



LEGAL NEWS

Gabon

March through May 2020

COVID-19

Adoption of Law on Public Healthcare Emergencies

The Parliament of Gabon has adopted a Law regulating public healthcare emergencies, which allows the adoption of several measures throughout the national territory to safeguard public health for a maximum period of 3 months, notably partial or total lockdowns, the temporary closing of public-access buildings, the establishment of special rules on working hours and conditions, and the carrying-out of administrative formalities online. This Law also sets forth sanctions for persons failing to comply with the adopted measures. The Law is currently undergoing review by the Constitutional Court.

IT

Amendment to Data Processing Law Adopted

Ordinance no. 00002/PR/2020, of 31 January 2020, has modified and completed several provisions of Law no. 001/2011, of 25 September 2011, on private data processing. Natural persons are now entitled to be notified in advance by the data controller of the processing of their private data. This

Ordinance also narrows the scope of exemptions to the data controller's obligations, and allows the data subject and the data controller to contractually agree on exemptions to processing obligations. In addition, it removes the requirement for the delivery of a formal notification regarding non-compliance with data processing obligations for fines to be imposed, and sets forth a new procedure for recording infractions. It also establishes a new royalty to be paid by natural persons the subject of data collection and processing by a data controller. This Ordinance will need to be ratified by the Parliament of Gabon to remain in force.

JUDICIARY

Adoption of New Ordinances Regulating the Profession of Bailiffs and Court Clerks

Ordinance no. 00004/PR/2020 and Ordinance no. 00005/PR/2020, both of 31 January 2020, have adopted new regulations governing the profession of Bailiffs and Court Clerks respectively. Each Ordinance establishes their respective professional duties, career path, the procedure for access to the profession, and disciplinary actions and sanctions. The issue of Bailiffs' fees, however, is not addressed in any detail. These Ordinances have not definitively entered into force yet, as the Parliament is currently reviewing them prior to their being ratified.

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