



# Freelancers Law & the ongoing irregularities of the Agencies

## Taxation law

Till May,29,2021 there was no law for tax. But, Bangladesh has no tax threshold of up to 300,000 BDT and the minimum tax rate over the threshold amount is 5% going all the way up to 25%.

In the income tax ordinance of 1984, it was clearly stated that if anyone who's a Bangladeshi citizen provides service to a foreign organization or a person and receives monetary compensation, a 10% income tax will be imposed on the said earning. But according to the money law of 2018, anyone providing software or online service to any foreign entity or individual will not have to pay any tax. This applies to all the Information Technology Enabled Services or ITES. Almost all of the freelancers of Bangladesh are ITES providers in different freelancing platforms.

www.eftc.online

The user has no option but to accept changed provisions. If any action inappropriate is found **in the light of common sense** the worker's service will be revoked. (Now, this common sense may extend to any reason at all and the service may get revoked for very silly or unfair reasons like for a big project extortion could be done in the light of common sense

Cancellation of user and refund policy is very unclear. For reference "Also, I am afraid that **I can not refund the ticket course regardless of the reason.**"

The platform **would not be accountable for any losses** incurred during the service use.

www.srdreamit.com

**Only one device** can be used for doing courses as a measure to prevent sharing of account.

Copy or distribution of course materials is prohibited. But **no way of verifying** if it is copied or not.

Authority has the power to **update terms and conditions at any time.**

**No refunds** will be offered at all.

**No details** about collection and storage of data.

www.nebulas-it.com

**No terms and conditions** provided in the website at all inspite of it being a training platform with student enrollment.

**Only promotion** about different courses.

**No details provided** about the courses at all. Details pages are literally static and blank.

## Freelancer ID Boon or a Bane

Freelancers ID is an identity card issued by the Government of Bangladesh and it's acceptance of freelancers and online workers within the community. Eligibility:

- Citizen of Bangladesh
- Earned minimum \$1000 via online work in last 12 months (see applicant types for more)
- Can provide proof of contract/job obtained via marketplace/direct client
- Earnings obtained by providing legal means of service/sale of digital products

Freelancers ID card will be useful for any situation where you are required to present a proof of employment and/or income. For example – applying for a loan or credit card at a bank, applying for a visa, renting a house or office, admitting kids at school, becoming a member of clubs or associations, setting up a new business etc.



"In no event shall Freelancers Bangladesh, nor any of its officers, directors and employees, shall be held liable for anything arising out of or in any way connected with your use of this Website whether such liability is under contract." Even if such liability is under contract, the people in the organization will not be liable???

"As per the publication of National Board of Revenue 'Income Tax At a Glance' page 26 – Article 17 (II) (k) where it clearly states 'Income from Information Technology Enabled Services (ITES) or Nationwide Telecommunication Transmission Network (NTTN) business is exempted up to 30th June, 2024'. So, no tax will be applicable to Freelancers till 2024." High chances of imposing extreme taxes after 2024. There is also no way of cancelling the Freelancer ID.



"If any provision of these Terms is found to be invalid under any applicable law, such provisions shall be deleted without affecting the remaining provisions herein." Why are you putting such terms in the first place then without reading the applicable laws?

"The Freelancers Bangladesh is allowed to assign, transfer, and subcontract its rights and/or obligations under these Terms without any notification. However, you are not allowed to assign, transfer, or subcontract any of your rights and/or obligations under these Terms." Assigning to some other sub-contractors without the freelancer's consent???



## BELANCER, THE HOLY GRAIL OF ALL IRREGULARITY



No specific amount of comission was mentioned



not trasparent about user data rather asks to have a local backup



Randomly mentioning to follow German laws but not clear which one to follow



No supervision while the product is developing but asks full authority after its developed



Vague idea about the bd laws and unclear about the name of the acts , allusion (BGB, EGBGB)



No payment for the work done by the developer if the order gets cancelled within 14 days



It is very hard for client to cancel the order once it has taken place



Once the project is submitted balancer has the sole right to delete that without any prior notice



Balancer has the whole of redistribution, modification and reselling when the project is submitted



Developer gets no exemption if balancer wins any third party false allegation



Balancer can access any users e-wallet to pay their dues without users consent. Also they wil charge 5% interest if the payments are due and 25 taka for each reminding message



No liability will be taken by balancer if developer breaches the service contract



Developer gets the payment in balance coin after 30 days if the project is completed successfully.

Balancer can redefine their e-currency rate at any time



Balancer can stop their service at any given time without any prior notice & the users cannot claim anything or complain about this.



**Balancer** is laundering money implicitly, the payments are transacted as raised funds through Leetchi Corp SA if we use their safePay(own wallet) and the owner of money pot of blance is SSL LTD, BD developer doesn't get money directly; gets the balance through safePay a balance e wallet  
If the money you raise through crowdfunding is given without receiving something in return, it is considered a gift and is non-taxable.

## A Good Initiative

**BFDS**, stands for Bangladesh Freelancer Development Society. It is taking initiative to **improve the condition** of existing and new freelancers in BD. Their agendas include,

- Establishing Social Identity,
- Building a Common Platform,
- High Quality Training,
- Policy Movement
- Freelancer Welfare