

MOZAMBIQUE

November 2016 through January 2017

INVESTMENT

NEW AGENCY FOR PROMOTION OF INVESTMENT AND EXPORTS CREATED

Through Decree No. 60/2016, of 12 December 2016, the Agency for the Promotion of Investment and Export – APIEX – was created. The duties hitherto entrusted to three different entities to be extinguished – the Investment Promotion Centre (CPI), the Office for Economic Accelerated Development Zones (GAZEDA) and the Export Promotion Institute (IPEX) – are now conferred upon a single institution. The Decree creating APIEX shall come into force 180 days after its publication, i.e., on 10 June 2017.

TAX

VAT CODE AMENDED

The Parliament approved, by means of Law No. 13/2016, of 30 December 2016, several amendments to the Value Added Tax (VAT) Code, which had been enacted by Law No. 32/2007, of 30 December 2007. The more relevant changes are: (i) the extension of the definition of territory, which now includes the areas where Mozambique has sovereign rights with regard to the survey, exploration and production of natural resources, of its seabed, subsoil and adjacent waters; (ii) the application of VAT to services rendered through electronic means by non-resident entities to resident VAT taxpayers in Mozambique; (iii) new exemption rules for the supply of goods and provision of services (notably in the Health and Agricultural Sectors); (iv) extension of the situations in which the reduction of the taxable base is applicable to the supply of water, agriculture hydraulics and dredging; (v) new rules regarding ancillary obligations and refund of tax credits; and (vi) elimination of the VAT exemption on the acquisition of drilling, exploration and construction services in connection with mining and petroleum operations, during the prospecting and exploration phase. The amendments to the VAT Code are in force since 1 January 2017.

COMMERCE

LEGAL REGIME APPLICABLE TO ELECTRONIC TRANSACTIONS APPROVED

The Parliament approved, by means of Law No. 3/2017, of 9 de January 2017, the Electronic Transactions Law, thereby laying down the principles, the general guidelines and the legal framework applicable to electronic transactions in general, including e-commerce and e-Government. The new regime, which will come into force on 9 April 2017, is applicable to natural and legal persons, public or private, which resort to information and communication technologies in their activities, namely electronic or commercial transactions or electronic government.

AVIATION

GROUND HANDLING WITH NEW RULES

By way of Decree No. 64/2016, of 26 December 2016, the Council of Ministers approved the Regulations on Ground Handling Activities, laying down the rules to access and carry out ground handling services for entities engaged in the transportation of passengers, cargo and mail in airfields located in the national territory and open to commercial air services. Entities authorized to carry out ground handling services to third parties under the former regime must apply for a license with the Civil Aviation Regulatory Authority within 6 months as of the effective date of the new Regulations, being 26 March 2017.

STATE

2017 STATE BUDGET GAZETTED

Law No. 10/2016, of 30 December 2016, whereby the Parliament approved the State Budget for 2017, was recently gazetted. The 2017 State Budget Law is already in force since 1 January 2017.

BANKING AND FINANCE

NEW FEES APPROVED FOR CREDIT INFORMATION AGENCIES

The Bank of Mozambique has determined, by means of Notice No. 4/GBM/2016, of 14 December 2016, the increase of the licensing application fee and the annual fee applicable to Credit Information Agencies to MZN 20,000.00 and MZN 25,000.00, respectively. The deadlines for payment of the annual fee were also determined. This Notice entered into force on 14 December 2016.

INFORMATION TO BE SUBMITTED BY CREDIT INFORMATION AGENCIES DETERMINED

By means of Notice No. 5/GBM/2016, of 14 December 2016, the Bank of Mozambique determined the information that Credit Information Agencies have to submit to the Central Bank. The frequency of the reporting obligation, as well as the format to be used in submitting the information. This Notice came into force on its date of publication on 14 December 2016.

FURTHER INCREASE OF MANDATORY RESERVES

By means of Order No. 6/GBM/2016, of 16 December 2016, the Central Bank approved the new Regulations on Calculation and Creation of Mandatory Reserves, thus repealing Order No. 2/GBM/2016, of 19 August 2016. The two base rates implemented by the former Order have been eliminated, with a single rate of 15.50% being now in force.

SECURITIES

REVISED CAP FOR 2016 TREASURY BILLS

By means of Ministerial Order No. 105/2016, of 29 December 2016, the Minister of Finance set a revised cap of MZN 113,837,147,828.10 for Treasury Bills to be issued during 2016. The previous cap set forth in Ministerial Order No. 43/2016, of 4 June 2016, was therefore repealed.

CULTURAL HERITAGE

MANAGEMENT OF IMMOVABLE CULTURAL PROPERTIES REGULATED

The Council of Ministers approved, by way of Decree No. 55/2016, of 28 November 2016, the Regulations on the Management of Immovable Cultural Properties. The legal framework applicable to the management of the several categories of cultural property, including monuments, complexes and places or sites, which due to their historical, archaeological and architectural value are deemed assets of Mozambique's cultural heritage, is thus established. This statute is in force since 27 January 2017.

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