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Tax Overview 2019

- In Zambia, Income Tax is governed by the Income Act of 2004 Cap 323 and administered by the Zambia Revenue Authority (ZRA). The registrar of Companies advises the Commissioner for Inland Revenue of registration of new companies. The ZRA runs an income tax system where income tax is deducted from individuals at source through self assessment and Pay As You Earn (PAYE). The ZRA Office issues income tax computation tables for guidance to tax payers. PAYE is expected to be paid for every 10th month after the month of actual pay.
- In order to be liable to tax in Zambia a person has to be in receipt of income from a source within or deemed to be within the Republic.
- A company incorporated in the Republic is liable to tax on the trading profits, Zambian dividends and interest.
- A partnership is not liable to tax in Zambia but the income is divided among the partners who are taxed on the partnership income.
- An individual ordinarily resident in Zambia is liable to tax on interest and dividends received from a source outside the Republic.
- A non-resident is liable to pay tax if he is in receipt of income from a source within Zambia.

Double Taxation

Zambia has double tax agreements with a few countries to prevent the taxation of the same income in either country. A foreign resident business undertaking will only be liable to tax if business is conducted in Zambia through a Permanent Establishment.

Where a double taxation agreement exists between Zambia and another country, foreign tax payable by an investor to the other country in respect of any foreign income shall be allowed as a credit for that investor against Zambia in respect of that foreign income.

Taxation of Companies

For tax purposes, a company means any company incorporated or registered under any law force in Zambia or elsewhere.

Charge Of Tax

All companies whether they are resident or non - resident in Zambia and are in receipt of income, which has a source or deemed source in Zambia, are liable to tax.

Residence Of Companies

A company is resident in Zambia for tax purposes if:

- the company is incorporated or formed in Zambia; or
- the central, management and control of the company's business or affairs are exercised in Zambia.

Submission Of Tax Returns

All companies in receipt of income are required to submit tax returns not later than 30th June following the end of the charge year. Where the company submits a tax return late, a penalty is charged.

Submission Of Provisional Tax Returns

All companies in receipt of income are required to submit provisional tax returns not later than 31st March of the charge year to which the return relates. Four provisional tax payment dates, as shown below, are made per each tax year.

First Quarter	14th April
Second Quarter	14th July
Third Quarter	14th October
Fourth Quarter	14th January

A penalty per month or part thereof is charged for failure to submit the provisional return.

Registration For New Companies

Under the Income Tax Act, all new companies incorporated or formed in Zambia are to be registered for tax purposes at the nearest Direct Taxes office or Advice Centre in Lusaka.

Tax Rates

Source of Taxable Income	Rate %
Farming:	
• Local	10
• Export of non-traditional products from farming or agro processing	10
Companies listed on the Lusaka Stock Exchange:	
• Existing	33
• New (only for the first year)	33
• New, with more than 33% shares by Zambians (only for first year)	30
Manufacturing:	
• Fertilizers	15
• Other manufacturing	35
Banks and other Financial Institutions:	
• Income up to ZMK 250,000	35
	40
Mobile Telephone Companies:	
• Income up to ZMK 250,000	35
• Income in Excess of ZMK 250,000	40

Source of Taxable Income	Rate %										
<p>Mining Profits</p> <ul style="list-style-type: none"> Profits earned from mining operations (for both base metals and industrial minerals) Mineral Processing <p>Mineral Royalty Rate</p> <p>On norm value of minerals/precious metals under licence:</p> <ul style="list-style-type: none"> Base metals excluding copper and cobalt Cobalt Precious Metals On gross value of gemstones/energy minerals under licence: <ul style="list-style-type: none"> Energy/Industrial Minerals Gemstones On norm value of copper : <ul style="list-style-type: none"> Norm Price of copper <USD4,500/tonne Norm Price of copper >USD4,500/tonne <USD6,000/tonne Norm price of copper >6,000/tonne <USD 7,500/tonne Norm price of copper USD 7,500/tonne and above <p>Industrial Minerals: includes a rock or mineral other than gemstones, base metals, energy minerals or precious metals used in their natural state or after physical or chemical transformation. Examples include salt, sand, clay, talc, laterite, gravel, potassium minerals, granite and magnetite.</p>	<p>30</p> <p>35</p> <p>5</p> <p>8</p> <p>6</p> <p>5</p> <p>6</p> <p>5.5</p> <p>6.5</p> <p>7.5</p> <p>10</p>										
<p>Turnover tax levied on business with turnover below K800,000 (excludes passive income and income earned from consultancy service', property rental, mining and VAT registered businesses)</p>	4										
<p>Levies on casino, lottery, betting and gaming</p> <table> <tr> <td>Casino live games</td> <td>20% of gross takings</td> </tr> <tr> <td>Casino machine games</td> <td>20% of gross takings</td> </tr> <tr> <td>Lottery winnings</td> <td>35% of net proceeds</td> </tr> <tr> <td>Betting</td> <td>10% of gross stakes</td> </tr> <tr> <td>Gamming</td> <td>k250 to k 500 per machine/month</td> </tr> </table>	Casino live games	20% of gross takings	Casino machine games	20% of gross takings	Lottery winnings	35% of net proceeds	Betting	10% of gross stakes	Gamming	k250 to k 500 per machine/month	
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Income from Business for Charitable Organization	15										
Income from Trusts, Deceased or Bankrupt Estates	35										

Personal Income Tax

Employers are required to register and operate a Pay-As-You-Earn (PAYE) scheme under which they are required to deduct the appropriate tax from the emoluments of liable employees and remit the tax to the Zambia Revenue Authority. The following are the applicable personal income tax rates under the Zambian Tax regime **(a)**. In addition, employers are required to pay skills development levy as shown on **(b)**

Income Bands	Tax Rate
K 3,300 and below per month	0%
K3,301 –4,100 per month	25%
K4,101 – K6,200 per month	30%
Above K6,200 per month	37.5%

(b)

With effect from 1st January, 2017 Act number 46 of 2016 provides for a zero point five percent (0.5%) levy on the gross emoluments payable by an employer to the employee

The levy is due in the same month in which the emoluments are paid or become payable. However, the levy may be remitted to the Zambia Revenue Authority not later than the 10th day of the following month.

Other Taxes

Tax type:	Rates %
Value Added Tax (VAT) - on taxable goods and services and imports	16
Customs Duty - levy on imported goods , charged on CIF (cost, insurance and freight value)	Range - 0 to 25

Excise Duty - A levy on particular goods or products usually of a luxurious nature whether imported or produced domestically, imposed at any stage of production or distribution, by reference to weight, strength or quantity of the goods or products, or by reference to their value. The applicable Excise duty rates for targeted products are:

	Item/good	Rate
a	Clear beer · Malted Barley · Sorghum · Cassava	40% 20% 10%
b	Opaque beer	k 0.15 per litre
c	All type of wines	60%
d	Spirits, liqueurs ¹ and other spirituous beverages	60%
e	Cigars, cheroots, cigarillos and cigarettes of tobacco substitutes	k 240/mille importers/distributors and k 60/mille local manufacturers
f	Other manufactured tobacco substitutes "homogenized" or reconstituted tobacco extracts and essences	k 240/mille importers/distributors and k 60/mille local manufacturers

	Item/good	Rate
g	Hydrocarbon Oils: · Petroleum spirit (petrol) · White spirit · Other light oils · Kerosene (Domestic) · Kerosene (Industrial) · Low sulphur gas oil · Automotive gas -oils (diesel) Fuel oils –Heavy Fuel oils (H.F.O) · Petroleum gases and other gaseous hydro-carbons	k 11.43 Exercise Duty per deca litre; k 8.27 Fuel levy per deca litre 15% 15% 0 0 k 6.20 k 6.20 Fuel levy per deca litre K 8.70 per 10 kg 15%
h	Electrical energy	3%
i	Airtime · Voice Calls · SMS and MMS · Data	17.50% 17.50% 17.50%
j	Beauty make -up kits, body and hair creams and perfumes	20%
k	Plastic bags	20%

Withholding Tax Rates

Individuals and businesses receiving consultancy services are expected to withhold tax (WHT) for remittance to the Zambia Revenue Authority, as required by law under Section 82 A of the Income Tax Act. Withholding Tax is not a final tax, and the amount paid will be considered as a tax prepayment. The final tax is arrived at after assessment of the end of year tax return submitted by the individual / business. The WHT tax rates are;

Category	Rate (%)
Dividends (Final Tax)	15
Dividends paid by a company carrying on mining operations	0
Dividends paid to an individual by a company listed on the Lusaka Stock Exchange (LUSE)	0
Dividends paid by a company engaged in the assembly of motor assembly, motor cycles and bicycles	0 (First 5 years)
Dividends declared from farming income	0 (First 5 years)
Dividends paid by a business enterprise carrying on manufacturing or electricity generation located in a rural area, Multi facility Economic Zone or Industrial Park	0 for the first 5 years from commencement of operations
Interest on GRZ bonds (Final Tax for Individuals & Exempt organisations only)	0
Interest for individuals (earned from banks or building societies, savings and deposit accounts)	0

Interest on Treasury Bills for Individuals (Final Tax)	15
Interest on Treasury Bills (Final Tax for Exempt Organisations)	15
Other Interest	15
Royalties (Residents)	15
Royalties to Non - Residents	20
Rent (Final Tax)	10
Commissions (Residents)	15
Commissions paid to Non-Resident persons (Final Tax)	20
Public Entertainment Fees for Non- Residents (Final Tax)	20
Management and Consultancy Fees to Non -Residents	20
Non-Resident Contractors (Final Tax)	20
Payment or Distribution of Branch Profits	20
Payment of Winnings from Gaming, Lotteries and Betting	20

Other Info on Taxes and Tax Rates

Tax	Tax Rates
VAT	<ul style="list-style-type: none"> ✓ Standard Rated Supplies: These are supplies that attract VAT at the prescribed standard rate 16 %. ✓ Zero Rated Supplies: These are supplies that attract VAT at 0%. ✓ Exempt Supplies: These are supplies that do not attract any VAT at all.
Income Tax	35%
Turnover Tax	<p>4%, applicable to Persons with turnover of K800, 000.00 and below except for:</p> <ul style="list-style-type: none"> ✓ Any person carrying on a business with an annual turnover of more than K800,000. ✓ Any individual or partnership carrying on business of public service vehicle for the carriage of persons. ✓ Partnerships carrying on any business irrespective of whether the annual turnover is K800,000 or less. ✓ Consultancy fees. ✓ Any person whose turnover is K800,000 or below and is voluntarily registered for VAT.
Medical Levy	The rate is 1% on the interest earned

Tax	Tax Rates																
Withholding Taxes	<ul style="list-style-type: none"> ✓ Dividends: WHT on dividends is 15% and it is the final tax for residents and non – residents. ✓ Mining Companies: WHT on dividends for Companies carrying on mining is 0%. ✓ Haulage Operations Withholding tax rate for non-resident contractors developing or operating on a multi facility economic zone or an industrial park is at 20%. ✓ Interest-15%. <ul style="list-style-type: none"> – Individuals: No Withholding Tax shall be paid on interest earned by individuals from savings or deposit accounts held with financial institutions such as banks and building societies. – Persons other than individuals: The Withholding Tax Rate is 15%. However, this is not the final tax. The Withholding Tax deducted is taken into account before arriving at the final tax. – Charities and other Exempt organizations: WHT Rate for interest earned on Government Bonds and Treasury Bills by exempt organizations and charities is 15% and it is the final tax. ✓ Royalties Withholding Tax Rate for Royalties is 15% for residents and 20% for non – residents. However, in the case of non – residents, this is the final tax. ✓ Rent Rate of Withholding Tax is 10%. ✓ Management Consultancy Fees WHT rate for management and consultancy fees for non-residents is 20% and is the final tax. ✓ Public Entertainment Fees-The WHT rate is 20% and is the final tax. ✓ Commissions-WHT rate for residents is 15% and 20% non-residents and it is not the final tax. 																
Presumptive Tax	<p>The Income Tax (Amendment) Act 2003 introduced the following rates for Presumptive tax:</p> <table border="1" data-bbox="459 1258 1391 1724"> <thead> <tr> <th data-bbox="459 1258 944 1339">Type of vehicle (sitting capacity)</th> <th data-bbox="944 1258 1391 1339">Amount of tax per vehicle (per annum)</th> </tr> </thead> <tbody> <tr> <td data-bbox="459 1339 944 1397">64 seater and above</td> <td data-bbox="944 1339 1391 1397">K 10,800,000</td> </tr> <tr> <td data-bbox="459 1397 944 1456">50-63 seater</td> <td data-bbox="944 1397 1391 1456">K 9,000,000</td> </tr> <tr> <td data-bbox="459 1456 944 1514">36-49 seater</td> <td data-bbox="944 1456 1391 1514">K 7,200,000</td> </tr> <tr> <td data-bbox="459 1514 944 1572">22-35 seater</td> <td data-bbox="944 1514 1391 1572">K 5,400,000</td> </tr> <tr> <td data-bbox="459 1572 944 1630">18-21 seater</td> <td data-bbox="944 1572 1391 1630">K 3,600,000</td> </tr> <tr> <td data-bbox="459 1630 944 1688">12-17 seater</td> <td data-bbox="944 1630 1391 1688">K 1,800,000</td> </tr> <tr> <td data-bbox="459 1688 944 1724">Below 12 seater (including Taxis)</td> <td data-bbox="944 1688 1391 1724">K 900,000</td> </tr> </tbody> </table>	Type of vehicle (sitting capacity)	Amount of tax per vehicle (per annum)	64 seater and above	K 10,800,000	50-63 seater	K 9,000,000	36-49 seater	K 7,200,000	22-35 seater	K 5,400,000	18-21 seater	K 3,600,000	12-17 seater	K 1,800,000	Below 12 seater (including Taxis)	K 900,000
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Property Transfer Tax

See table below:

Category	Rate %
Land (including buildings, structures or improvements there on)	5%
Shares	5%
Shares listed on LUSE	0%
Intellectual Property (including trademarks, patents, copyright or industrial design)	5%
Mining Right/ Interest in Mining Right	10%

Dividends

The rate applicable is 15%. The dividend tax is paid in the same manner as PAYE to the Zambia Revenue Authorities.

Relevant profits and gains

In Zambia, all company profits and gains are subjected to corporation tax, except where a different arrangement (e.g. tax concession) is in place between government and the company. For companies that operate in more than one country other than Zambia, double taxation treaties could be put in place. For non-Zambian resident companies carrying on trade in Zambia through a branch or agency will also be subject to Zambian corporation tax laws, but only in respect of the profits and gains of that branch or agency

Capital Gains Tax

There is no capital gains tax in Zambia.

Repatriation of Profits

Capital

Under the liberalised Zambian economy, most restriction on the repatriation of investment capital have been relaxed, therefore there is little or no interventions by central bank on capital investments repatriation.

Dividends and Branch

In Zambia, dividend transfer or branch profit transfer are not also restricted, though the bank of Zambia ought to be made aware. Dividends are subject to withholding tax at 15% as long as their source is not within Zambia. Branch profits will be subject to ordinary corporation tax just like any other entity.

Interest

The Bank of Zambia allows the free transfer of interest payments as long as they are made aware of the transaction

Capitalization Rules

Capitalisation rules for income tax purposes are regulated by the Bank of Zambia. Before 1991, there used to be restrictions on things such as interest payable on shareholders loans, etc. After 1991, most of such control restrictions were relaxed to allow for the flow of a free market economy.

Taxation Of Partnerships

A partnership is a legal relationship between two or more persons, who carry on a business or undertaking, to which each contributes either money or labour or anything else with the object of making a profit and of sharing it between them.

Whether or not a partnership exists is largely a question of fact though the legal interpretation of documents may also be involved. Whether there is a written agreement or not, the real question to be decided is whether the persons concerned are carrying on a business in common with a view of profit.

Tax Treatment of Partnerships

The Income Tax Act does not recognise a partnership as a distinct taxable person. For this reason, a partnership is not chargeable to tax as such, but each partner is assessed separately. Nevertheless, the Income Tax Act provides that persons carrying on any business in partnership are required to make a joint return as partners in respect of such business. The profits or losses of a partnership are divisible among the partners in the proportions agreed upon or in the absence of such an agreement, in proportion to the capital contributed. The partners are then individually assessed on their respective share of the partnership income after taking into account any income received from sources outside the partnership.

Where partnership connection extends beyond Zambia

Where a person ordinarily resident in Zambia receives a share of the profits of a business carried on in partnership partly within and partly outside Zambia, the whole of the person's income is deemed to have been received from a source within Zambia. Where a partner who is ordinarily resident in Zambia is assessed under the Income Tax Act on his share of partnership profits from another country, double taxation relief will have to be allowed when the foreign part of his partnership profits is also taxed in the foreign country. Where no double taxation agreement exists, as is the case with Angola, unilateral double taxation relief will be allowed.

Taxation of Individuals

Remuneration of Employees and Agents

The Remuneration of Employees and Agents in Zambia is directly related to the effects of the two tax concepts - 'Residence' and "Domicile".

Residence

In Zambia, an individual is, for the purposes of tax, is not treated as resident in the Republic who is in the Republic for some temporary purpose only and not with any view or intent of establishing his residence therein, and who has not actually resided in the Republic at one time or several times for a period equal in whole to one hundred and eighty-three days in any charge year, but if any such individual resides in the Republic for the aforesaid period, he shall be treated as resident for that period.

A person other than an individual is resident in the Republic for any charge year if:

- The person is incorporated or formed under the laws of the Republic or;
- The management and control of the persons business or affairs are exercised in the Republic for that year

Domicile

Under Zambian law a person's domicile is the country with which he has closest connection. A person commences with a domicile of origin which is the domicile of his father at the date of his birth. This domicile may be changed to a domicile of choice by becoming physically present in another country with an intention of residing there permanently. Persons coming to Zambia from an overseas domicile, solely for the purpose of a temporary period of work will not, as a result of that assignment, lose their overseas domicile unless they form the intention of residing in Zambia permanently.

Zambia taxes individuals on the salary earned from their employment carried on in Zambia, whether they are resident in Zambia or not. Full domestic rates of income tax are applicable to the remuneration from these services. However, whether or not a person is resident in Zambia, if he is domiciled outside Zambia he will not be subject to Zambia taxation whatsoever on earnings from any employment carried out wholly overseas (or for that matter, any other overseas income to which the individual may become entitled). However, an individual who is resident in Zambia and remits the overseas earnings (or other income) to Zambia during his period of residence will pay Zambia tax on the amount of the remittance. It should be noted in this context that "remittance" for the tax purposes has a somewhat more comprehensive meaning that simply transferring funds to Zambia and covers many indirect ways in which the benefit of the funds can be enjoyed in Zambia.

Because of the extended meaning of remittances, it is essential that an overseas executive who is to become resident in Zambia, but retains a foreign employment as well, or has other overseas income, should organise his bank accounts in an appropriate fashion before taking up residence. It follows that, if an executive is assigned to work in Zambia and he also has duties which he carries on abroad, then if those duties are carried out under a separate service arrangement with a different company in the group and are properly remunerated, no Zambian taxation need be payable on that remuneration. It may also be that, as a result of available exemption or relatives, such overseas remuneration will bear no tax, or tax at a reduced rate, under the domestic law of the executive's of origin.

Employers in Zambia are obliged to make payment on account of their employees' liability to income tax on their salaries and other remuneration under a system known as "pay as you earn" (PAYE). The liability extends to overseas employees with branches in Zambia.

Capital Allowances

General:	Classification:	Rate %
Furniture & Fittings, Computers	-	25
Motor Vehicles	Commercial	25
	Non commercial vehicles	20
Plant, Machinery & Equipment		25
Buildings	Industrial (wear and tear allowance)	5
	Commercial (wear and tear allowance)	2
	Investment in industrial buildings (one off)	10
Manufacturing, Tourism	Motor vehicles	50
	Plant, Machinery, Equipment	50
	Used for electricity power generation	50
Farming	Plant, Machinery, Equipment	50
	Motor vehicles	50
	Farm improvements	100
Mining	Buildings, implements, machinery	100

Carry forward of trading losses	No. of years
Non - mining companies	5
Hydro and thermo power generation companies	10
Other power generation companies (wind and Solar) excluding wood	10

Deadlines and Penalties

Skills Development Levy

No	Penalty Type	Penalty Rate
1	Late submission of return	1,000 penalty units per month or part thereof
2	Late Payment	5% of tax payable but not paid
3	Late Payment Interest	Bank of Zambia Discount rate plus 2%
4	Penalties for Omitted Income	As per section 100 of the income tax act

Deadlines and Penalties

Income Tax - Companies	Penalty	Interest
Provisional tax Return deadlines: First Provisional Tax Return: 5 March 2019 (manual submission) 31 March 2019* (electronic submissions) * Returns for companies registered for income tax after 31 March are due 90 days from the date of registration	Provisional tax: Late filing of return: k 600 per month or part month	N/A
Revision of Provisional Tax Return 30 June 2019, 30 September 2019 & 31 December 2019 (where applicable)		
Payment deadlines: Within 10 days following the end of the quarter	Late payment of tax: 5% per month or part month	Late payment: 2% + Bank of Zambia Discount Rate
	**Underestimation of tax: 25%	N/A
**Note: 2/3 of the total tax liability must be paid by the Final quarter or else the 25% penalty applies.		
Final tax return & payment Deadline: 5 June 2020 (manual submissions) 21 June 2020 (electronic submissions)	Late payment of tax: 5% per month or part month	Late payment: 2% + Bank of Zambia Discount Rate
Income Tax - Individuals	Late payment of tax: 5% per month or part month	Late payment: 2% + Bank of Zambia Discount Rate
Final tax return & payment Deadline: 5 June 2020 (manual submissions) 21 June 2020 (electronic submissions)	Late filing of return: 5% per month or part month K300 per month or part month	N/A

Deadlines and Penalties	Penalty	Interest
Withholding Tax (WHT) Filing & payment deadlines: Within 14 days after the end of the month of accrual/payment	Late payment of WHT: 5% per month or part month	Late payment: 2% + Bank of Zambia Discount Rate
	WHT late filing of return: K102 per month or part month (for companies) K51 per month or part month (for individuals)	N/A
Payroll (PAYE) Filing & payment deadlines: Electronic returns to be filed within 10 days after the end of the month of accrual/payment	Late payment of PAYE: 5% per month or part month	Late payment: 2% + Bank of Zambia Discount Rate
Manual returns to be filed within 5 days after the end of the month	Late filing of PAYE return: K600 per month or part month	N/A
VAT Filing & payment deadlines: 18 days** after the end of the accounting period***	VAT late filing of return: Daily penalty – higher of K300 and 0.5% x tax payable	Late payment: 2% + Bank of Zambia Discount Rate
All annual Income Tax, PAYE and VAT returns should be submitted electronically to the ZRA except for certain small businesses with minimal transactions	VAT late payment of tax: Daily penalty – 0.5% x tax payable	

2019 Deadlines Penalty Interest

Turnover Tax Filing & payment deadlines: Within 14 days after the end of the month of accrual/payment	Late payment of tax: 5% per month or part month	Late payment: 2% + Bank of Zambia Discount Rate
	late filing of return: K75 per month or part month	N/A

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