DRAFTING NOTE

TAX ADMINISTRATION ACT 2026

1. Status and purpose of this note

This drafting note is explanatory and is not part of the proposed Assembly Act. It identifies the legislative need, the relationship with earlier Eritrean law, the principal matters retained, the modernization choices made and the place of the draft within the emerging constitutional statute book. The instrument remains a consultation draft and should be finalized only after legal, institutional, fiscal and public review.

2. Legislative need and prior law

The tax-procedure rules are scattered across income, sales, excise, customs and sector laws. A common administration statute is needed before substantive taxes can operate consistently.

3. What the draft retains

The draft retains registration, returns, assessment, payment, withholding, audit, collection, limitation and objection functions.

4. What the draft updates and modernizes

It establishes a taxpayer charter, electronic filing and accounts, risk-based audit, reasons and access to information, proportionate information and collection powers, independent objections and appeals, refunds with interest, anti-avoidance safeguards and protection of confidential data.

5. Constitutional, code and treaty fit

The draft is framed under the Constitution of Eritrea 1997 and must be read with the Civil Code, Penal Code, Civil Procedure Code and Criminal Procedure Code of Eritrea 2015 where those Codes govern. It is also coordinated with the other institutional, financial, commercial, land, labour, administrative and sectoral drafts in this collection. References to international or regional standards guide compatibility and implementation; they do not bypass the Treaty-Making Act or convert an unincorporated instrument into domestic law.

6. Scope and organization

The principal divisions address preliminary provisions; revenue authority and governance; taxpayer rights and service; registration and identification; returns, records and communications; payment, accounting and refunds; risk management and audit; assessment and rulings; collection and security; interest, penalties and offences; and the concluding enforcement, transitional and final provisions.

7. Transition, implementation and consultation

The draft preserves lawful accrued rights, completed transactions, pending proceedings and institutional continuity where appropriate, while preventing temporary savings from preserving unconstitutional coercion or indefinite executive discretion. Before enactment or issuance, authentic predecessor instruments and amendments should be verified, cross-references and fiscal capacity confirmed, implementing regulations and digital systems prepared, and affected institutions, professions, communities and the public given a practical opportunity to comment.

CONSULTATION DRAFT — NOT ENACTED LAW

ACT NO. ___/2026

TAX ADMINISTRATION ACT 2026

(ACT)

AN ACT TO ESTABLISH A LAWFUL, INDEPENDENT, TRANSPARENT AND SERVICE-ORIENTED SYSTEM FOR ADMINISTERING NATIONAL TAXES, AND TO PROVIDE FOR REGISTRATION, FILING, PAYMENT, AUDIT, COLLECTION, OBJECTIONS, APPEALS, ACCOUNTABILITY AND RELATED MATTERS.

PREAMBLE

WHEREAS under Article 32(1) and (3) of the Constitution of Eritrea, taxation and the public institutions necessary to administer it must rest upon law enacted by the National Assembly;
WHEREAS Eritrea's tax procedures are dispersed among older proclamations and require consolidation, constitutional safeguards, professional administration and coordination with the 2015 Codes and modern tax legislation;
WHEREAS voluntary compliance depends upon clear law, accessible information, reliable records, convenient payment, impartial enforcement and effective review;
WHEREAS digital systems can reduce delay, cost, error and corruption, but must preserve privacy, human review, cybersecurity and meaningful alternatives for persons unable reasonably to use them;
NOW, THEREFORE, the National Assembly of Eritrea enacts as follows:

CHAPTER I
PRELIMINARY PROVISIONS

Article 1 — Short title

This Act may be cited as the Tax Administration Act 2026.

Article 2 — Objects

1. administer every national tax lawfully, impartially and efficiently;
2. make voluntary compliance simple, inexpensive and accessible;
3. protect taxpayer rights, confidentiality and property;
4. target material risk while avoiding unnecessary interference with compliant persons; and
5. ensure independent review, public accountability and accurate revenue reporting.

Article 3 — Application

1. This Act applies to every national tax, duty, levy and compulsory fiscal charge administered by the Authority unless an Act expressly provides otherwise.

2. A substantive tax Act determines who and what is taxed, the rate, exemption and taxable period; this Act governs common administration.
3. Customs procedure remains governed by the Customs Act except where that Act applies a provision of this Act.

Article 4 — Definitions

1. "Authority" means the Eritrea Revenue Authority established by Article 8;
2. "authorized officer" means an officer exercising a written delegation under this Act;
3. "document" includes an electronic record, data message, image, account and machine-readable record;
4. "return" means a return, declaration, statement or schedule required by a tax Act;
5. "tax decision" means an assessment, determination, refusal, penalty or other reviewable decision;
6. "tax law" means this Act and an Act imposing a tax administered by the Authority;
7. "tax period" means the period for which liability is computed; and
8. "taxpayer" includes a person liable to tax or required to register, file, withhold or account.

Article 5 — Constitutional supremacy

1. The Constitution prevails, and every power under this Act shall be exercised consistently with legality, equality, due process, property rights and judicial authority.
2. A tax officer shall not obey an instruction that lacks legal authority or directs discriminatory, political or personal treatment.

Article 6 — Tax only by law

1. No officer, ministry, agreement, directive, algorithm or administrative practice may create a tax, alter a rate, withdraw an exemption or enlarge a penalty.
2. Ambiguity in an administrative instrument shall not be used to impose liability absent a fair reading of the governing Act.

Article 7 — Relationship with other laws

1. The Income Tax Act and each substantive tax Act govern the tax base, person, rate and exemption.
2. The Civil and Commercial Codes govern persons, property, transactions and evidence except where a tax Act provides a specific fiscal rule.
3. The Penal Code and Criminal Procedure Code exclusively govern criminal guilt, investigation, trial and punishment.
4. Public finance, public service, data protection, access to information and electronic-transactions laws apply to the Authority.

CHAPTER II
REVENUE AUTHORITY AND GOVERNANCE

Article 8 — Eritrea Revenue Authority

1. The Eritrea Revenue Authority is established as a professional public institution responsible for administering taxes assigned by Act.
2. The Authority has legal personality, administrative autonomy and accountability to the National Assembly through the Minister responsible for finance.

Article 9 — Functions

1. The Authority shall register taxpayers, receive returns and payments, assess risk, conduct audit, collect lawful debt, issue guidance, decide objections and provide taxpayer services.
2. It shall account for revenue, publish performance information, protect data and advise Government on administration without determining legislative tax policy.

Article 10 — Governing Board

1. A Governing Board shall oversee strategy, integrity, finance, technology, risk and performance without directing an individual tax case.
2. Its composition, appointment, qualifications, terms, conflicts and removal shall secure professional competence and institutional independence.

Article 11 — Commissioner General

1. The President appoints a Commissioner General under applicable constitutional and public-service requirements for a fixed renewable term.
2. The Commissioner General manages the Authority and is personally accountable for lawful delegation, internal control, revenue reporting and implementation of Board policy.

Article 12 — Prohibited direction

1. A political officeholder or outside person shall not direct selection, assessment, collection, waiver, audit, investigation or settlement concerning an identified taxpayer.
2. A lawful general policy instruction shall be written, published where appropriate and shall not determine facts or outcome in a particular case.

Article 13 — Officers and merit

1. Officers shall be recruited and promoted on merit, trained continuously and bound by public-service, integrity and confidentiality duties.
2. The Authority shall use rotation, asset declaration, conflict screening, protected reporting and discipline appropriate to corruption risk.

Article 14 — Delegation

1. A statutory power may be delegated in writing to a qualified office or officer unless an Act prohibits delegation.
2. Delegation shall be recorded, limited, reviewable and shall not prevent the delegator from exercising or supervising the power.

Article 15 — Operational plan

1. The Authority shall publish a five-year strategy and annual plan stating service, compliance, digitalization, workforce and integrity priorities.
2. Plans shall include measurable outcomes and shall not disclose operational detail that would materially facilitate evasion.

Article 16 — Coordination

1. The Authority shall coordinate with Customs, the National Bank, local government, registries and other lawful bodies to reduce duplication and improve compliance.
2. Coordination shall not merge distinct powers or permit data access absent legal authority and purpose.

CHAPTER III
TAXPAYER RIGHTS AND SERVICE

Article 17 — Taxpayer charter

1. The Authority shall publish a Taxpayer Charter explaining rights, duties, service standards, complaints and review routes in clear language.
2. The Charter shall reflect this Act and shall not replace or diminish an enforceable right.

Article 18 — Core rights

1. A taxpayer is entitled to legality, equality, privacy, confidentiality, reasons, representation, correction, independent review and timely finality.
2. A taxpayer shall be presumed honest unless evidence justifies a contrary finding and shall not be publicly treated as guilty merely because liability is disputed.

Article 19 — Information and assistance

1. Current laws, regulations, forms, rates, rulings, deadlines, office contacts and procedures shall be available without charge.
2. The Authority shall provide accessible assistance in relevant Eritrean languages and reasonable accommodation for disability and limited literacy.

Article 20 — Service standards

1. The Authority shall publish standards for registration, responses, refunds, objections, rulings, complaints and office waiting times.
2. Performance against each standard shall be reported annually, including reasons for material failure and corrective action.

Article 21 — Representation

1. A taxpayer may act personally or through a lawyer, accountant, tax agent or other authorized representative.
2. The Authority may communicate directly where law requires personal action or urgent protection, while promptly informing the representative.

Article 22 — Right to reasons

1. An adverse tax decision shall state material facts, evidence, legal basis, computation, responsible office and review rights.
2. A generic formula, unexplained code or undisclosed automated score is not an adequate reason.

Article 23 — Complaints

1. A person may complain about delay, conduct, access, service, discrimination, corruption or administrative failure without prejudicing a tax objection.
2. The complaint process shall be independent of the officer concerned, time-bound and protected against retaliation.

CHAPTER IV
REGISTRATION AND IDENTIFICATION

Article 24 — Registration duty

1. A person required by a tax Act to register shall apply within the prescribed period through a free and simple process.
2. The Authority may register a person after notice where reliable evidence establishes the duty.

Article 25 — Tax identification number

1. The Authority shall issue one secure tax identification number for all taxes administered under this Act.
2. The number shall not be denied as punishment, used as a general political identifier or required for an unrelated fundamental public service.

Article 26 — Registration record

1. The register shall contain verified identity, contact, tax types, filing obligations, business status and other necessary data.
2. The Authority shall maintain accuracy, record source and correction, remove duplication and permit the taxpayer to inspect and correct personal data.

Article 27 — Changes and cancellation

1. A registered person shall report a material change affecting registration within thirty days.
2. Registration shall be cancelled when no longer required, without extinguishing accrued liability or pending right.

Article 28 — Third-party registries

1. A public registry may provide specified registration data under law to reduce repeated submission and detect omission.
2. Matching shall use data minimization, reliable identifiers, correction safeguards and auditable access.

Article 29 — Nonregistration

1. Failure to register permits lawful registration, assessment and proportionate penalty after notice.
2. A procedural failure shall not justify closure, seizure or criminal treatment without statutory conditions and due process.

CHAPTER V
RETURNS, RECORDS AND COMMUNICATIONS

Article 30 — Duty to file

1. A taxpayer required by a tax Act shall file a complete and accurate return by the due date.
2. A person outside the tax base or covered by final withholding shall not be forced to file unless an Act or risk-based notice lawfully requires it.

Article 31 — Form and manner

1. The Authority shall prescribe forms and data reasonably necessary to administer the tax.
2. A form shall not create substantive liability, demand irrelevant information or require a document already reliably held by Government without justification.

Article 32 — Electronic filing

1. Electronic filing, acknowledgment, account access and correction shall be available through a secure and interoperable system.

2. Paper, assisted or alternative filing shall remain available during outage and for a person unable reasonably to use the electronic system.

Article 33 — Extension

1. The Authority may extend filing time for reasonable cause, disaster, incapacity, system failure or a class affected by exceptional circumstances.
2. Extension of filing does not extend payment unless expressly granted with reasons.

Article 34 — Amended return

1. A taxpayer may correct an error through an amended return within the assessment period.
2. Voluntary correction before audit notice shall reduce penalty as provided by Article 70, while tax and compensatory interest remain payable.

Article 35 — Record keeping

1. A taxpayer shall retain records reasonably necessary to determine liability for seven years after the relevant due date.
2. Records may be kept electronically or physically and need not follow an expensive form where authenticity, completeness and accessibility are reliable.

Article 36 — Language and translation

1. Records ordinarily maintained in an Eritrean language or English are acceptable unless translation is reasonably required.
2. The Authority shall not demand wholesale translation where targeted translation would suffice.

Article 37 — Electronic notices

1. A notice may be served electronically where the person has chosen or regularly uses the designated account and delivery is reliably recorded.
2. A critical assessment, collection or appeal notice shall use an additional reasonable channel where nonreceipt is apparent.

Article 38 — Computation of time

1. A period excludes the day of the triggering event and extends to the next working day when its final day is not a working day.
2. Delay caused by a verified Authority system failure shall not prejudice a right or create penalty.

CHAPTER VI
PAYMENT, ACCOUNTING AND REFUNDS

Article 39 — Due date and payment

1. Tax is payable on the date fixed by the substantive tax Act through an authorized and traceable method.
2. The Authority shall issue immediate receipt and credit payment to the correct taxpayer, tax and period.

Article 40 — Electronic and other payment

1. The Authority shall support electronic bank, mobile and other secure payment methods consistent with National Bank law.
2. Cash or assisted payment shall remain available where financial access is not reasonably adequate.

Article 41 — Allocation

1. A taxpayer may identify the liability to which a payment applies.
2. Absent valid designation, payment is applied first to the oldest principal tax, then interest and finally penalty, unless fairness requires another published order.

Article 42 — Installment agreement

1. A taxpayer facing temporary inability may obtain a reasonable installment agreement based on capacity, compliance and revenue risk.
2. The agreement shall be written, affordable, reviewable and not conditioned on waiver of objection or court access.

Article 43 — Interest

1. Late-payment and overpayment interest shall use a transparent market-related rate and simple computation unless an Act provides otherwise.
2. Interest compensates time value and shall not become a disguised punitive charge.

Article 44 — Taxpayer account

1. Each taxpayer shall have a complete account showing returns, assessments, payments, credits, interest, penalties, refunds and active disputes.
2. The taxpayer may obtain the account without charge and request prompt correction of posting error.

Article 45 — Refund claim

1. A person may claim refund of overpaid tax within five years after payment or the relevant return, whichever is later.
2. The Authority may verify the claim but shall not withhold an undisputed amount because another period is under review.

Article 46 — Refund decision

1. A complete refund claim shall be decided within sixty days, subject to one reasoned extension of thirty days.
2. Approved refund shall be paid or credited at the taxpayer's election with interest from the statutory date.

Article 47 — Revenue accounting

1. All collections, adjustments, refunds, remissions and write-offs shall be recorded through controlled public accounts and reconciled daily where practicable.
2. No officer may retain, divert, borrow, privately settle or spend tax revenue outside public-finance law.

CHAPTER VII
RISK MANAGEMENT AND AUDIT

Article 48 — Compliance risk management

1. Audit and intervention shall be selected through documented assessment of revenue risk, noncompliance likelihood and public interest.
2. Selection shall not be based on political opinion, ethnicity, religion, region, family, diaspora status, lawful criticism or another prohibited ground.

Article 49 — Automated systems

1. An automated system may support registration, matching, risk and service where its data, design, testing and access are governed and auditable.
2. A significant adverse decision requires meaningful human review and shall not rest solely on a secret or irrebuttable algorithm.

Article 50 — Audit notice

1. Except for a lawful unannounced investigation, an audit begins by notice stating taxes, periods, scope, officer, expected duration and taxpayer rights.
2. Scope may be expanded only for recorded reasons communicated to the taxpayer.

Article 51 — Information request

1. An authorized officer may require information foreseeably relevant to administering an identified tax duty.
2. A request shall be specific, proportionate, allow reasonable time and respect legal professional privilege and privilege against self-incrimination.

Article 52 — Access to business premises

1. An officer may inspect business premises and relevant records during reasonable hours after notice or lawful consent.
2. Forced entry, search of a dwelling, covert access or broad seizure requires judicial warrant except for a specifically recorded immediate exigency.

Article 53 — Interview

1. A person required to attend shall receive notice of subject, authority, representation and whether answers are compulsory.
2. The interview shall be conducted fairly, recorded accurately and not use threat, prolonged detention or deception inconsistent with law.

Article 54 — Third-party information

1. A financial institution, employer, platform, public body or other person may be required by Act or specific notice to provide relevant information.
2. Routine reporting shall be standardized, proportionate and coordinated to prevent unnecessary duplication and insecure data transfer.

Article 55 — Audit findings

1. Before an adverse assessment, the Authority shall disclose proposed findings, evidence and computation and allow at least thirty days for response.
2. The final report shall address material response and identify agreed and disputed matters.

Article 56 — Audit quality

1. Audit work shall be supervised, documented, time-bound and subject to internal quality review.
2. The Authority shall measure audit yield, sustainability on appeal, burden, duration and taxpayer experience rather than raw assessment alone.

CHAPTER VIII
ASSESSMENT AND RULINGS

Article 57 — Self-assessment

1. A return is treated as an assessment when filed where the substantive tax Act adopts self-assessment.
2. Self-assessment remains subject to correction, audit, amendment, objection and limitation.

Article 58 — Default assessment

1. Where a required return is absent, the Authority may make a reasonable assessment from the best available evidence after notice.
2. The estimate shall disclose method and assumptions and shall be revised when reliable evidence is produced.

Article 59 — Amended assessment

1. The Authority may amend an assessment within five years after filing or the due date, whichever is later.
2. Fraud or deliberate concealment extends the period to ten years, but administrative delay alone does not.

Article 60 — Assessment notice

1. A notice shall state tax, period, facts, legal provisions, adjustments, calculations, due date, interest, penalty and review rights.
2. A notice is ineffective to the extent it is unintelligible, lacks essential calculation or was not reasonably served, until corrected without prejudice.

Article 61 — Private ruling

1. A taxpayer may request a binding ruling on a proposed or current transaction after full disclosure of material facts.
2. The Authority shall decide within ninety days, state reasons and protect confidential information.

Article 62 — Public ruling

1. The Commissioner General may publish a general interpretation binding on the Authority until withdrawn or changed by law.
2. A public ruling cannot create liability beyond the Act and a detrimental change ordinarily operates prospectively.

Article 63 — Reliance

1. A taxpayer acting honestly in accordance with a binding ruling or published official guidance is protected from penalty and adverse retroactive change.
2. Protection ends where facts were materially misstated or law changed with proper notice.

CHAPTER IX
COLLECTION AND SECURITY

Article 64 — Final tax debt

1. Tax becomes enforceable when due and not stayed, subject to objection and appeal safeguards.
2. The Authority shall provide a current debt statement and reasonable opportunity for voluntary payment before compulsory action.

Article 65 — Set-off

1. A final tax debt may be set off against a refund or other money lawfully payable by Government after notice.
2. No set-off shall defeat protected subsistence payment or an amount genuinely disputed and stayed.

Article 66 — Lien

1. A tax lien arises only upon registration under judicially supervised procedure after final notice.
2. It attaches only to the debtor's property and preserves priority of an earlier bona fide secured interest except as an Act expressly provides.

Article 67 — Garnishment

1. The Authority may require a third party holding money for a tax debtor to pay a final debt after notice and opportunity to contest ownership and amount.
2. Reasonable wages, basic bank funds and money held in trust for another shall receive statutory protection.

Article 68 — Seizure and sale

1. Nonexempt property may be seized only under a warrant or court-supervised process stating debt, property and proportionality.
2. Inventory, independent valuation, public sale, accounting, surplus return and protection of innocent owners are mandatory.

Article 69 — Departure restriction prohibited

1. Tax debt alone shall not justify denial of passport, exit visa, travel or return to Eritrea.
2. A court may impose a narrowly tailored measure against demonstrated flight to defeat a final judgment only where less restrictive security is inadequate.

CHAPTER X
INTEREST, PENALTIES AND OFFENCES

Article 70 — Voluntary disclosure

1. A taxpayer that discloses and corrects a nonfraudulent failure before audit or investigation notice receives waiver or substantial reduction of civil penalty.
2. Principal tax and compensatory interest remain payable, with installment relief where appropriate.

Article 71 — Civil penalty principles

1. A civil penalty requires a defined breach and statutory maximum and shall reflect intention, harm, compliance history, cooperation and correction.
2. A person is not penalized for reasonable reliance, honest mistake despite reasonable care, Authority failure or circumstances beyond control.

Article 72 — Late filing and payment

1. Late filing may attract a modest fixed or tax-related penalty capped by Act.
2. Late payment attracts interest and an additional penalty only for culpable failure, not mere inability addressed through an installment agreement.

Article 73 — False statement

1. A materially false statement made knowingly or recklessly may attract a percentage penalty proportionate to the tax shortfall.
2. Negligence, recklessness and intentional fraud shall carry distinct consequences and burdens of proof.

Article 74 — Withholding-agent failure

1. A withholding agent that fails to deduct or remit is liable under the substantive tax Act, subject to credit for tax paid by the recipient.
2. Tax actually withheld from a recipient is held for the State and shall not be collected again from that recipient because the agent misappropriated it.

Article 75 — Officer misconduct

1. Unauthorized disclosure, bribery, extortion, falsification, unlawful assessment, revenue diversion and political targeting are serious disciplinary matters and may be offences under the Penal Code.
2. Good-faith reporting of officer misconduct is protected against retaliation.

Article 76 — Criminal referral

1. Evidence of intentional tax evasion, forgery, corruption, obstruction or laundering shall be referred to the competent investigative authority.
2. Tax officers may preserve and explain evidence but shall not determine criminal guilt, compel confession or impose imprisonment.

Article 77 — No double punishment

1. The same conduct shall not receive duplicative punitive administrative and criminal sanctions contrary to fairness.
2. A compensatory assessment, tax recovery and interest are not punishment merely because criminal proceedings also arise.

CHAPTER XI
OBJECTIONS, APPEALS AND FINALITY

Article 78 — Objection

1. A taxpayer may object to a tax decision within sixty days after service, with extension for reasonable cause.
2. The objection shall identify disputed matters and grounds, but technical form shall not defeat a reasonably clear challenge.

Article 79 — Independent objection decision

1. An objection shall be decided by an officer not involved in the original decision and not evaluated by revenue yield.
2. A reasoned decision shall issue within sixty days, subject to one notified extension of thirty days.

Article 80 — Tax Appeals Tribunal

1. An independent Tax Appeals Tribunal shall hear appeals from objection decisions through accessible and proportionate procedure.
2. Members shall possess legal, accounting and commercial competence, secure tenure, disclose conflicts and decide free from Authority or ministerial direction.

Article 81 — Tribunal procedure

1. The Tribunal may receive relevant evidence, hold public or private hearings as justice requires, and award reasonable costs for abuse.
2. It shall publish anonymized decisions and protect trade secrets, personal data and vulnerable persons.

Article 82 — Burden of proof

1. The Authority bears the burden for penalty, fraud, anti-avoidance, jeopardy action and compulsory collection.
2. For ordinary assessment, each party bears facts within its knowledge, and the Tribunal determines liability on the balance of evidence without presuming an arbitrary estimate correct.

Article 83 — Appeal to court

1. A Tribunal decision may be appealed to the competent court on law, procedural fairness and another ground prescribed by law.
2. Constitutional judicial review and access to an effective remedy remain available.

Article 84 — Payment pending review

1. Undisputed tax remains payable, while disputed tax is stayed upon reasonable security or demonstrated hardship.
2. Security shall not be excessive or destroy the practical right to review.

Article 85 — Finality

1. A final decision binds the parties for the tax and period decided, subject to fraud and lawful reopening.
2. The Authority shall promptly amend accounts, release security and pay resulting refund with interest.

CHAPTER XII
CONFIDENTIALITY, TRANSPARENCY AND OVERSIGHT

Article 86 — Tax confidentiality

1. An officer and any person receiving tax information shall keep it confidential and use it only for an authorized purpose.
2. Disclosure is permitted only to the taxpayer, authorized representative, court, oversight body or another person expressly authorized by Act.

Article 87 — Data security

1. The Authority shall apply access control, encryption, logging, retention limits, breach response, backup and independent security testing.
2. Every access to sensitive taxpayer data shall be attributable and regularly audited.

Article 88 — Information sharing

1. Information may be shared domestically or internationally only under an Act or lawfully binding agreement specifying purpose and safeguards.
2. Bulk political surveillance, public naming without final statutory basis and transfer to an authority unable to protect data are prohibited.

Article 89 — Annual report

1. The Authority shall report collections, refunds, arrears, filing, payment, audit, objections, appeals, service, integrity, technology and costs by tax and relevant aggregate category.
2. The report shall explain material tax expenditures and debt write-offs without disclosing protected taxpayer information.

Article 90 — Auditor General

1. The Auditor General shall audit revenue accounts, systems, procurement, exemptions, refunds, write-offs, performance and data controls.
2. The Authority shall provide lawful access while the Auditor General preserves taxpayer confidentiality.

Article 91 — National Assembly oversight

1. The Commissioner General and Board shall appear before the National Assembly at least annually to answer on administration and performance.
2. Oversight shall not seek confidential details or direct the treatment of an identified taxpayer.

Article 92 — Integrity review

1. An independent internal-affairs function shall investigate corruption, unauthorized access, retaliation and serious misconduct.
2. Aggregate findings, sanctions, referrals and corrective measures shall be publicly reported.

CHAPTER XIII
TRANSITION AND FINAL PROVISIONS

Article 93 — Establishment transition

1. Within twelve months, Government shall transfer lawful tax-administration functions, personnel, records, property, systems and pending matters to the Authority.
2. Transfer shall protect continuity, merit, records, taxpayer rights and lawful civil-service status without preserving an unlawful command or secret practice.

Article 94 — Taxpayer register cleansing

1. The Authority shall verify and deduplicate registrations, preserve valid history and provide a correction process before automated enforcement.
2. Missing legacy information shall not be presumed against a taxpayer where Government failed to maintain reliable records.

Article 95 — Legacy decisions

1. A valid assessment, payment, credit, refund claim, objection and appeal continues under this Act with no loss of accrued right.
2. An unlawful or unconstitutional legacy decision is not validated by administrative transfer.

Article 96 — Existing regulations

1. Existing tax-administration regulations continue temporarily only to the extent publicly inventoried and consistent with this Act and the relevant substantive tax Act.
2. The inventory shall identify legal authority, status and planned replacement and shall be completed within six months.

Article 97 — Regulations

1. The Minister responsible for finance may, after public consultation, make regulations on registration, returns, payment, records, audit, rulings, collection, penalties, review, digital systems and transition.
2. Regulations shall remain within delegated authority, preserve numbering symmetry, be published before enforcement and impose no substantive tax or criminal offence.

Article 98 — Repeal and consequential construction

1. Common administrative provisions in a tax proclamation are repealed to the extent they are replaced by this Act upon its application to that tax.
2. A reference in existing law to the Inland Revenue Office, Income Tax Authority or corresponding tax office is construed as the Authority where functions lawfully transfer.

Article 99 — Periodic review

1. The National Assembly shall review this Act within five years and thereafter at intervals not exceeding five years.
2. Review shall consider taxpayer burden, voluntary compliance, revenue integrity, disputes, corruption, digital exclusion, data protection and international good practice.

Article 100 — Commencement

1. Chapters I, II, III and XIII commence upon publication in the Gazette.
2. The remaining Chapters commence on a date appointed by notice not later than twelve months after publication, and different dates may be appointed for different taxes only to ensure orderly migration.

Made at Asmara, this ___ day of __________ 2026.

THE NATIONAL ASSEMBLY OF ERITREA