

ANGOLA

April 2017

LABOR

CHANGES TO HIRING REGIME FOR FOREIGN NON-RESIDENT EMPLOYEES

Presidential Decree No. 79/17, of 24 April 2017, amended Articles 2, 7 and 10 of Presidential Decree No. 43/17, of 6 March 2017, which sets forth the general rules on companies' local staffing numbers and the hiring of foreign non-resident employees. The approved changes relate to the duration of employment contracts entered into with expatriate employees and the amount and currency of remuneration to said employees.

ENERGY & NATURAL RESOURCES

NEW TECHNICAL AND PROCEDURAL RULES ON REFINING ACTIVITIES

Executive Decree No. 217/17, of 10 April 2017, approved the Technical and Procedural Rules on Refining Activities. This statute sets forth the rules and regulations applicable to the design, construction, operation and maintenance of refineries, including in respect of the relevant location and mandatory approvals, authorizations and licensing, as well as in relation to the control and inspection of facilities and equipment. Refineries in operation must be in compliance with the rules established by this Executive Decree by 9 April 2019, at the latest. Failure to comply with the rules set forth in the new statute may result in fines of up to AKz 750,000,000 (approximately USD 4,520,000), as well as the imposition of additional penalties.

CUSTOMS

NEW LICENSING PROCEDURES APPROVED FOR IMPORTS, EXPORTS AND RE-EXPORTS

Presidential Decree No. 75/17, of 7 April 2017, amended the rules governing administrative licensing procedures for imports, exports and re-exports.

The new statute, which repealed Presidential Decree No. 265/10, of 26 November 2010, adopted measures aimed at, notably: (i) simplifying the registration process with the Exporters and Importers Registry (REI); (ii) defining in greater detail how to access the Integrated System of Foreign Exchange Operations (SICOEX) and the information made available by said system; and (iii) introducing a number of specific infractions.

BAN ON CEMENT AND CLINKER IMPORTS FOR 2017

In an effort to defend national production and industry, Joint Executive Decree No. 220/17, of 17 April 2017, established a general ban on imports of cement and clinker for the year 2017. The following operations may nevertheless benefit from a specific authorization and processing regime:

- Imports of cement intended for works in progress as part of valid "turnkey" projects;
- Imports of cement for the border provinces of Cunene, Cuando-Cubango and Cabinda;
- Imports of clinker to be used as raw materials by cement producers;
- Imports of special cements, based on a prior substantiated request submitted by users to the relevant Ministries.

The specific authorizations set forth in the new statute will be granted by the Committee for the Cement Sector, after the Angolan Cement Industry Association (*Associação da Indústria Cimenteira de Angola - AICA*) has been heard.

ENVIRONMENT

NEW RULES ON ENVIRONMENTAL AUDIT CERTIFICATION

The Ministry of the Environment issued Executive Decree No. 249/17, of 25 April 2017, on environmental audit certification, which aims to regulate the general regime of mandatory environmental audits on public and private activities capable of causing significant damage to the environment. The Ministry of the Environment is the entity responsible for promoting environmental certification procedures. Companies engaged in activities capable of causing damage to the environment have a period of one year to have their facilities and equipment certified by the authorities, after which the Ministerial Department responsible for environment policy will carry out environmental audits, in accordance with Decree No. 1/10, of 13 January 2010.

FINANCIAL MARKETS

IMPLEMENTATION STRATEGY FOR THE MOBILE PAYMENTS SYSTEM APPROVED

Presidential Decree No. 77/17, of 20 April 2017, enacted the Implementation Strategy for the Mobile Payments System of Angola, which sets forth a series of actions, measures, guidelines and plans aimed at accomplishing the objectives of the Payments System (EISPMA), provided for in Law No. 5/05, of 29 July 2005.

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