

The Gambia



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Office of the Inspector General

Police Headquarters

Ecowas Avenue

Banjul, The Gambia

GPF/114/Ops (89)

17<sup>th</sup> July, 2018

Clerk of the National Assembly  
Pye Lane  
Banjul

**RE: INVESTIGATION REPORT INTO THE ALLEGED TAX FRAUD AT GAMBIA  
FOOTBALL FEDERATION (GFF)**

The Office of the Inspector General of Police writes to inform you that it has instituted a panel to probe into alleged tax fraud of the Gambia Football Federation (GFF).

Accordingly, the said panel has completed the investigations. Please find herewith attached the investigation report for your information.

Notwithstanding, be kindly informed that the case file and a copy of the said investigation report is sent to AG's Chambers for legal advice.

Thank you.

B. SF. Bah (Supt.)

Officer Commanding Admin

**FOR: INSPECTOR GENERAL OF POLICE**

Cc:

AIG CMC

File



Panel of Investigation  
Police Headquarters  
ECOWAS Avenue  
Banjul  
16<sup>th</sup> July, 2018.

Inspector General of Police  
Through Crime management Coordinator (CMC)  
Police Headquarters  
Banjul

Sir,

**RE: INVESTIGATION REPORT INTO THE ALLEGED TAX FRAUD AT  
GAMBIA FOOTBALL FEDERATION (GFF)**

**INTRODUCTION:** - A letter dated 25<sup>th</sup> June, 2018 reference with No. **ME:19/54/02/IV/ (57)** was received from National Assembly Select Committee on Tourism, Arts, culture, Youth and Sports instructing the Inspector General of Police to investigate into an alleged tax Fraud at Gambia Football Federation (GFF).

**BRIEF FACTS:** - The facts of this matter revealed that, in January 2017, Gambia Football Federation (GFF) contracted General Procurement Services (GPS) and Idea Ltd both registered companies in the Gambia to finish and equipped the GFF National Technical Training Center (FIFA Goal Project) situated at Old Yundum and the value of the contracts were Nine Million five hundred and ninety three thousand one hundred dalasis (D9, 593, 100.00) and one million two hundred and seventy eight thousand six hundred and twenty four dalasis (D1, 278, 624.00) respectively. As per the contract agreement, the two contracts were taxable thus, making it the obligation of GFF to withhold a 10% tax from each of the contracts which amounts to D959, 310.00 and D127, 862.40 respectively and

subsequently pay it to Government through Gambia Revenue Authority (G.R.A).

However, GFF instead of withholding the said 10% to be paid to GRA, decided to disburse the entire amount of the contract sum to the contractors in two instalments (70% and 30%) without deducting the 10% withholding tax due to Government as cited in the contract.

Further, it was also noted that prior to the disbursement of the final payment to GPS the then GFF General Secretary Abass Bah sent an email to Bakary K. Jammeh GFF Project Manager and copied the GFF President Lamin Kaba Bajo advising them to withhold the 10% tax due from the contract sum to be deducted. Then instead of deducting the tax due as advised, the Project Manager wrote to the contractors asking them to pay the 10% tax due to GRA and subsequently authorized the final payments to GPS. However, both GPS and Idea Ltd failed to pay the 10% withholding tax due to Government.

**INVESTIGATION:** - Upon receipt of this directive, entries were made in the formation diary; a team was constituted to investigate into the matter. Concerned persons were called and questioned then statements were obtained from them as indicated in the report.

Also a letter dated on the 28<sup>th</sup> June, 2018 was sent to GRA requesting for information on whether General Procurement Services (GPS) have paid the 10% withholding tax due to Government as directed by the Gambia Football Federation (GFF). GRA in reply stated that "No withholding tax was paid by General Procurement Services in respect of the contract awarded to them by GFF.

Further, a letter dated the 5<sup>th</sup> July, 2018 was sent to GRA requesting on information on whether Shrecji Development Enterprise and Francis Jones Association paid the tax due to the state in respect of the contracts awarded to them by FIFA and in respond GRA stated that, Shrecji Development Enterprise have declared and paid the tax due to the state

but in the case of Francis Jones Association, he did not make full declaration of his turnover/income to GRA in 2015 and as such did not make correct payment of tax.

Investigation raises 2 (two) issues namely:-

- A. Whether 10% withholding tax was paid from the contracts awarded to Gambia Procurement Services (GPS) and Idea Ltd?**
- B. Whether Shrecji Development Enterprise and Francis Jones Associates had paid the tax due in respect the contracts awarded to them by FIFA?**

Below are the statements obtained as follows:-

**ABASS BAH (Former General Secretary GFF)**:-My name is Abass Bah, I worked for the GFF on contract from January 2014 to December 2017. On the GFF tax issue, I remembered about this payments this June 2017. Around the 8<sup>th</sup> to 13<sup>th</sup> June 2017, the GFF was to pay final contract fees to two companies named General Procurement Services and Idea Works. On 13<sup>th</sup> June 2017 I remembered being informed by the GFF finance Director (FD) that based on the directive received from the Project Manager (Bakary K. Jammeh) release their payments. Then I remembered asking whether they have deducted the taxes and he replied no, then I advised him that I will talk to the Project Manager Bakary K. Jammeh so that the taxes can be deducted. When I spoke to the project manager I told him on the phone, we will be deducting the taxes before the final payment to the contractors and he replied no that we go ahead and pay the contractors and the contractors will pay ay GRA, I asked him how is he going to do that and he asked me to writes litters to the contractors asking them to pay the tax. Instead of written the letters, I sent him an email to him (Project Manager) advising him the GFF should deduct the taxes otherwise GFF will be liable hen we are collecting taxes on behalf of GRA without the draft attached

letters as advised by the project manager and I copied my boss the GFF President and the GFF Finance Director. On the same day the Project Manager came to my officewhere he wrote and signed the letters in my office instructing the contractors to pay the tax due to GRA and he took the letters with him and he left the copies with me in my office.

I remembered talking to the GFF President about my email and the letters of the Project Manager and he asked me to work with the project manager who is responsible for the project implementation. I also sent copies of the letters to the Finance Director to take note in an email. Later I understood that the 30% was finally paid to the contractors from the finance director. I was shortly sent on my annual leave and later till the end of my contract indefinitely.

**LAMIN KABA BAJO (President of GFF)**:- I Lamin Kaba Bajo, president of Gambia football Federation hereunder state the following, regarding the GFF/FIFA project for the reconstruction of the GFF National Technical Training Center (FIFA Goal Project) situated at Old Yundum and the furnishing and equipping of the said center. I can remember after my election into office in September 2014. I and my executive executed the reconstruction of the said centerand later furnish and equipped it into a hotel (now called football hotel). The reconstruction of the project was executed by Francis Jones Associated as the consultant and Shrecji Construction Company executed the civil/construction works as the contractor. After the shortlisting of the above companies by GFF executive, they both signed contract individually with FIFA. In this case payments are effected directly into their accounts by FIFA. Thus, no funds passed through the GFF. The contracted was successfully implemented.

After the successful executing of the reconstruction of the center, the GFF apply for and gain approval for the furnishing and equipping of the center. This project cover the hotel block which is now the Football Hotel, the gymnasium, the administrative block and the kitchen/restaurant. Tender

for the supply of the requisite furniture and equipment were awarded by office tender following the development of a Business plan satisfied by a FIFA Consultant. The consultant conducted a few days working visit where he also provided a list of furniture and equipment required for the project. General Procurement Service (GPS) and Ideal Company won and were awarded to supply furniture and equipment as per their individual bids. The funds for the project were paid into the GFF account, which were transferred (by bank transfer) to their respective accounts as per their contracts. We realized that we did not deduct withholding tax (10%) from the payment. It was there and then that we wrote to each of them individually informing them that they should pay the stipulated amount to the GRA. We were later informed by General Procurement Services that they have cleared all their tax liabilities with the GRA.

**MODOU YAYA JALLOW (Accountant General Procurement Services):**

- I am Modou Yaya Jallow 39 years old and currently resident of Fajara M section. I am an accountant by profession and work for Deloitte & Touche for 3 years before pursuing my ACCA and MBA studies in UK. As an accounting guiding GPS on tax payables, all taxes are being paid at GRA on regular intervals as stipulated by law we have not at any time been informed (to my knowledge) about settling withholding tax. This is the responsibility of Gambia Football federation (GFF) and not GPS.

**LAMIN SAIDYKHAN (General Procurement Services):**

- I am a business man trading as General Procurement Services Ltd dealing in constructions procurement and logistic. In 2017 a contract for procurement of furnishing of GFF/FIFA goal project was advertised in the local newspaper as National competitive bidding. I responded to the bid with my quotation I was later responded to by the GFF as part winner of the contract. I executed my obligations and delivered all the items as per the contract I sign with GFF. I was paid in full by GFF in two installment (70% and 30% as subsequent and final payment) GFF later wrote to me telling me that they did not collect the 10% withholding tax which I should be

mindful of when making my tax declaration I took this into consideration and pay in full including it in my tax declaration. The total contract sum for this contract was D9, 593.00 I was not aware of the 10% withholding tax was not deducted by GFF until they wrote to me. I did not realized it as I was yet to do my reconciliations.

**BAKARY K. JAMMEH (Project Manager GFF):-** I am an executive committee member of the GFF and project manager of the FIFA forward program. I draw the feasibility studies of the football hotel with FIFA consultant and authored the business plan. The NTTC/ Football hotel and two distant projects fully funded by FIFA i.e. reconstruction equipping and running cost of hotel.

Reconstruction the process was managed by FIFA development committee following rules and regulations and contracts was signed with FIFA/GFF and contractors paid directly by FIFA and the contractors were where Francis Jones Associates, consultant and Shrecji constructions co. ltd contractor.

Equipment football hotel following the approval of the business plan GFF/FIFA signed a funding contract signed by the president and myself as project manager the FIFA regulation was for awarding contracts where followed i.e. adverts, contract Evaluations, contract committee and mode of payment. Two contractors were awarded i.e. General Procurement Services and Ideals the two when paid the full amounts, the withholding tax was not deducted by GFF but said contractors when written to and asked to pay the said tax. I November 2017 GFF was a demand note by GRA for General Procurement and the contractor was given a copy and he has said he fully settled all his tax. I shall provide the Gambia Police force documents they asked for on Friday 29<sup>th</sup> June 2018.

**ABDOULIE JALLOW (1<sup>ST</sup> VICE PRESIDENT GFF):-** I am Mr. Abdoulie Jallow 1<sup>st</sup> vice president of the GFF and also the chairman of the GFF finance committee from November 2014 to date. As the Chairman of the Finance Committee I am responsible for most of the payments internally

i.e. payments made for the expenditure of football is in terms of payments to teams that have won the league both male and female, payments of allowances to players, match commissioners, and football players. Also payments for transportations for referees and players to and from their respective playing ground.

For the goal project, the contract awarded to the contractors are not known by me. The whole process of this contract from FIFA the GFF on the documentation, I was not aware at all. I could not remember signing any payment with regards to the contracts and I was not a member of the contract committee of this project.

**EBOU FAYE (2<sup>ND</sup> Vice President GFF):** As the 2<sup>nd</sup> vice president I am responsible for competition. And also a signatory to the GFF accounts I have been the 2<sup>nd</sup> vice president since September 2014 according to the documents presented I signed for the release of funds to contractors without deducting the withholding tax to GRA I was informed by the GFF president that it was an oversight and the contractors were written to pay the required tax to GRA. This is what I know about the matter and I was not a member of the contract committee.

**BORRI DARBOE (Chairman of the National Sports Council):** - I am adult of age 53 years and residing at Paradise Estate in West Coast Region. I am working at Banjul Breweries limited as the Country Sales Manager as the current Chairman of the National Sports Council. As you may be aware that the national Sports Council was established by an Act of parliament in 2000 to regulate discipline and monitor all sports associations and bodies in the Gambia. The national sports council is headed by a chairman who is appointed by the Hon. Minister of Youth and Sports as specified in the Act. The national Sports Council is charged with various responsibilities including Ensuring that the National Sports Associations/ Federations at all levels conform to national and international rules, regulations, norms, standards and codes of conduct governing the particular sport. According



to section 18(1) of the act "where the council considers that any registered National sports Association has-;

- a. Failed to comply with any provision of this Act or,**
- b. Conducted itself in a manner which is contrary to the National interest, or**
- c. Failed to comply with its constitution.**

The council may, after affording the national Sports association concerned an opportunity of making representation registered under this act. The council during its meeting on the 28<sup>th</sup> of October 2017 looked into all complaints from various stakeholders in our sports and a petition from the football stakeholders which include allegations of financial fraud among others. The council therefore concluded that a panel of investigators to be instituted to look into the matters and address them in a transparent and judicious and a fair manner. It was then agreed by council to send to GFF a written notice of investigation looking into all allegations that concern them and other allegation and not limited to football. GFF on the other hand neither acted negatively and wrote back the national Sports Council stating its refusal to accept or recognized nor cooperate with the National sports Council to investigate them. Therefore and after preliminary assessment of the allegation it was discovered that the Gambia football federation may have been involved in serious tax fraud. This is manifested in the tax assessment sent to GFF showing liability of hundreds of thousands of dalasi on the federation. Following the refusal of GFF to cooperate with the investigation team set up by the NSC, and having notice that the matter is becoming political as others who wish the status quo to remained as it is and made or placed series of schemes to frustrate the efforts of the NSC to carry out its mandate as enshrined in the ACT. The sports Council therefore being aware of the schemes being at play and acting on the dictates of the NSC Act referred the matter to the National Assembly of redress. The National Assembly select Committee on sports met over the matter and advised that all matters related to the tax fraud should be reported to the police to investigate the involvement. In view of the above, the Sport

Council has formally involved the police to investigate the involvement of GFF in tax fraud and tax evasion arising from the contracts awarded to General Procurement Services, Shreecji Development Enterprise and Francis Jones Consultancy. In the case of General Procurement Services GFF on the 30<sup>th</sup> of January 2017 contracted a company called General Procurement Services registered in the Gambia and whose offices are located at 20, Angle Sea street, Banjul and Managing Director is Lamina Saidu Khan. This company according to the contract was obligated to supply and install equipment and materials at the GFF Football Hotel at Yundum. The value of the contract was D9, 593,100 it was further agreed that the value of the contract was taxable. On the 13<sup>th</sup> June 2017 the secretary general of the GFF Mr. Abass Bah sent an email to the project manager Mr. Bakary K. Jammeh in which he informed Mr. Jammeh that the tax due on the value of the contract should be paid and it was the obligation of GFF to deduct this tax from the value of the contract GFF will be liable to pay the tax. On the contrary, the project Manager on the 13<sup>th</sup> June 2017 sent a letter to the Managing Director, General Procurement Services under the caption – REQUEST TO PAY THE TAX ELEMENT TO GRA the project manager Mr. Bakary Jammeh in this letter advised the company (General Procurement Services) to pay the sum of D959, 320 to GRA without further delay. The project manager Mr. Bakary K Jammeh in this letter also requested the company to dispatch to the GFF a copy of the tax payment receipt for the federation's records. This letter was written just to fake situation and to collaborate with Mr. Lamin Saidu Khan to avoid paying tax. This is criminal on the side of the GFF, this is because at the time of writing this fake letter Mr. Lamin Saidu Khan was not paid and the funds were still in GFF account at GTBank the NSC has been reliably informed that Mr. Lamin Saidu Khan had received from the GFF the entire value of the contract. The tax due to GRA was apparently not deducted and Mr. Lamin Saidu Khan T/A General Procurement Services tax type; withholding due 23/12/2017 tax due D959,310 in our conclusions we are able to established that a crime might have been committed at this point the investigators believe that fraudulent action leaves the GFF with a liability of D959,310

with penalties which should be paid within 30 days to GRA other contacts; Furthermore, there are other alleged and probable and or possible tax evasion in the award of contracts to Shrecji Development Enterprise and Francis Jones Consultancy received USD 458,878.88 and USD 27,533 respectively. This can also attract a possible tax liability on the Gambia Football Federation.

**BASADIE JABBI (Idea Works)**:- I Basadie Jabbie a Gambia Nationality residing in Kanifing South hereby declares as follows; I was a shareholder of Idea works with Alessssandro Gregori till 2018 February sometimes in 2017 we were awarded contract to supply furniture and other materials to GFF which was executed as per the contract sign between myself representing Idea works and Lamin Kaba Bajo president GFF. According to the contract sum the amount was taxable and non in the contract there is a withholding tax to be deducted from the entire sum as my first time dealing with GFF it never come to my attention that the amount to be deducted (withholding tax) should be deducted. From our part we have fulfill all obligation, taxes were paid to GRA and others. I was called at the police station this morning and one Mr. Sowe told me that we were to pay the withholding tax from the said contract and that there was a letter from GFF dated 9<sup>th</sup> June 2017 requesting us to pay the withholding tax. I have contracted Mr. Alessandro Gregori who was the managing director by then hetold me that he has never received the letter and from my side I cannot remember either of receiving this letter. GFF has paid the whole sum of the contract to our FIB account without withholding any taxable amount from it.

**KEMO CEESAY (Finance Director GFF)**:- I am the director of finance of the Gambia Football Federation and attested the following; that in June 2016, the General Secretary of Gambia Football Federation Mr. Abass Bah handed over to me a letter from GRA that instructed the GFF to withheld 10% from payment to all contractors for work.

That the GFF contracted General Procurement Services and Idea Company to supply furniture and fittings to the GFF football hotel and the contracted amounts are taxable. The contracts were made on the 30/01/17.

That first payments were made to the suppliers with the 10% withholding tax not deducted.

That as a remedy I wrote to the General Secretary to remind him about the deduction of the 10% payment to GRA and the letter was done on the 8<sup>th</sup> June 2017 before the final payment was made (30%). He sent an email to the project manager and copy me regarding the 10% deduction as GFF identified by GRA to be a tax collecting point for the government.

When the request for the final payment for the final payment came, the project manager instructed the GS/FS to pay the final 30% and the General Secretary acting as head of the secretariat, instructed the finance Director to pay as instructed by the project manager.

Letters of transfer of funds were prepared on the 9<sup>th</sup> June was stop and awaiting for final order from GS which come on the 13<sup>th</sup> June 2017 for the funds to be release through delivering letters sent to the contractors that the 10% should be paid by the suppliers. However, as the finance director I am answerable to the General Secretary who is also answerable to the Executive committee.

**DEVSHI HAMJI GONDARIYA (Shrecji Development Enterprise):** I Devshi Hamji Gondariya residing at Kanifing institution Area In construction business since 2009. FIFA contract awarded me through tender process and I win contract as per lowest price bid. They awarded me contract and that contract payment received direct from FIFA to my account in Zenith bank & zenith bank through transaction. In contract is not specified any detail about withholding tax status so I did not pay any withholding tax to GRA. But I paid quarterly and yearly payment regularly as per payment through FIFA. I attach GRA self-assessment form and payment receipt from GRA. My contract with FIFA is USD 458,878.88 paid in installment and

paid my tax accordingly in my knowledge that any payment come through donors fund it free from withholding tax.

**FRANCIS T. JONES (Francis Jones Consultant Associate)**:- I was today invited to the crime office of the Gambia Police force and had an interview with Meisers Jammeh and Sowe in connection with ongoing tax revenue payments by Gambia Football Federations GFF. I was invited by GFF to act as consultant are prepare contract document for refurbishment works at their Goal project in Old Yundum. Shreeji contractor was selected to do the work after competitive bidding. The bid were priced in dalasis and my fee were based on 6% other contract sum FIFA instructed that the work be priced in US dollars and that their standard FIFA form of contract be used for both consultant and contractor the payment schedules stipulated by FIFA was followed and it did not include any withholding tax provision. The contract is clear that FIFA is not to pay any tax.

The work were duly completed and handed over to FIFA official to hand over to GFF as payments were made direct by FIFA to my account, there was no provision for withholding tax to retained through this could have been incorporated in the payment schedule I was under the impression that like World Bank, ADB and IDB contracts, payments are not taxable. My tax return did not reflect the FIFA payments and as a result I did not claim for any withholding tax credit.

**A. FINDING RELATIVE AS TO WHETHER 10% WITHHOLDING TAX WAS PAID FROM THE CONTRACTS AWARDED TO GAMBIA PROCUREMENT SERVICES (GPS) AND IDEA LTD.**

1. That the Gambia Football Federation (GFF) wrote a request to FIFA to equip and furnish the GFF football hotel at GFF National technical Training Center (FIFA Goal Project) in old Yundum

2. That the Gambia Football Federation (GFF) received project approvals from FIFA to equip and furnish the GFF football Hotel at the GFF National Technical Training Center (FIFA Goal Project) in Old Yundum and sought the service of companies to supply and install equipment and materials of the Hotel.
  
3. Consequently in January 2017, GFF awarded the contracts to General Procurement Services and Idea Ltd worth D9, 593,100.00 (nine million five hundred and ninety three thousand one hundred dalasis) and D1, 278, 624.00 (one million two hundred and seventy eight thousand dalasis six hundred and twenty four dalasis) respectively payable in two instalments 70% and 30%. (see copies of the two contracts documents below for reference)

**CONTRACT AGREEMENT**

**GAMBIA FOOTBALL FEDERATION**

And

**GENERAL PROCUREMENT SERVICES LTD**

**CONTRACT AGREEMENT**

GAMBIA FOOTBALL FEDERATION

And

IDEA Ltd

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4. That as per the contract agreement, the value of the two contracts were taxable thus, making it obligatory on GFF to withhold 10% of each contract sum.
5. That the whole amount which supposed to be withheld by the GFF as 10% withholding tax amounts to D959, 310.00 from the contract awarded to GPS and D127, 862.40 from the contract awarded to Idea Ltd and subsequently pay it to Government.
6. Investigation also revealed that shortly after the signing of the contracts, GPS and Idea Ltd wrote to GFF requesting for the disbursement of the 70% installments as cited in the contracts. (see copies of both letters below for reference)

GENERAL PROCUREMENT SERVICES LTD.

President  
Gambia Football Federation  
Kharifine,  
The Gambia  
West Africa

13th JANUARY 2017

FAITHHEAD AND SON GENERAL PROJECT MANAGER

Dear Sir,  
RE: ADVANCE PAYMENT BOND

WE HEREBY CONFIRM YOUR RECEIPT OF THE INVOICE VALUE  
WE WOULD LIKE TO REQUEST FOR AN ADVANCE PAYMENT TO ENABLE US TO BUY THE SUPPLIES  
REQUIRED FOR THE WORK UNDER THE VIBE OF IDEA WITH YOUR COMPANY

WE LOOK FORWARD TO YOUR KIND COOPERATION  
Yours faithfully  
KARIMABASSA BASSA

Call: 220 220 1000  
2017/01/13  
KARIMABASSA BASSA



To: The President  
Gambia Football Federation  
Kharifine, West Africa  
P.O. Box 323  
Banjul  
The Gambia

ADVANCE PAYMENT BOND NO. FIBANK/IDEA LTD/13/01/2017/0013

Dear Sir,

We have been informed that IDEA LTD in FIBank House No.2 Kairaba Avenue, Banjul  
called "the Contractor" has been contracted to supply furniture to Gambia Football Federation  
and under the contract you will give an Advance Payment, and such Advance Payment requires  
obtaining a Bank Guarantee.

At the request of the Contractor, We, First International Bank Ltd hereby agree to pay you  
(the Home Party/Employer) any sum of money not exceeding in total the amount of  
DMD895,036.69 (Eight Hundred and Ninety-Five Thousand and Three Hundred Sixty-  
Eight Sixty) equivalent to 70% of the total contract sum, payable by us of your demand in  
writing and your written statement stating that the Contractor has failed to execute work under  
the Advance Payment in accordance with the condition of the Contract.

It is a condition that if any claim and payment under this Guarantee is to be made, all documents  
with regard to this contract and contract under this Guarantee must have been received by the  
Contractor on its account No. 04101-607040-01 and BANK 00420301007040103 at First  
International Bank. If it is a further condition that in the event of the Contractor defaulting under  
the terms and conditions of the Bank Guarantee, Gambia Football Federation (GFF) may explore  
all possibilities and show evidence of recovering the outstanding amount from the Contractor  
before any claim(s) under this Guarantee is forwarded to the Bank. Any amount claimed under  
this Guarantee shall be based on value of work not executed by the Contractor under this Contract  
at the time of making any claim(s).

The Guarantee is valid from 2nd February, 2017 and shall expire by 31st April, 2017 and shall  
thereafter be invalid and void whether or not the original copy of this Advance Payment Bond is  
returned to the Bank.

DATED THIS 2<sup>ND</sup> DAY OF FEBRUARY, 2017

Signature \_\_\_\_\_ Seal \_\_\_\_\_ Signature \_\_\_\_\_

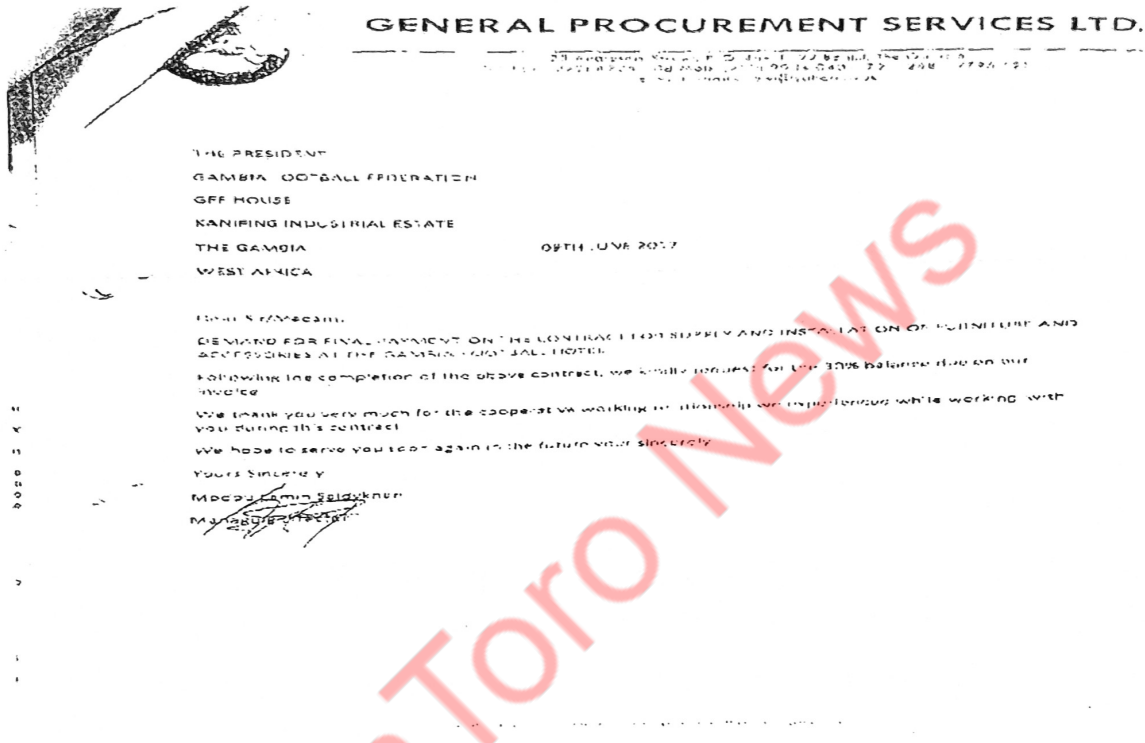
FIRST INTERNATIONAL BANK  
13th Kairaba Avenue, Banjul  
The Gambia

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- 7. It is established that, on the 30<sup>th</sup> January 2017, GFF authorized 70% disbursement to the contractors namely GPS and Idea Ltd amounting to \$167, 879.24 and \$20, 295.61 respectively approved by the GFF president Lamin Kaba Bajo and the Second Vice President Mr. Ebou Faye.
- 8. During the course of investigations, it has been revealed that on 24<sup>th</sup> May 2017, Idea Ltd wrote to GFF requesting for the final 30% payment amounting to \$8, 698.12 and on the 31<sup>st</sup> May 2017, GFF transferred the said sum into his account without deducting any 10% withholding tax as highlighted in the contract.



- 9. It is also revealed that on the 9<sup>th</sup> June 2018, General Procurement Services (GPS) wrote to GFF requesting for the final 30% payment amounting to \$87, 556.08 as agreed in the contract (See a copy of the letter below for reference).



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- 10. Investigation revealed that on the 8<sup>th</sup> June 2017, Mr. Kemo Ceesay GFF Finance Director wrote to the then GFF General Secretary Abass Bah seeking for clearance to ensure 10% withholding tax is withheld before the final payment.

- 11. It is also established that at the time Mr. Ceesay wrote to Abass Bah the 30% final payment was yet to be effected to GPS account. (see copy of the letter below for reference)

MEMORANDUM

FROM: Finance Director (GFF)  
TO: General Secretary (GFF)  
DATE: 10th July 2017

*[Handwritten signature]*

TAX PAYABLE BY GENERAL PROCUREMENT AND IDEA LTD

This is to inform you that GFF has received the final bill with reference PC 02/16/0001 (20) for the supply of... The bill is subject to a 10% withholding tax... The bill is subject to a 10% withholding tax... The bill is subject to a 10% withholding tax...

This is to inform you that GFF has received the final bill with reference PC 02/16/0001 (20) for the supply of... The bill is subject to a 10% withholding tax... The bill is subject to a 10% withholding tax...

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12. That on the 13<sup>th</sup> June 2017, Abass Bah the then GFF General Secretary sent an email to GFF Project Manager Bakary K. Jammeh and copied the GFF President Lamin Kaba Bajo requesting for the deduction of the 10% withholding tax as agreed otherwise GFF will be liable for the said Tax.

13. It is also established that at the time that Mr. Abass Bah sent this email to the Project Manager the 30% final payment was yet to be effected to GPS. (see copy of the email below for reference)

Abass Bah sabnab18@qandemall.com  
Payment of taxes draft letter for GPS Company and Idea Company  
1 message  
To: Bakary K. Jammeh  
Cc: Lamin Kaba Bajo  
Dear Project Manager,  
I hope this e-mail finds you well. I am writing to you to advise that the amount of the tax is less than the contract amount agreed with the contractor. In order to pay the bill, we as withholding agents to collect the tax on behalf of government...  
Thank you  
Abass Bah  
GFF

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- 14. Investigation further revealed that on the 9<sup>th</sup> and 13<sup>th</sup> June 2017, the GFF Project Manager Bakary K. Jammeh wrote two letters to Idea Ltd and GPS respectively instructing them to pay the 10% withholding tax to GRA. (See copies of the letters sent to the contractors for reference).

**GAMBIA FOOTBALL FEDERATION**

GFF HEAD OFFICE  
 Building 1  
 PO Box 115  
 Banjul

DIRECTOR GENERAL  
 GENERAL INVESTMENT SERVICES DIVISION  
 Banjul  
 13th June, 2017

Managing Director  
 General Investment Services Division  
 Banjul

Dear Sir,

**REQUEST TO PAY THE TAX ELEMENT TO GRA**

I write to request your company to pay the 10% percent tax due to GRA on the contract sum paid to your company amounting (G\$553,100.00), against the tax payment of equipment materials and items supplied to the GFF Football Hotel. The tax payment due to GRA is (G\$55,310.00).

Please urgently settle the tax to GRA and send us the copy of the tax payment for our records.

Your verbal appreciation will be highly appreciated. Please accept the assurance of our highest consideration and esteem.

Yours faithfully,  
 Bakary K Jammeh  
 Project Manager (GFF FFA Forward Income Generation Project)  
 Co. President, Gambia Football Federation  
 P/O

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**GAMBIA FOOTBALL FEDERATION**

GFF HEAD OFFICE  
 Building 1  
 PO Box 115  
 Banjul

DIRECTOR GENERAL  
 GENERAL INVESTMENT SERVICES DIVISION  
 Banjul  
 09th June, 2017.

Managing Director  
 GSA Company  
 Kairava Avenue

Dear Sir,

**REQUEST TO PAY THE TAX ELEMENT TO GRA**

I write to request your company to pay the 10% percent tax due to GRA on the contract sum paid to your company amounting (G\$1,379,824.00), against the tax payment of equipment materials and items supplied to the GFF Football Hotel. The tax payment due to GRA is (G\$137,982.40).

Please urgently settle the tax to GRA and send us the copy of the tax payment for our records.

Your verbal appreciation will be highly appreciated. Please accept the assurance of our highest consideration and esteem.

Yours faithfully,  
 Bakary K Jammeh  
 Project Manager (GFF FFA Forward Income Generation Project)  
 Co. President, Gambia Football Federation  
 P/O

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- 15. It is established that at the time of the Project Manager was writing the above letters to the contactors to pay the 10% withholding tax to GRA, the final 30% payment due to GPS was yet to be effected by them.

16. That on the 28<sup>th</sup> June, 2018, a letter was sent to GRA requesting for information as to whether GPS had pay the said 10% withholding tax with regard to the contract GFF awarded to him.

17. In a response letter dated 3<sup>rd</sup> July, 2018 from GRA, they indicated that no withholding tax was paid by GPS. They further stated that they contacted GPS on the matter on the 23<sup>rd</sup> December, 2017 as the payment was due and efforts are ongoing to recover the said tax and the Commissioner General has six year within which he can pursue his recovery efforts.

18. Investigations further revealed that on the 10<sup>th</sup> June, 2016, the Commissioner General GRA wrote to institutions including GFF urging them to withhold the required 10% from payments to all contractors for work or the supply of material and labor and remit the taxes withheld to the commissioner General in accordance with section 95 of the income and value added tax act 2012. (see copy of the letter below for reference)

**Gambia Revenue Authority**

Gambia  
Lungi  
The Secretariat  
Tel: 224460/01

REF: LG 224460/01 (70)  
ALLADP/2016/01  
Dear Sir/Madam

*Handwritten note:*  
Dear Sir/Madam  
The letter is dated 10th June 2016  
It is signed by the Commissioner General

*Signature*

**Withholding of Taxes from Payments to Contractors and Sub-contractors for Works or the Supply of Labour and Materials.**

It has come to the attention of the Commissioner General, Gambia Revenue Authority that a number of procuring institutions have not been withholding the 10% of the gross payments due to the contractors of their works, labour or materials as stipulated in Section 95 of the Income and Value Added Tax Act 2012.

In accordance with Section 95 of the Income and Value Added Tax Act 2012, failure to withhold and/or pay taxes withheld to the Commissioner General may result to the contractor being personally liable to pay the amount of the tax.

Through this letter, you are hereby reminded that all contractors for works or the supply of material and/or labour are required to withhold 10% of all gross payments and issue the contractor a withholding Tax Certificate. The taxes are withheld at the time of payment and should be remitted to the Commissioner General within fifteen (15) days after the end of the month in which the contractor is required to withhold the tax.

Henceforth, you are urged to withhold the required 10% from payments to all contractors for work or the supply of material and labour and remit the taxes withheld to the Commissioner General on or before the due date.

Please do not hesitate to contact the Gambia Revenue Authority should you require further information or clarification.

We thank you in advance for your cooperation and support.

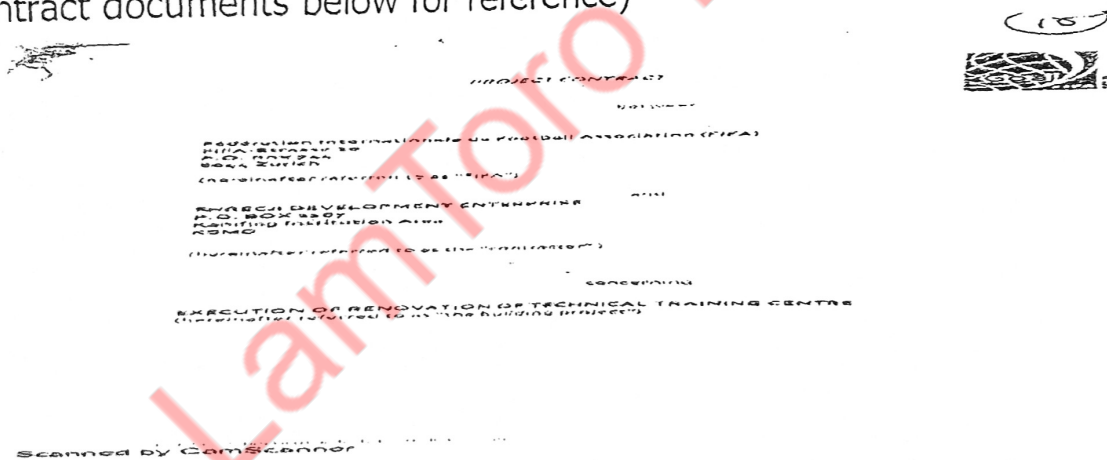
*Signature*

**COMMISSIONER GENERAL**  
Gambia Revenue Authority  
Lungi, Gambia

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**A. FINDINGS RELATIVE TO WHETHER SHRECJI DEVELOPMENT ENTERPRISE AND FRANCIS JONES ASSOCIATES HAD PAID THE TAX DUE IN RESPECT THE CONTRACTS AWARDED TO THEM BY FIFA.**

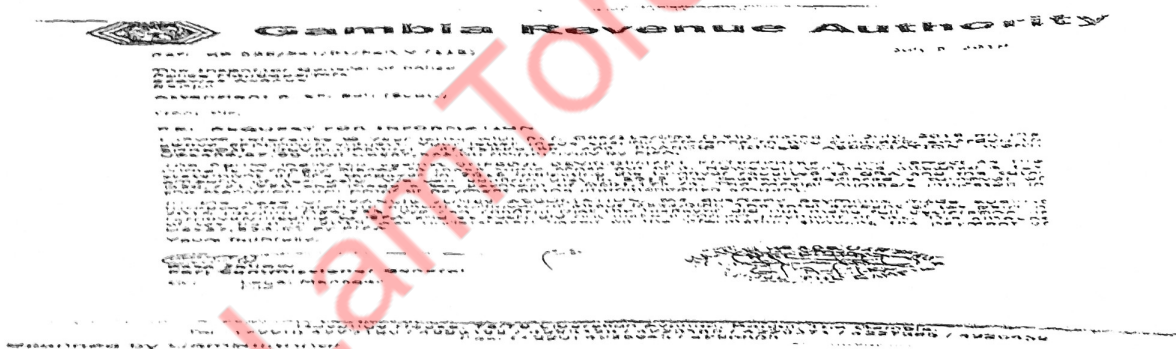
1. That in 2015, FIFA through GFF awarded a contract to Shrecji Development Enterprise for the renovation of GFF National Technical Training Center (FIFA Goal Project) at Old Yundum worth \$458, 878.88 (four hundred and fifty eight thousand eight hundred and seventy US dollars and eighty eight cent).
2. That also FIFA hired Francis Jones Associates as consultant to the project with a contract of an amount of \$27, 533.00 (twenty seven thousand five hundred and thirty three US dollars). (see copies of the contract documents below for reference)



3. Investigation revealed that as per the contract agreement between FIFA and the contractors (Shrecji Development Enterprise and Francis Jones Associates) it is indicated that Value added tax, turnover tax or any other taxes are included in the contract fees specified and no additional payment will be made by FIFA.
4. It is revealed that after the signing of the contract FIFA paid directly the contract sum into the contractors account in installments as highlighted

in the contract document. In this regard, it was the responsibility of the contractors to declare it in their annual turnover and pay the tax due to GRA.

5. That on the 3<sup>rd</sup> July, 2018 a letter was sent to GRA to confirm as to whether the said contractors (Shrecji Development Enterprise and Francis Jones Associates) had declared the contracts in their annual turnover at GRA for assessment and payment of tax due to Government in respect of the said contracts.
6. A respond from GRA dated on 5<sup>th</sup> July, 2018, stated that Shrecji Development Enterprise in 2015 declared their annual turnover and paid the tax due to Government accordingly.
7. That also in the case of Francis Jones Associates in 2015 declared an annual turnover of D333, 000.00 as oppose to \$27, 533.00 contract awarded by FIFA. (see copy of the letter below for reference)



8. To this regard it is established that Francis Jones Associates in 2015 under declared his company's annual turnover/income to GRA and as such did not make correct payment of tax.