



LEGAL NEWS

Equatorial Guinea

2020

New Government Appointed

After the formal resignation of the Prime Minister and remaining members of the Government on 14 August 2020, the President of the Republic enacted Decree No. 56/2020, reappointing Mr. Francisco-Pascual Obama Asue as Prime Minister, on 17 August 2020. Likewise, Mr. Clemente Engonga Nguema Onguene, Mr. Don Ángel Mesie Mibuy and Mr. Alfonso Nsue Mokuy were also reappointed as First Vice Prime Minister, Second Vice Prime Minister and Third Vice Prime Minister, respectively, by Decrees No. 57/2020, No. 58/2020 and No. 59/2020, all dated 18 August 2020. The appointment of the remaining Ministers, Deputy Ministers and Vice Ministers was confirmed shortly after by Decrees No. 60/2020, No. 61/2020 and 62/2020, all from 19 August 2020.

New Petroleum Regulations Approved

The Ministry of Mines and Hydrocarbons (“**MMH**”) has announced the approval of the new Petroleum Regulations (“**NPR**”) on 24 June 2020. The NPR, contained in Regulation 2/2020, dated 15 June 2020, reproduce the Petroleum Regulations

approved by Ministerial Order 4/2013, of 20 June 2013, but also introduce new provisions of which the most relevant concern:

- I. **Marginal, ultradeep and mature fields:** new rules on the award and performance of exploration and production (“E&P”) contracts for marginal, ultradeep and mature fields, including on duration and preferential rights to existing operators and national companies.
- II. **Onshore exploration and productions:** introduction of a new chapter dedicated to E&P onshore activities, new rules on technical, environmental and safety issues concerning the location and use of drilling wells and equipment, performance of drilling work, well completions and abandonment.
- III. **Petrochemical activities:** clarification on licensing requirements for petrochemical activities.
- IV. **Customs procedures:** terms of Ministry’s assistance to Contractors and subcontractors concerning customs exonerations.
- V. **National content:** new obligations for sponsoring of social projects – obligations on national workforce recruitment remain.
- VI. **Infractions:** definition and clarification on the scope of infractions to the Petroleum.

The NPR shall enter into force on the date of publication in the national media and in the State Official Gazette.

Plans to End the State of Health Alarm and New Rules Downscaling the Confinement Obligations Approved

The President of the Republic adopted Decree No. 45/2020, dated 15 June 2020 approving the relaxing of certain measures aiming to end the State of Health Alarm that was declared on 31 March 2020. As per Decree No. 45/2020, the end of the State of Health Alarm will be implemented throughout the country in four separate phases. The guidelines for the First Phase had been outlined in Decree No. 45/2020 and the Second Phase – which is now ongoing - was approved by the President of the Republic by means of Decree No. 54/2020, dated 4 August 2020. Among the new measures

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adopted through Decree 54/2020 for this Second Phase, the following are particularly noteworthy:

- All travelers are required to hold a certificate confirming a negative PCR testing to COVID-19 taken in the previous 48 hours of arrival to EG. Anyone arriving in country without a negative PCR testing to COVID-19 will be subject to testing on arrival and remain in quarantine while waiting for the results of the test (both at traveler's cost);
- The use of mask in open spaces, public places, public transports and private vehicles remains mandatory if more than one person is inside;
- Any companies with more than 10 employees, public administration offices, bank institutions, autonomous entities, public places, shopping centers, hotels, restaurants, public and private schools are still mandatorily required to:
 - Have infrared thermometers to measure body temperature;
 - Have hand-sanitizing solutions;
 - Enforce social distancing measures;
 - Sanitize facilities on a daily basis before each workday.
- Cult acts, face-to-face seminars, cultural celebrations and sports leagues are now authorized but limited to 50% of the normal capacity and subject to the mandatory preventive measures (social-distancing, body temperature control, hand sanitizing, use of masks, etc.);
- Private events, such as company's parties and any other celebrations that may result in gatherings of large groups remain forbidden;
- Markets may reopen. Casinos, bars and public parks may resume activities but are limited to 50% of their capacity.

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