e. their total supply and consumption is zero.³ This is because the value of their 'production' has been reallocated to the commodities that are actually provided. For example, a wholesaler or retailer of paper would be shifted to the manufacturing sector 'Wood, paper and related products' because this is the actual product traded. When calculating parameters for the model using VAT data, it is important to do the same reallocation and this has been done through manual reclassification of RCPA2 sectors at the three digit level. On some occasions, the reclassification has to be for a specific 4-digit or 8-digit ISIC code.

Growth rate calculations

This is done using two sources for annual growth rates – GDP publications and VAT declarations. We use the GDP growth rate if the sector has a large informal share and/or if the GDP sector maps

³ The Supply table shows data on their outputs but this is offset through equal negative margins. Their value added is instead captured as margins on the actual commodities produced.

accurately onto the RCPA2 sector. Otherwise, we use VAT turnover growth rate i.e. if it is largely formal and the GDP growth rate doesn't map well onto the RCPA2 sector.

Exclusion of Government

We exclude Government in the earlier VAT tax expenditure tables because it allows us to focus on what is important for discretionary policy-making. The reasons are three-fold:

1. Tax expenditure on Government is for required public services rather than discretionary tax policies. For example, tax expenditure on national defense or public healthcare would be considered a necessary cost for necessary services.
2. It is somewhat circular to discuss tax expenditure on Government services. If there is less tax expenditure on Government, it means Government pays more VAT to itself i.e. they pay more tax revenue but their budget would need to be larger to accommodate the VAT.
3. For the most part, it's not practical to consider taxing Government outputs. Many Government services won't involve individual sales transactions, so even if VAT exemptions were removed they would not be (fully) taxable and should be treated accordingly. For example, roads, policing and (to a lesser extent) public education are not provided through sales.

We exclude sales involving government (either as the purchaser or as the seller) in the model by treating them as zero-rated. This means that both the tax revenue from them and tax expenditure on them are essentially ignored, whether through input VAT or output VAT. When calculating a benchmark, we typically repeal all exemptions and zero-rated sales. In this case, however, we leave sales involving government as zero-rated and only repeal the remainder of exempt and zero-rated sales.

2. Income Tax

Data sources

The tax expenditures are mostly calculated using the CIT microsimulation model built by IMF consultants as part of their technical mission to Rwanda. The source of data for the estimations is the RRA's annual Corporate Income Tax declarations (for calendar year 2018, corresponding to tax revenues for 2018/19) and RRA's Pay As You Earn (PAYE) declarations which are according to fiscal year. These sources show us the deductions claimed by companies, some exemptions, preferential tax rates and tax holidays.

3. Import Duties

Data sources

RRA Customs data is used to calculate the revenue foregone through import duty exemptions. For each import, the data contains the standard tariff, the 'agreement' field noting EAC / COMESA exemptions, and the Customs Procedure Codes (CPCs) provide the reason for the reduced rate as per the Customs law.

Calculation notes

We consider the benchmark to be the EAC Common External Tariff. This means the following are *not* considered tax expenditure:

- No import duty on products imported from within EAC (with a Certificate of Origin)
- No import duty on specified raw materials and capital goods
- 10% import duty on specified intermediate goods
- 25% import duty on specified finished goods
- Higher import duty tariffs on specified sensitive products
- Exemptions or reduced rates on goods imported by public organs

The import duty foregone is calculated as the difference between the import duty that should be paid (according to these EAC rules, the applicable tariff and the CIF value) and the import duty actually paid.

This has repercussions for other tax types – import duty forms part of the tax base for excise duty and VAT. Repealing exemptions on both import duty and excise duty, for example, would have a greater tax revenue impact than each one in isolation.

Customs excise duty is calculated based on the product's tax base (either CIF value plus import duty and handling fee, or quantity) and the standard excisable rate. Deviations from this are considered tax expenditure.

Withholding 5% is applied as a uniform 5% rate on the CIF value, however for registered companies it is deductible from their income tax declaration. This means that WHT 5% exemptions are only considered tax expenditure for those who would not pay income tax.

The infrastructure development levy is applied as a uniform 1.5% rate on the CIF value. Deviations from this are considered tax expenditure.

While some revenue foregone on Customs VAT could also be considered as tax expenditure, this is incorporated in the VAT analysis. Many companies will be able to reclaim the VAT paid at Customs as input VAT through their domestic declarations. Customs VAT expenditure exists where there is revenue foregone and companies cannot reclaim the input VAT. Furthermore, the exclusion of government also reduces the scope of what is considered as tax expenditure here. As a result, the Customs VAT exemptions on the Armed Forces Shop and for personal effects of returning residents are those included in the VAT estimates.