

**Anglophone West Africa
Appendix 1: The Gambia**

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**Lincoln Institute of Land Policy
Working Paper**

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Country: The Gambia

<i>Basic Country Information</i>			
Geographic size	11,295km ²	Independence	18 February 1965
Capital city	Banjul	Population	1.5 million
Secondary cities/towns	Serrekunda, Brikama, Basse, Kerewan	Urbanisation	37%
System of government	Constitutional republic with an elected President and a unicameral parliament	GDP (per capita)	USD\$382
<i>Government Structures</i>			
Levels/Tiers of government	Two-tier system of government - the central government, 1 city, 1 municipality and 5 divisions		
Traditional authorities or chiefdoms	The divisions are further divided into a total of 35 districts locally administered by Chiefs		
<i>Land Issues and the Property Market</i>			
Land tenure	Four systems of land holding: Customary tenure, freehold (existing only in some parts of the capital city, Banjul), leasehold (held under the State Lands Act 1991) and leaseholds (held under the Lands (Provinces) Act)		
Land titling/registration	Unitary title system in designated areas. Purchasing property in The Gambia is a relatively straight-forward procedure. The Property Registry provides security of title and shows whether the holder owns the property free of liens and encumbrances.		
Land rent	A nominal land rent is payable annually.		
Property market	Relatively organized but to large extent, finding a suitable property, negotiating for its purchase and closing the sale still remains a problem as in most resort areas everybody seems to be in the business.		
<i>Taxes</i>			
National	Five main components of taxes: taxes on income, profits and capital gains; taxes on payroll and workforce; domestic taxes on goods and services; taxes on international trade and transactions; other minor taxes.		
Sub-national	Property tax, licenses, permits, fees and local tax		
<i>Property-related Taxes: National</i>			
Property Transfer Tax	A tax applied to documents, bonds, debentures and warrants. The modal cost is 5%. No VAT but a general sales tax is levied.		
Capital Transfer Tax	No separate capital transfer tax.		
Capital Gains Tax	The Income and Sales Tax Act 2004 provides that capital gains tax is imposed on a person who has disposed of a capital asset at 5% of the consideration received on the disposal.		
<i>Property-related Taxes: Sub-national</i>			
Rates			

<i>Annual Property Tax</i>		
Relevant Legislation: Local Government Act 2002; Local Government Finance and Audit Act 2004; Local Government (amendment) Act 2004; General Rate Act 1992		
	<i>Legislation</i>	<i>Practice</i>
<i>Tax Base & Taxpayer</i>		
Tax base	Capital value of premises which include buildings together with all lands occupied, i.e. land and improvements	
Coverage of tax base	Premises in all council- city, municipality and divisions	Only in capital city and major towns
Taxpayer	Owners of premises	
<i>Valuation & Assessment</i>		
Valuation	The capital value of property in the rating area	
Responsibility for valuations	Council valuers	Few valuers in the country
Valuation cycle	5 years	A general valuation took place in 2006 after almost 20 years without revaluation. The exercise in 2006 covered identification and valuation of over 20,000 properties in Banjul and other urban councils
Objection & appeal	Section 10(1) of the General Rate Act 1992 states that “any person aggrieved by any rate... may appeal to the court having jurisdiction in any rating concerned...”	More effective in the urban council areas, e.g. in Banjul City Council and in Kanifing Municipal Council
Quality control measures	Not specified	
<i>Rate Setting and Tax Relief</i>		
Tax rates	A uniform rate on the rateable value of each premise in the rating area. Councils mandated to set rates as will be sufficient to provide for a part of the total estimated local expenditure.	
Exemptions	Premises used for – public religious worships; educational institutions; recreational, sporting and cultural activities; burial grounds and crematoria	
Tax relief measures	Section 21 of the Rating Act, provides for relief owing to poverty.	
<i>Tax Administration</i>		
Billing	Rating authorities given the authority to collect rates.	Billing is generally difficult because of poor address system in most council areas
Collection	Payment of rates to be made in instalments at a specified times.	
Enforcement	After 21 days in default defaulters are notified that they will be liable to pay a fine as well as the amount due and also pay the rate or instalment;	Quite effective as the country is presently a police state.

	If default persists, the court may order the sale of his premises by public auction	
<i>Additional Comments</i>		
Importance of property tax	No data	
Role of the property tax	No data	
Tax effort	No data	
Other issues	None	