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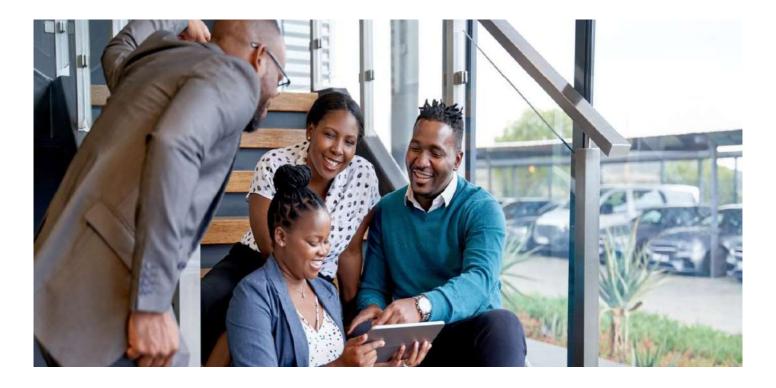
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# I. The Gambian entrepreneurial ecosystem

The Gambia offers a land of tremendous opportunities on the western coast of Africa, and its entrepreneurial ecosystem. While still in its nascent stages, the country is characterized by significant growth potential and a myriad of investment prospects for entrepreneurs. Guided by the National Entrepreneurship Policy, which envisions a thriving entrepreneurial culture by 2026, The Gambia is poised for remarkable development. With a well-equipped port connecting to the Atlantic Ocean and access to a range of preferential trade partners, The Gambia serves as a gateway to a world of business possibilities. The convergence of competitive labor costs and a pool of highly skilled professionals further adds to its appeal for businesses and investors. As a matter of fact, it ranks 38 out of 141 in ease of finding skilled employees Indicator, and 36 in skillset of graduates' indicator. The presence of Information Technology of The Gambia (ITAG) and other support programs, notably the Youth Empowerment Project (YEP) Tech program, plays a pivotal role in shaping The Gambia's entrepreneurial environment. These initiatives facilitate a significant shift in perspective, encouraging a focus on the Information and Communication technologies (ICT) and guiding aspiring entrepreneurs to infuse their concepts with cutting-edge technologies. Furthermore, The Gambia's liberal market economy fosters a conducive environment for investment, establishing it as an attractive landscape for entrepreneurial ventures. As we dive into this startup business creation guide for The Gambia, the dynamic opportunities across various sectors, including agriculture, technology, and tourism, will provide you with insights to assist you in navigating this promising environment.



## 1. Startup definition

Although there's no official startup definition in The Gambia, a startup is generally defined as an innovative venture with the potential for high growth. These startups are often technology-driven, equipped with a functional prototype, and operate with a scalable, duplicable, and customizable business model. They are established to address existing problems and focusing mainly on technology solutions and leveraging on emerging markets' opportunities.



In The Gambia, there is a legal framework defining Micro, Small and Medium-sized enterprises. These companies' size is officially categorized based on the number of employees and investment amount. Micro enterprises, characterized by investments below 75,000 Gambian Dalasi (GMD), usually consist of self-employed individuals. Small enterprises, employ up to five (5) workers and have investments below GMD 150,000. Medium-sized enterprises have more than five (5) employees and investments exceeding GMD 150.000.



## 2. Promising sectors in The Gambia

The Gambian economy in post covid period has shown significant growth in Gross Domestic Product (GDP) by 4.4% in 2022. This growth story has been primarily driven by the remarkable performance of three (3) pivotal sectors: the **services sector**, a commanding force with a 52.3% share in the GDP (including tourism which accounts for more than 20% of the GDP), the **agriculture sector** with significant strides at 22.5% share in the GDP, and the **industrial sector** carving its niche with a remarkable 17.3%. Altogether, these sectors contribute a substantial 92.11% to Gambia's GDP in 2022, painting a vibrant picture of the nation's economic prowess.

While domestic and foreign investment is encouraged in nearly all sectors of the Gambian economy, the government prioritizes and eagerly seeks increased investment in specific areas.

- · Tourism and travel.
- · Intustry & manufacturing.
- Information and Communication Technology (ICT).
- Agriculture, especially in horticulture, floriculture, animal husbandry, fruit / vegetable processing and canning; Fisheries and forestry exploitation.





## 🙏 Agriculture

Historically reliant on subsistence food crop production, cash crops, and livestock, The Gambia's agricultural sector is a significant contributor to the country's economy. Agriculture accounts for approximately 22.5% of the GDP. The crop sub-sector provides nearly 40% of foreign exchange earnings and about 75% of total household income. The sector, although currently following traditional methods. offers potential for modernization and increased efficiency. The government's commitment to reducing imports and supporting local farmers underscores its dedication to strengthening domestic agriculture. Key subsectors with vast potential include rice production, agro-processed products, and other agricultural commodities. The government's targets enhancing fisheries production and its exports emphasize opportunities in this vital sector. As The Gambia's population continues to grow steadily, the demand for agricultural products also remains strong besides earning for foreign exchange through exports.



#### रेड्स Tourism

The Gambia's tourism sector offers compelling opportunities for aspiring entrepreneurs and investors. Historically a crucial driver of economic growth, the industry provides employment for 42,000 people (18% of employment according to the World Travel & Tourism Council WTTC 2018) and contributes significantly to the nation's GDP, accounting for 20%. Recent efforts by The Gambian government to relax travel restrictions and reopen borders signal a potential rebound in tourism. This sector holds significant potential for expansion, especially with the construction of 4- and 5-star hotels, and eco-tourism development. Tourist arrivals are expected to experience a slight growth, with an average rate of 2.4% year-on-year between 2021 and 2026.



### **Information and Communication** Technology (ICT):

The Gambia's tech sector has experienced a significant growth, driven by government-led policies and the introduction of the African Coast to Europe (ACE) cable system in 2012. The country benefits from robust infrastructure and mobile connectivity, with a government emphasis on Information and Communication Technology (ICT). However, this sector seems to have been missed out in the government incentives such as special investment certificates.

Notably. The Gambia's tech ecosystem is ripe for innovation, with a workforce where 88% are under and many startups are led by young entrepreneurs. The Youth Empowerment Project (YEP) Tech program exemplifies this trend with 82% of founders under thirty-five (35). While challenges persist, The Gambia's tech sector remains resilient and promising, with the World Bank's Digital Economy Diagnostic identifying opportunities for improvement. While the technology developing, the future of The Gambia's tech sector substantial potential for entrepreneurs and investors for leaping in ICT.

## 3. The Gambia startup scene

To provide a comprehensive insight into the startup scene of The Gambia, the data below is built upon a synthesis of data sourced from reputable platforms. It provides an approximate count of the Startup Support Organizations (SSOs), i.e., incubators, accelerators, and coworking spaces, currently in operation.

#### Startup ecosystem in numbers

- Number of operating startups<sup>1</sup>: 20
- Number of incubators/ accelerators/ entrepreneurship centers<sup>2</sup>: 8
- Number of coworking spaces<sup>2</sup>: 2

#### **Entrepreneurship and Innovation in The Gambia: Indexes & Rankings**

Index	Ranking
Economic freedom <sup>3</sup>	97
Global knowledge <sup>3</sup>	113
Network readiness⁵	120
Political and operational stability <sup>6</sup>	92
Regulatory quality <sup>7</sup>	144

The Gambian government has demonstrated a steadfast commitment to enhancing the nation's governance indicators, with a particular focus on improving regulatory quality. Recognizing the pivotal role that sound regulatory frameworks play in fostering a conducive business environment, attracting foreign investment, and promoting sustainable economic growth, the authorities in The Gambia are actively pursuing reforms aimed at streamlining procedures, ensuring transparency, and upholding the rule of law.

These efforts are part of a broader strategy to strengthen institutions, reduce bureaucratic red tape, and create a more agile and responsive regulatory system that can adapt to the dynamic needs of a growing economy. The government's dedication to this cause is indicative of its resolve to position The Gambia as a competitive player in the regional and global markets, while also ensuring that the benefits of development are widely shared among its citizens.





# I. Guiding steps to launch a startup in The Gambia

## 1. Country specific legal structures

Businesses in The Gambia can consider several legal structures. The multiple legal structures cater to different needs and objectives, offering entrepreneurs a range of choices to align their ventures with their goals. The <a href="Companies Department">Companies Department</a> plays a central role in ensuring a smooth and legitimate registration process. Businesses in The Gambia can adopt any of the following structures:

- Sole proprietorships
- Partnerships
- Companies

A company can take the form of any of the following legal specifications:

- · A private limited liability company
- · A company limited by shares
- · A company limited by guarantee
- · A public limited liability company
- · A branch of a foreign company/External company

Taking a panoramic view of the Micro, Small, and Medium Enterprises (MSMEs) landscape reveals a prevalent trend: almost 89% of businesses function as **sole proprietorships**. Despite their commonality and lower regulatory requirements, this ownership model brings inherent vulnerabilities, especially concerning, risk taking, governance and succession planning. In this context. Tackling these challenges head-on becomes pivotal to ensuring the resilience and long-term success of these vital economic entities. In light of these considerations to common sole proprietorships, selecting an appropriate corporate legal structure is important for startups in The Gambia.

When launching a startup, it is imperative to opt for a structure that guarantees limited liability for shareholders, allows for adaptable organizational frameworks, and ensures a straightforward setup process. A company, with its inherent flexibility, emerges as the preferred choice for these new entrepreneurs in their ventures. Any two (2) or more individuals have the option to establish and register a company, provided they adhere to the stipulations outlined in the Companies Act of 2013.

Here are several compelling reasons for choosing this structure:

#### **Risk Mitigation**

Shareholders' personal assets are protected. In the event of financial loss or legal issues, shareholders are only liable for the amount they invested in the company, not beyond it.



#### **Credibility and Permanence**

Such a structure often conveys a sense of stability and longevity to customers and suppliers, enhancing the startup's reputation.

#### **Business Continuity**

The company can endure beyond the involvement of its founders, as shares can be transferred without affecting the company's existence.

#### **Investor Attraction**

Limited liability makes the startup more appealing to potential investors, as they can invest without the fear of incurring additional financial obligations.

#### **Capital Accumulation**

It is easier to raise capital as the startup can issue shares to a broader range of investors, knowing their liability is limited.

By making a well-informed choice aligned with these crucial factors, startups can establish a robust legal foundation. This strategic decision not only addresses the vulnerabilities of sole proprietorships but also positions these businesses for success. In essence, the selection of the right legal structure acts as a cornerstone, reinforcing the resilience and longevity of startups in The Gambia's dynamic ecosystem.

## 2. Legal steps

The registration process for various types of businesses and nonprofit organizations in The Gambia is overseen by the Companies Department, a division within the Ministry of Justice.

Once registered, the agency provides businesses and nonprofits with certificates of incorporation and business status. These formalities are handled either at the <u>Companies Department</u>'s primary office in Banjul or at their branch office in Kanifing Municipal Councils (KMCs).





## Step 1: Secure a company name



- 1 Visit the Companies Department or appoint a <u>legal practitioner</u>.
- 2 Conduct a manual name search.

## O Duration

Up to one (1) day.

## **S** Cost

Name reservation: 500 GMD.

## Step 2: Notarize company documents

The **Memorandum of Association (MoA)** serves to outline crucial details about the company, including its name, registered location, objectives, its legal status, and the authorized share capital, specifying the amount subscribed by each member. The organizational structure and operational guidelines for the company's operations, however, are provided by the **Articles of Association (AoA)**. These agreements work together to create the framework for how the organization runs and does business.

## Steps Step

- 1 Draft your MoA and AoA.
- 2 Notarize the documents via a public notary to verify their authenticity.
- 3 File the AoA and the MoA of the company at the Companies Department.



## Step 3: Obtain a Tax Identification Number (TIN)

## Steps Ste

- Collect the TIN application form accessible at The Gambia Revenue Authority's (GRA) Banjul headquarters or at the GRA Tax Administrative and Regional Office in the provinces.
- 2 Attach a copy of the relevant supporting documents.
- 3 Submit the form and the required documents at the closest GRA office.

## **Documents**

- An application form.
- Memorandum of Association.
- Articles of Associations.
- <sup>-</sup> Copies of the director's identification (e.g., passports, national ID).

## **S** Cost

25 GMD.

## Step 4: Obtain a business registration certificate

No restriction is placed on the minimum or maximum share capital of a company during registration. The certificate of registration or its certified copy must be exhibited at the premises of the business. It must be renewed at the end of its twelve-month (12) validity period to maintain its validity.

## Steps Ste

- 1 Fill in the form SWR 7 (application form) handed at the Companies Department.
- 2 Attach the required documents below and submit the application.



## Documents

- A copy of the company's TIN Card.
- AoA and MoA.
- A copy of the National Identity card/Passport/driving license of shareholders, directors, and secretary. If any of the shareholders/directors is a non-resident, attach particulars of agent on their behalf in The Gambia.

## **U** Duration

Up to two (2) days.

## **S** Cost

- Business Registration: 1,000 GMD.
- Incorporation fees depend on the share capital, for more information check this link.

## Step 5: Obtain an operational license

To commence your operational activities, it is imperative to acquire the requisite operational license from the corresponding ministry or institution overseeing your specific sector of activity. To guide you through this application process, we outlined the relevant sectors and their respective websites for your reference.

- **Energy:** Home Public Utilities Regulatory Authority (pura.gm).
- ICT: Ministry of Communication, Information & IT | Gambia.com.
- **Fisheries:** Ministry of Fisheries and Water Resources (mofwr.gm).
- **Agriculture:** Ministry of Agriculture The Gambia.

- Financial services: Central Bank of The Gambia (cbg.gm).
- Food productions: Food Safety Quality Authority fsqa.
- For unlisted sectors: Contact <u>GIEPA</u> by email info@giepa.gm.

According to the Environment Act of 1994, all projects that can have a detrimental influence on the environment must receive an environmental clearance from the <u>National Environment Agency (NEA)</u>.



## Step 6: Register as an employer with the Social Security and Housing Finance Corporation

The social security department receives a 5% deduction from each employee's monthly salary as a contribution to their social security, while the company contributes an additional 10% on the employee's behalf. Two distinct retirement savings schemes are in place: the Federated Pension Scheme and the National Provident Fund. The Federated Pension Scheme functions as a defined benefit plan, assuring eligible members a fixed and guaranteed benefit. This benefit encompasses a monthly pension payment and a lump sum payment for disability settlement, offering financial security to qualified retirees. In contrast, the National Provident Fund operates as a defined contribution plan. The retirement benefit is contingent on the total sum, including accrued interest, accumulated in these individual accounts until members attain the standard retirement age of sixty (60) years.

To learn more about the process, visit the website of Social Security & Housing Finance Corporation.





Complete the relevant registration forms (NFP1 for Federated Pension Scheme, <u>NPF1</u> for National Provident Fund, <u>ICF1</u> for Industrial Injuries Compensation Fund).

## **Documents**

- A valid business registration certificate.
- <sup>-</sup> A Tax Identification Number (TIN) number.

#### O Duration

**Immediate** 



Free



## II. Other country-specific considerations

## 1. Considerations for foreign investors

While The Gambian government welcomes both domestic and foreign investment across various sectors of the economy, according to <u>access The Gambia</u>, it places utmost importance and priority on attracting and promoting increased investment in specific areas and sectors such as the special economic zones.

Residents of The Gambia can benefit from relief from double taxation if they pay taxes in a commonwealth country. Additionally, The Gambia has double taxation arrangements with five (5) countries (UK, Norway, Sweden, Taiwan and KSA). Essentially, only the portion of income that is taxable in The Gambia and in the other country will receive relief up to the amount of tax paid in that other country.

For Startups willing to recruit non-national skilled staff, employers are allowed to employ the non-Gambian citizens up to 20% of their workforce. An employer wishing to exceed this limit will require the approval of the Minister of Finance and Economic Affairs.

## 2. Tax regime

#### Brief overview of The Gambia's tax regime

In The Gambia, income tax is imposed on both resident and non-resident individuals every tax year. The chargeable income, which is the total income minus any exempt income, is subject to taxation. For residents, the gross income encompasses earnings from all sources worldwide. However, non-residents are only taxed on income generated within The Gambia.

A company is considered a resident for tax purposes in The Gambia if:

- The company was incorporated or formed in The Gambia.
- The control and management of the company's business is exercised in The Gambia at any time during the year.

### Value-Added Tax (VAT)

Businesses with annual turnover of GMD 2 Million are required to register for VAT purposes. in addition, businesses with taxable supplies of GMD 1,000,000 and above in a tax year may voluntarily register. However, Businesses who do not meet these thresholds cannot register and cannot charge VAT.

All consumers of taxable goods and services in The Gambia are liable to pay VAT. Equally all importers of taxable goods or services are liable to pay VAT.

#### Withholding Tax (WHT)

The Gambia levies a withholding tax on various types of income received by non-residents from sources within the country. The withholding tax obligations are on payments of dividends, interest and contracts at the rate of 15%, 15% and 10% respectively.



#### **Corporation Income Tax (CIT)**

The corporation tax is a tax charged on the earnings of companies, partnership or bodies of trust. This could be based on the turnover or chargeable income. All companies must use the accrual method of accounting for income tax purposes. For partnerships and bodies of trusts, revenue and earnings can be accounted for on an accrual or cash basis.

All companies, partnerships or bodies of trust operating in The Gambia are liable to pay corporation tax. Those incorporated and or controlled in the country are resident companies and are therefore liable to pay corporation tax on all incomes. Non-resident companies, partnerships or bodies of trust are liable to pay tax only on The Gambian-sourced income.

The overseeing entity responsible for the collection of all taxes levied on income from employment or business activities is the <u>Domestic Taxes</u> <u>Department</u>, under The <u>Gambia Revenue Authority</u> (GRA).

## Payroll tax

Also called Expatriate Quota tax, is tax imposed on any person employing a non-Gambian during a tax year. All employers of the non-Gambian citizens are liable to pay payroll tax to GRA. The employers are not supposed to deduct or recover the tax paid from the employees.

#### Income tax return

Considering the current ecosystem, two types of income tax return are relevant to The Gambian entrepreneurs:

- Corporate: Levied on the turnovers/sales or profits of companies or partnerships.
- Business: Imposed on the income of individual businesses, calculated based on the higher of either turnover/sales tax or profit tax using the rates specified in the first schedule.

Both payments are made quarterly, either through installments or quarterly payments. The final tax amount is settled within three (3) months after the conclusion of the tax year.

#### Capital gains tax

Capital Gains Tax is a tax imposed on the disposal of a capital asset. Capital assets include land, machinery, shares, interest in partnership, and any right, title or interest in the assets listed above, but excluding depreciable assets and stock-in-trade. In simple terms, this means the tax imposed on the income derived from the disposal of one's capital assets.

Any person who disposes a capital asset in The Gambia is liable to pay the tax. In addition, any Gambian resident who sells a capital asset outside The Gambia is liable to pay capital gains tax.

For companies, the rate of CGT is fixed at 25% of the gains.

#### Social security contributions

Employers in The Gambia are required to make social security contributions on behalf of their employees on a monthly basis. The <u>Social Security and Housing Finance Corporation (SSHFC)</u> is responsible for managing the <u>National Provident Fund</u>, which is a defined contribution fund in which both employers and employees make fixed contributions into individual member accounts, and benefits are based on the amounts credited to those accounts plus accrued interest up to members' attainment of the normal retirement age of sixty (60) years.



## 3. Tax compliance requirements

The calendar year is the tax year. However, a company can apply to the Commissioner General for a special tax year.

Companies are required to:

- File returns annually through the self-assessment process.
- Make quarterly/instalments payments on their quarterly turnover.

A taxpayer can apply to the Commissioner General for an extension of time to file a corporate income tax return if they have paid at least 90% of the tax liability due. The application should be made before the due date for filing. Extensions cannot exceed 30 days and can only be granted once a year.

#### Corporation tax returns and payments

companies under the Large Taxpayer Unit (LTU) should submit their corporation tax returns and the Kanifing Revenue Office. All other companies should submit and pay their corporation tax returns at the nearest GRA office or at any of GRA's designated partner banks. However, holders of the Special Investment Certificate (SIC) are exempted from corporation tax.

#### **WHT filing**

The closing date for filing withholding tax statements is 2 months after the end of the tax year. Returns for withholding tax on contract payments are submitted by the contractee and payments made at the nearest DTD Tax Office. Payments can also be made at the GRA's designated partner banks.

# Filing and payment requirement of Capital gain tax

A capital gains taxpayer should fill the prescribed Capital Gains Tax Return and make payments of the tax due within 15 days after the disposal of a capital asset. Documents providing evidence of ownership cost and selling prices should be attached to the return. Capital gains tax returns are submitted, and payments made at the nearest DTD Tax Office in the Region where the taxpayer or the capital asset is resident.

#### Payroll tax payment

All payroll taxes should be paid at any DTD Tax Office within 14 days after the non-Gambian employee takes up the appointment. For continuing employees, the payroll tax is due on or before 31st January each year.

#### VAT filing and payment

VAT registrants are required to file the prescribed VAT return form and make payments for all amounts due monthly. The due date for each month's filing and payment is the 15<sup>th</sup> of the following month. Import VAT is payable before the goods are released.

As long as a business remains registered, they are not exempted from monthly filing and payment. Even where there are no business transactions during a given month or no sales, a registrant is required to file a return.

#### Quarterly/instalments payments

they are credited to their tax liability at the end of the tax year. The closing dates for quarterly instalment payments are the 15<sup>th</sup> of the month following the end of the quarter. The closing date for filing and payment of final tax liability is 3 months after the end of the tax year.



## 4. Financial reporting and auditing regulations

<u>Gambia Institute of Chartered Accountants (GICA)</u> serves as the regulatory authority for all companies, excluding commercial banks, setting the standards for financial reporting and auditing practices in The Gambia. Financial reporting and auditing regulations are governed by the <u>Financial Reporting Act</u> of 2013, which, interestingly, as against conventional international practice does not stipulate the specific accounting and auditing standards such as IFRS to be followed by financial statement preparers and auditors.

However, the Act allows the use of <u>International Financial Reporting Standards (IFRS)</u> issued by the <u>International Accounting Standards Board (IASB)</u> for the consolidated and separate financial statements of companies, except commercial banks. Many companies opt to apply these IFRS standards. Small and Medium Enterprises (SMEs) have the option to use the IFRS for SMEs.

Furthermore, under the Financial Reporting Act of 2013, the registration of practicing auditors is mandated. The Act establishes both the GICA and the <u>Financial Reporting Oversight Board (FROB)</u>, tasked with developing financial reporting, accounting, and auditing standards.





Navigating startup regulations and incentives

## I. Government Incentives

## 1. Tax incentives

Under <u>The Gambia Investment and Export Promotion Agency (GIEPA)</u> Act, the the government of The Gambia has introduced various incentives for eligible businesses operating within Export Processing Zones (EPZ) and meeting certain export requirements.

For EPZ license holders who export at least 80% of their products, the following incentives are available:

- A reduction in corporate or turnover tax may be granted to eligible businesses.
- A reduction in the withholding tax on dividends for eligible businesses.
- Eligible businesses may receive exemptions or reductions on value-added tax (VAT) for imported direct inputs.
- Depreciation allowances for eligible businesses.

- Eligible businesses may qualify for exemptions or reductions on import duties for imported direct inputs.
- Exemptions or reductions on excise duties for imported direct inputs for eligible businesses.
- Waivers on municipal taxes.

For EPZ license holders exporting at least 30% of their outputs, eligible businesses may benefit from the following incentives:

- 10% concession on corporate/turnover tax for a period of five (5) years.
- Financial planning services and advice.

Export incentives schemes are available for enterprises that operate either outside or within an export processing zone.

GIEPA offers a variety of incentives for investors including the Special Investment Certificate (SIC). The SIC is the main incentive scheme and is available for domestic and foreign investors if they invest a minimum of, respectively, USD 100,000 and USD 250,000 in a priority sector and/or in a priority area, employ a minimum number of The Gambians set by the regulations, or create value addition. Tax incentives include:

- Exemption from income tax for five years for priority sectors and eight (8) years for priority areas.
- Exemption from import duty with respect to capital goods; and an exemption from import VAT for five (5) years.



## 2. Non-tax financial incentives

These initiatives are geared towards furnishing entrepreneurs and ecosystem builders with essential assistance, resources, and opportunities, all of which are pivotal in fostering their growth and bolstering their contributions to The Gambia's economic development. Main incentives are listed below.

#### Tekki-fi grant

The "Make it in The Gambia-Tekki Fii" is a program that aims to improve economic development and prospects for The Gambia's youth, including returning migrants, by promoting attractive employment and income opportunities. Moreover, the objective is to support the businesses to boost economic development with a focus on generating training, entrepreneurship, employment, and access to finance opportunities for The Gambians.

#### This program provides:

- Grants up to GMD 50,000 to facilitate acquisition of equipment, materials, licenses and other business critical inputs and assets.
- Grants are disbursed either as cash or as assets, but asset disbursements will be given priority where feasible.
- No collateral, interest rate or repayment requirements.
- Grantees receive financial literacy training to improve their capacity to save, exercise financial planning and separate their private funds from the funds of the business.
- Grantees participate in annual experience sharing events to communicate results, success stories and best practices of the mini-grant scheme.

## Tekki-Fii support areas cover the following:

- · Access to finance.
- Entrepreneurship & business development.
- Skills development.
- Social cohesion.
- Sports for development.

#### The Enterprise Development Fund (EDF)

The Gambia Investment and Export Promotion Agency (GIEPA) Act of 2015 established EDF to provide support for entrepreneurship development by specifically giving support to Micro, Small and Medium Enterprises (MSMEs) across The Gambia. The Enterprise Support Department is tasked with providing financial and technical support and business advisory/ development services to Micro, Small and Medium Enterprises for growth,

# National Association of Cooperative Credit Unions of The Gambia (NACCUG) Grant Schemes

competitiveness, and development.

These grant programs provide early-stage entrepreneurs, who have successfully finished an entrepreneurship training program, with seed funding of up to GMD 250,000. This funding establishes a mutually beneficial connection between business development financial support and initiatives. By combining training and funding, entrepreneurs get the chance to implement adjustments in their businesses or expand, drawing upon the insights and guidance acquired during their training sessions.



## 3. Special Economic Zones

Special Economic Zones (SEZs) were established as geographically distinct areas with more liberal administrative, regulatory, and fiscal regimes to attract investment and boost economic activity. These zones often featured clusters of companies known as agropoles, which focus on producing and marketing agricultural products.

For instance, along The Trans-Gambia and Senegambia Bridge Corridor, SEZs are developed based on regional productive systems and market potential. In developing countries, these zones typically offer import and export duty exemptions, streamline customs procedures, liberal foreign exchange policies, and income tax incentives to reduce business costs and enhance global market competitiveness.

#### **Priority sectors**

- Agriculture, with a focus on horticulture, floriculture, animal husbandry, fruit/vegetable processing, and canning.
- · Fisheries and forestry activities.
- · Tourism and hospitality industry.
- · Light manufacturing and assembly.
- · Energy production (electricity).
- Mineral exploration and extraction, particularly in the nation's hydrocarbon resources.
- Communication and services, aligning with the latest national strategies promoting. deregulation, divestment, and liberalization of this sector.

#### **Priority regions**

- The West Coast
- · Lower River Region
- Central River Region
- North Bank
- Upper River Region

### **Export Processing Zones and Industrial Parks**

To encourage sustainable investment into priority sectors and regions of The Gambia, <u>Gambia Investment and Export Promotion Agency (GIEPA)</u> offers a variety of incentives for investors. These include the Export Processing Zone License (EPZL) and the Special Investment Certificate (SIC) To apply for the certificate, you have to submit the required documents to GIEPA, in person, by visiting the GIEPA office, or via email to <a href="mailto:info@giepa.gm">info@giepa.gm</a>. The Special Investment Certificate include the following incentives:

- Accelerated annual allowance at the rate of 15% for the depreciation of buildings, including structural improvements and notwithstanding the rates provided in Schedule III of the Income and VAT Act (2012).
- Exemption from import duties on some raw materials used in production. Exemption from import VAT for five (5) years.
- Exemption from income tax for five (5) years for priority sectors and eight (8) years for priority regions.
- Exemption from tax on dividends, withholding tax and turnover tax



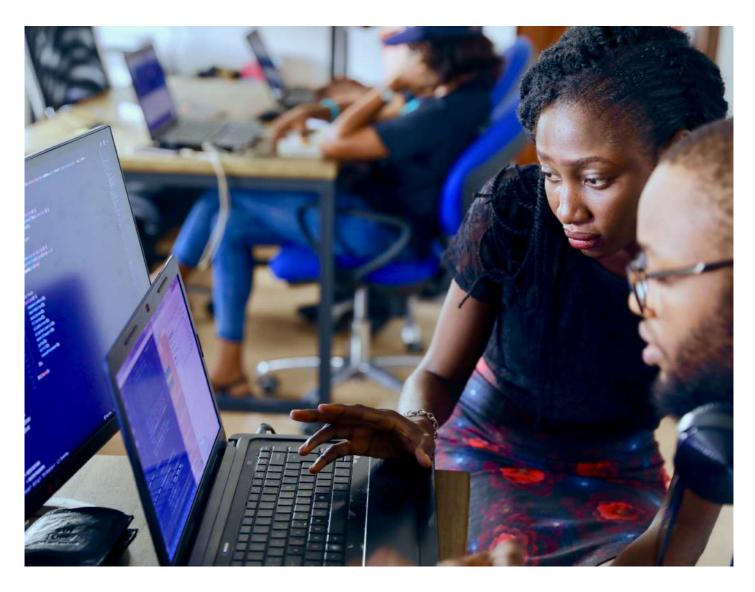
• Exemption from import duty with respect to capital goods such as plant, machinery, equipment, and furniture etc.

To learn more about incentives, you can visit Gambia Investment & Export Promotion Agency's website.

### **GIETAF Special economic zone**

The GIETAF is a 160-hectare mixed-use business park being developed through a public private partnership between The Gambia Investment and Export Promotion Agency (GIEPA) and TAF Africa Global Limited (TAF). GIETAF incentives will include:

- A Tax Holiday in respect of income tax including corporate or turnover tax.
- An annual allowance at the rate of 15 percent for depreciation of buildings including structural improvements.
- Exemption from import duty in respect of capital goods in accordance with the Customs and Excise Act, 2010.
- Exemption from import value-added tax.
- Additional deduction from taxable income of 50 percent of training, research, and product development costs.
- Foreign ownership of investments.





# II. Labor and immigration regulations and facilitations

Citizens of the United Kingdom, Commonwealth countries, the Economic Community of West African States (ECOWAS), the European Union (EU), and nations with reciprocal visa abolition agreements with The Gambia are exempt from visa requirements for visits not exceeding ninety (90) days, whether for leisure or business purposes. However, individuals from all other nationalities must obtain a visa, which can be acquired from The Gambian embassies and consulates. The Gambian High Commission and Consular Offices are the only accredited The Gambian Government agencies who are permitted to grant Gambian visas in a country other than The Gambia.

## 1. Business visa

A business visa is required for people visiting general business meetings and site visits.

## Requirements

- A valid passport with at least six (6) months validity.
- One visa application form, completed and signed.
- <sup>-</sup> Two passport-type photographs required.
- A copy of a round-trip airline tickets or itinerary, or letter of confirmation from travel agent.
- A proof of financial support.
- A business letter stating the purpose and duration of the visit and the applicant's responsibility for all travel expenses.
- A letter of invitation from the host company in The Gambia.

## 2. Work Visa

Foreign employees and individuals intending to reside in The Gambia must apply for a residence permit, as stipulated by The Gambian government. These residence permits fall into two categories:

- Type B Residence Permit: This category is designated for citizens of ECOWAS and other foreign nationals engaged in skilled employment.
- Type C Residence Permit: Skilled workers and small traders are eligible for the Type C residence permit category.

Typically, employees will require either a Type B or Type C residence permit. These permits not only authorize residence but also serve as work permits for foreign nationals, as they are issued based on employment. Applicants are advised to contact The Gambian embassy or consulate in their country of residence to obtain an up-to-date and comprehensive list of requirements and documentation.



## Steps Ste

- Contact The Gambian embassy or consulate in your home country to begin the visa application.
- 2 Obtain the latest list of visa requirements from diplomatic officials.
- 3 Complete the necessary vaccinations and gather the required documents.
- 4 Submit the application to the embassy.

## Requirements

- Applicants need to be vaccinated against malaria, meningitis, and yellow fever before traveling.
- <sup>-</sup> Upon arrival, visit the local police department to secure an Alien's ID card (You'll need to provide your passport and a valid ID from your home country).

## **Documents**

- A signed, valid passport that contains at least two blank pages and is valid for at least six (6) months.
- <sup>-</sup> A duly completed and signed application form.
- A recent passport photo.
- A letter of responsibility from the applicant's employer in the Republic of The Gambia explaining the purpose of travel, proof of financial support for the applicant during their time in The Gambia, and business references.





# III. Data protection

The Gambia has not yet enacted a Data Protection Act. However, the country did pass the Information and Communications Act, commonly known as "the ICA," in 2009. This legislation is designed to address pertinent issues and govern the development, organization, and oversight of the nation's information and communications sector. Data protection and privacy laws pertaining to information and communications service providers are largely covered by the provisions within the ICA.

The Draft Policy Strategy aligns with international best practices. It underscores the importance of processing personal and special category data in a fair, lawful, and transparent manner. This process should be in line with legitimate purposes while striking a balance between public and private interests, all the while safeguarding individual rights and freedoms. Moreover, the strategy outlines the following key principles:

- Ensuring the fair, legal, and transparent processing of personal data.
- Utilizing only relevant and necessary data, a practice known as data minimization.
- Ensuring data accuracy and currency.
- Implementing time limits for data storage.
- Processing personal data for specific, welldefined, and authorized purposes.
- Establishing security measures and reporting procedures for data breaches.
- Demonstrating compliance with data protection regulations.

The Draft Policy Strategy also underscores the necessity of upholding the same level of data protection when transferring personal information across borders as within The Gambia. Such transfers must guarantee an adequate level of protection, which can be achieved through the laws of the recipient nation, international agreements, or approved safeguards. In specific cases, data transfers may be permissible with the explicit consent of the data subject, with the aim of safeguarding individual rights, upholding legitimate public interests, or promoting free speech within a democratic society. To learn more, read this <u>overview</u> of data protection in The Gambia.





# IV. Intellectual property

The Gambia recognizes and provides protection for intellectual property rights under its legislation and international agreements. Under these provisions, you can claim ownership over the creation of an invention, a design, a distinctive mark, or an artistic work etc. The protection of these creations gives you an exclusive or unique right of exploitation.

It gives you the right to take judicial and other measures for their protection in case of unlawful unauthorized copying and use by third parties. There are very common four (4) types of intellectual property rights: patents, trademarks, copywrite, and industrial designs. The section below covers the steps you need to know to receive protection under three (3) types based on their relevance to startups. The application process is administered by the Ministry of Industry, Trade and Supply.

The Industrial Property (IP) Office is headed by the Registrar General under the Ministry of Justice. The Office is responsible for the administration of all national applications, applications received from the Africa Regional Intellectual Property Organization (ARIPO) as well as applications received from the World Intellectual Property Organization (WIPO).

## 1. Patents

A patent is a legal document that grants the holder exclusive rights to an invention for a defined period of time. It is a key element of Intellectual Property (IP) protection. In The Gambia, patent protection law allows for the granting of patents to safeguard inventions that meet the necessary legal requirements, and it involves an application process. Anyone seeking to use a patented invention in The Gambia, apart from the patent holder, must obtain permission from the patent owner. To secure intellectual property rights, registration is mandatory and operates on a first-to-file basis. To register, individuals must submit the required forms and associated fees to the Industrial Property Office. National patents are initially protected for fifteen (15) years from the date of filing, with the possibility of a five-year extension upon request, allowing for a maximum protection period of twenty (20) years.



- 1 Submit a patent application to the Registrar General.
- 2 Include a request, description, claims, and accompanying documents.
- 3 After review and approval, obtain a form P6 certificate.

## Requirements

- An invention must be new for it to be granted a patent protection.
- For an invention to qualify for a patent, it must not be obvious to someone with ordinary skills in the relevant field.
- An invention must find applicability in various industries to be eligible for patent protection.



## **Documents**

- Application form P1.
- A drawing.
- An abstract.

## © Cost

- Nationals: 5,000 GMD.

- International: 400 USD.





## 2. Trademarks

A trademark is a symbol, word, or phrase legally registered or established by use as representing a company or product. It distinguishes goods or services of one entity from those of others and provides exclusive usage rights to the owner. The registration of a trademark can be perpetually renewed and maintained, contingent upon the payment of the designated renewal fees38. Registration remains valid for a duration of ten (10) years starting from the filing date. Trademark registration in The Gambia provides exclusive marketing rights, legal protection against infringement, enhances brand recognition and value, and offers international protection through agreements like ARIPO and the Madrid Protocol.

## Steps Step

- 1 File the application at the Registrar General using Form M1.
- 2 Pay the registration fee and show evidence of payment.
- 3 Submit the required documents.
- 4 Date and stamp you your application at the Registrar;
- 5 After review and approval, pay the publication fee.
- 6 If there is no opposition, a registration certificate form M8 is issued.

## Requirements

- <sup>-</sup> A mark must be distinctive and must not be descriptive.
- A mark cannot be registered if:
  - It cannot distinguish one company's products or services from another.
  - · It goes against public morality.
  - It's likely to mislead the public or trade circles regarding the origin, nature, or characteristics of the goods or services.
  - It's identical to or imitates national emblems, names, or official signs without proper authorization.
  - It's identical or confusingly similar to a well-known mark for the same or similar goods or services.
  - It's identical to an existing mark for the same or closely related goods or services.
  - It closely resembles such a mark and is likely to cause confusion or deception.



## **Ouration**

Up to twelve (12) months.

## **S** Cost

- Registration for nationals: 2500 GMD.

- Registration for internationals: 200 USD.

- Publication for nationals: 1250 GMD.

- Publication for internationals: 100 USD.

## 3. Industrials designs

An industrial design is the unique aesthetic features (the shape of an article, or two-dimensional features, such as patterns, lines, or color.) of a product that can be registered to grant the creator exclusive rights to its commercial use, preventing unauthorized replication or imitation. Registering an industrial design provides several advantages, including safeguarding it from unauthorized usage, permitting the design's licensing or sale, and enabling legal action against those who infringe upon it. The Gambia is a signatory to ARIPO's Harare Protocol concerning Patents and Industrial Designs. This protocol establishes a baseline of five (5) years for industrial design protection, and this protection can be extended in 5-year increments, up to a maximum of twenty-five (25) years. Hence, it can be deduced that industrial design protection in The Gambia lasts for a minimum of five (5) years, with the option of renewal for up to twenty-five (25) years. Note that it is not a requirement for the design to have an objectively noticeable aesthetic quality.

## Steps Ste

- 1 Complete Form D1 for registration
- Provide applicant details, including name, nationality, legal status, physical address, and full company details, if applicable
- 3 Submit at least one (1) drawing, photograph, or graphical representation of the design
- 4 Indicate the products for which the design will be used
- 5 Classify the design according to the Locarno Agreement
- 6 If the creator is not the applicant, provide a deed of assignment with a simple signature
- 7 If the documents are not in English, provide a certified English translation.



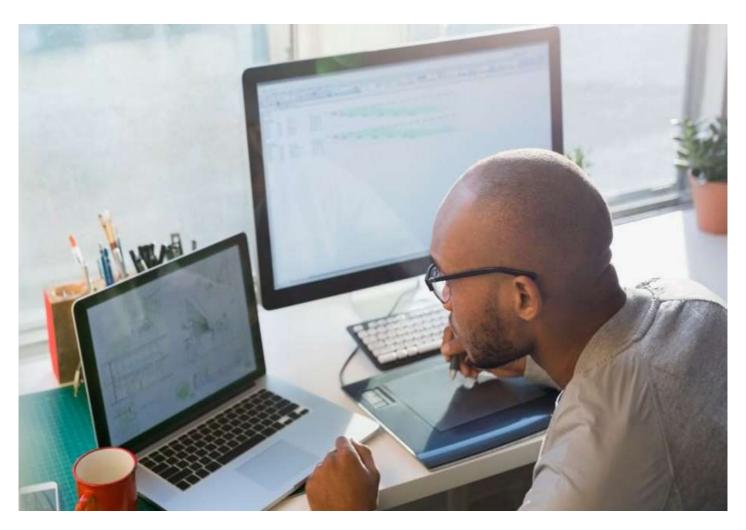
- Prepare a statement of novelty (Distinctive Statement) without describing the article's use, features, advantages, or construction method.
- 9 If priority is claimed, submit a certified copy of the priority document with a verified English translation (this can be filed within three (3) months from the initial filing).
- 10 Pay the prescribed application fees;

## **Ouration**

- National-route applications: Approximately fifteen (15) to eighteen (18) months.
- Regional-route applications: Approximately eight (8) to twelve (12) months.

## **S** Cost

Nationals: 3125 GMD.International: 250 USD.





# V. Key support organizations and initiatives (not exhaustive)

#### **Coworking spaces**

AFB Workspace

The Hub

#### **Accelerators**

The Disruptive Lab

## **Funding programs/institutions**

African Business Angels Network (ABAN)

Gambia Angel Investors Network (GAIN)

Reliance Financial Services Company Limited (Reliance)

Supersonicz "The Micro-Finance"

The Woman Boss

YEP Africa

### **Competitions and Awards**

Entrepreneurship World Cup

National Pitching Competition

Seedstars Gambia

#### **Incubators**

Start-up Incubator Gambia (SIG)

The Hub

#### Other useful resource

Gambia Investment & Export Promotion Agency (GIEPA)

Gambia Youth Chamber of Commerce (GYCC)

Gambian Chamber of Commerce and Industry (GCCI)

Gambian IT association (ITAG)

Start-up Grind Banjul

The Global Youth Innovation Network Gambia Chapter (GYIN Gambia)

The National Centre for Arts and Cultures (NCAC)

YEP Africa



Reference list 34

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Appendix 36

## Appendix 1: Launching your startup: key success factors



#### Addressing market demand

Your startup should provide a compelling solution to a specific problem within a large and eager market. Think of it as a puzzle piece that fits perfectly into the demand landscape. Steve Blank's Customer Development Model can guide you in creating a product or service that customers cannot resist.



### Feasibility analysis

Conduct a thorough feasibility analysis. This process empowers you to make informed decisions, spot areas needing improvement, and allocate resources effectively. It is your tool for maximizing your chances of crafting a successful, long-lasting venture.



## **Market insights**

Dive deep into market analysis. Understand the current state of your industry segment and define your target market. A strong grasp of market dynamics is essential for positioning your product or service effectively.



#### Building a stellar team and network

Source and group a team of multitalented experts. This is one of the fundamental steps to scale a startup. These diverse talents will complement each other and will help you access a strong, interconnected network that can be your secret weapon for gaining support, mentorship, and continuous learning.



### **Analyzing the competition**

Competitive analysis is not just about sizing up rivals; it is a vital part of your strategic planning, systematic research and evaluation of your competitors' strengths and weaknesses. It will guide you into finding your competitive edge and creating your added value ion the market.



### **Legal Flexibility**

The legal form of a startup must allow for flexibility. Choose a legal structure for your startup that offers the flexibility needed for growth. Make it easy for shareholders to join and leave the company and ensure your memorandum of association can adapt to your evolving needs. In fact, the memorandum of association must be drawn up freely and allow the opening of share capital.



Appendix

# Appendix 2: What type of support to expect at each stage of a startup lifecycle

	Startup development stages	Government support	Funders support	SSOs support
Outreach	<ul> <li>Idea formation</li> <li>Problem validation</li> <li>Team establishment</li> </ul>	<ul> <li>Promote entrepreneurship education</li> <li>Facilitate Ideation: Hackathons, startup Weekends, etc.</li> <li>Promote innovation and entrepreneurship culture</li> </ul>	<ul> <li>Financial literacy and entrepreneurship awareness programs</li> <li>Networking opportunities to connect with potential mentors, advisors, and industry experts</li> </ul>	<ul> <li>Access to         experienced         mentors who         provide guidance         and advice on         various aspects         of startups</li> <li>Provision of         office space,         shared facilities,         and         infrastructure to         support the         early-stage         development of         the business</li> </ul>
Pre start	<ul> <li>Idea development</li> <li>Business modeling</li> <li>Problem/Solution fit: prototyping</li> <li>Team Formation: access to training and mentorship</li> </ul>	<ul> <li>Offer entrepreneurship training and education</li> <li>Facilitate Proof of concept and proof of Business</li> <li>Facilitate Business Modeling</li> <li>Validate MVP</li> </ul>	<ul> <li>Seed funding for idea validation and product development</li> <li>Coaching to refine business ideas and plans</li> <li>Access to incubators or accelerators providing resources, infrastructure, and networking opportunities</li> </ul>	<ul> <li>Assistance in refining the product/service, pricing strategies, and go-to-market plans</li> <li>Support in conducting market research and understanding the target market, customer needs, and competitors</li> </ul>



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	Startup development stages	Government support	Funders support	SSOs support
Launch	<ul> <li>Business         Creation</li> <li>Early-stage         fundraising</li> <li>Initial Go-To         market: MVP         development</li> </ul>	<ul> <li>Provide Early-Stage Financing</li> <li>Facilitate access to client and Go-To -Market</li> <li>Strategic partnerships</li> <li>Housing</li> <li>Operation set up and labeling</li> </ul>	<ul> <li>Seed funding to launch the business</li> <li>Cover initial operational costs</li> <li>Access to angel investors or venture capital firms</li> <li>Guidance on legal and regulatory compliance</li> <li>Support in building a strong founding team and advisory board</li> </ul>	<ul> <li>Guidance on company registration, intellectual property protection, and legal compliance</li> <li>Support in identifying funding sources, preparing investor pitches</li> <li>Connecting with potential investors</li> </ul>
Growth	<ul> <li>Product/Market         Fit</li> <li>International Go-         To-market</li> <li>Expansion and         scaling</li> </ul>	<ul> <li>Facilitate access to Finance</li> <li>Facilitate internationalizat ion via events, strategic partnership, etc.</li> <li>Provide operational support</li> </ul>	<ul> <li>Series A, B, or C funding rounds for scaling operations and market expansion</li> <li>Strategic guidance and industry insights from investors</li> <li>Assistance in negotiating partnerships and strategic alliances</li> <li>Exit strategies and assistance with mergers, acquisitions, or public offering</li> </ul>	<ul> <li>Assistance in scaling operations, managing growth, and overcoming operational challenges</li> <li>Access to industry experts</li> <li>Provide sector-specific knowledge and guidance</li> </ul>











