



COVID-19

Given the public health emergency situation due to COVID-19, a number of statutes have been approved establishing measures to avoid the spread of the disease and mitigate its effects. For more detailed information about the statutes published in response to the pandemic, please consult this [link](#).

PRIVATIZATIONS

2019-2022 Privatization Program Updated

The 2019-2022 Privatization Program (PROPRIV) was updated to boost the ongoing process of privatizations. Besides adjusting the Program's timeline, Presidential Decree No. 44/21, of 19 February 2021, also includes new companies and assets to be privatized while excluding others from the Program. PROPRIV creates a roadmap of procedures and a timeline for privatizations to take place by 2022 with regard to over 190 companies and assets from different economic sectors, including Mineral Resources, Transport, Construction, Telecommunications, Banking, Health and Agriculture.

ENERGY AND WATER

Legal Framework on Fee for Capture of Public Domain Water

In order to strengthen the Regulations on General Use of Water Resources, approved by Decree-Law No. 82/14, of 21 April 2014, which define a set of rules for the use of water resources, the President of the Republic approved, by means of Presidential Decree No. 41/21, of 12 February 2021, the legal framework on the fee for capture of public domain water. This statute aims on one hand to guarantee the sustainability of water resources, and on the other to establish the scope, determination, assessment, collection and payment of the fee on the capture of public domain water, created to compensate for the environmental costs inherent to activities that may cause significant impacts on the hydric domain.

New Regulations on Method of Prepayment for Low-Voltage Electricity

By means of Presidential Decree No. 42/21, of 12 February 2021, the President of the Republic approved the Regulations on the Method of Prepayment for Low-Voltage Electricity. The new regulations make it possible to pre-pay for the consumption of electricity, given the advantages this method has over payment post-consumption, such as the ability to control and predict public expenditure, legal security in the relationship between supplier and customer, as well as a better monitoring of consumption and reduction of commercial and customer-debt disputes.

Regulations on Independent Generation of Electricity

Through Presidential Decree No. 43/21, of 17 February 2021, the President of the Republic approved the Regulations on the Independent Generation of Electricity. This statute aims to respond to the need to determine the rules of access to the activity of independent generation of electricity in general, as well as to create special frameworks for independent generation of renewable and emergency power.

OIL & GAS

New Legal Framework Applicable to Importation and Marketing of Lubricants

By means of Executive Decree No. 30/21, of 21 January 2021, the Minister of Mineral Resources, Petroleum and Gas approved the Legal Framework Applicable to the Importation and Marketing of Lubricating Oils and Greases, setting forth the principles applicable to engagement in the activities of importation and marketing of said products in Angola. In addition to identifying the documentation required for the licensing of the wholesale activity, the statute establishes, among other things, requirements applicable to importers, as well as rules on the term, validity and cancellation of licenses. Breach of the rules set forth in the statute may constitute an infraction and respective fine and the application of additional penalties, such as the seizure of petroleum products, the temporary closure of facilities and license cancellation.

Regulations on Specifications of Lubricants Approved

By means of Executive Decree No. 31/21, of 21 January 2021, the Minister of Mineral Resources, Petroleum and Gas approved the Regulations on

Specifications of Lubricants Marketed in Angola. The new statute applies to entities that produce, import or market lubricating oils and greases. The specifications set forth in the statute cover lubricants to be used in four-stroke gasoline/diesel engines, automotive gears, stationary and/or industrial equipment powered by gasoline/diesel, recreational craft, and lubricating greases. Breach of the rules provided in the statute may constitute an infraction and respective fine and may entail termination of the license.

TAX

Regulations on Free Zones Law Approved

The Regulations of the Free Zones Law, which came into force on 4 January 2021, were approved (through Presidential Decree No. 4/21, of 4 January 2021).

Among other matters, the new statute sets forth the terms for the creation of free zones and the entity responsible for their supervision, and provides for the creation of an investor counter for each free zone, as well as the definition of the powers attributed to the entity managing the free zone. The Regulations also include provisions on aspects such as the control of the entry and exit of goods to and from the free zone.

EXPROPRIATION

By means of Law No. 1/21, of 7 January 2021, the National Assembly approved the Law of Expropriation by Public Utility. The new law lays down the specific procedure for expropriations, in line with the general principles set forth in the Angolan Constitution, which recognize the right to private property and establish that expropriations are only permitted if grounded on reasons of public interest and are subject to the payment of fair and prompt compensation.

A number of important matters are still dependent on regulations to be approved by the President of the Republic, notably specific rules on the definition of the value of the relevant land, the list of experts responsible for inspections and for drafting evaluation reports, as well as regulations dealing with resettlement of populations affected by expropriation procedures.

The Expropriation Law enters into force 180 days after publication in the Official Gazette, i.e. in July 2021. However, it is applicable to ongoing expropriations, with appropriate adaptations.

INSURANCE

Decree on Insurance Contract Amended

Presidential Decree No. 21/21, of 26 January 2021, approved various amendments to Decree No. 2/02, of 11 February 2002, which regulates the Insurance Contract, notably with regard to the effects of failure to pay the insurance premium.

COMPETITION

The fees and related payment procedures arising from the provision of services by the Competition Regulatory Authority (“CRA”) were approved by Ministry of Finance Executive Decree No. 32/21, of 1 February 2021.

Fees are due to the CRA for the provision of public services, notably for the assessment of concentration operations subject to mandatory prior notification.

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