

CAPE VERDE

March through May 2017

REAL ESTATE

SAL ISLAND REAL ESTATE REGISTRATION COMPLETED

Joint Order No. 17/2017, of 2 March 2017, announced the completion of the operation of land registry of the Sal Island. Thus, the obligation of registration on the island entered into full force. Henceforth the legal status of each property is identified through its Land Identification Certificate, which replaces the previous land (issued by Real Estate Registry Office) and matrix (issued by Municipality) registration certificates.

REAL ESTATE IDENTIFICATION CERTIFICATE

Joint Order No. 6/17, of 6 March 2017, approved the model of Land Identification Certificate. It is a physical, economic and legal identification document for all registered rustic, mixed or urban buildings.

LEGAL RECOGNITION OF REAL ESTATE *DE FACTO* POSSESSORS

The Municipal Assembly of Boavista decreed, by means Decree No. 5/AMBV/2017, of 3 March 2017, to recognize the right of ownership to those who have not timely complied with the formalities required for the regularization of their rights, but occupy such land and use it as if they were its owners.

TAX

AMENDMENTS TO WITHHOLDING TAX REGIME

Decree-Law No. 11/2017, of 20 March 2017, introduced certain amendments to the withholding regime on the different categories of income so as to harmonize the regime with what is already provided in the personal income tax code and in the corporate income tax code. Both codes were amended by the State Budget for 2017, which reduced some withholding rates.

ANNUAL ACCOUNTING AND TAX INFORMATION RETURN HAS NEW FORMAT

Ministerial Order No. 9/2017, of 20 March 2017, approved a new format for the annual accounting and tax information return. For corporate taxpayers, this return should be submitted until 30 July of the following year in which the income is obtained. In the case of individual taxpayers that are required to submit the return, same must be submitted until the end of September of the following year in which the income is obtained.

CRIMINAL LAW

CYBERCRIME AND GATHERING OF EVIDENCE IN ELECTRONIC FORMAT

Law No. 8/IX/2017, of 20 March 2017, which entered into force on 19 April 2017, defines the crimes related to cybercrime and establishes its applicable rules as well as the rules applicable to the gathering of evidence in electronic format. This law also implements the rules for international cooperation in such matters.

The law now defines as crimes, inter alia, computer sabotage, illicit access to computer systems, illicit interception of computer data transmissions, misuse of devices that allow access to computer programs, as well as the dissemination of child pornography and of hate pornography through a computer system. Both individuals and companies may be held responsible for the crimes provided for in this statute.

HEALTH

PHARMACOVIGILANCE SYSTEM

Decree-Law No. 17/2017, of 17 April 2017, established the National System of Pharmacovigilance in Cape Verde regulating its activity, as well as its organization and operation. This entity will be empowered to monitor and manage the risks of medicinal products for human use.

The Agency of Supervision and Regulation of Pharmaceutical and Food Products is in charge for the coordination of this service.

ENVIRONMENT

PARIS CLIMATE CHANGE CONFERENCE

By means of Resolution No. 35/IX/2017, of 12 May 2017, Cape Verde approved for ratification the *Paris Climate Change Conference*, signed on 12 December 2015.

LABOR AND SOCIAL SECURITY

UNEMPLOYMENT ALLOWANCE SCHEME ENTERED INTO FORCE ON MAY 1

Decree-Law No. 15/2016, of 5 March 2016, which sets out the legal framework for the award of unemployment allowance under the compulsory social protection scheme of dependent employees was amended by Decree-Law No. 23/2017, of 29 May 2017. Essentially, this statute has postponed the date of entry into force of the scheme for 1 May 2017. This amendment was required since the unemployment allowance's managing entities were not able to carry out all the necessary formalities to the implementation of said allowance.

COMMERCIAL

YOUNG ENTREPRENEURSHIP PROGRAMS

Resolutions No. 34/2017 and No. 35/2017, of 25 April 2017, created, respectively, the Young Start Up Program, which aims to promote entrepreneurship through the incorporation of new companies for the development of innovative business ideas, and the Young Micro Entrepreneurship Program, which aims to foster young entrepreneurship by creating and formalizing businesses and generating sustainable employment and income.

These programs are executed in partnership with banks and associations and allow access to financing under privileged conditions.

BUSINESS INCUBATORS LEGAL FRAMEWORK APPROVED

In order to strengthen the protection for incorporation of new micro, small and medium companies, the government of Cape Verde approved the legal framework of business incubators by means of Decree-Law No. 20/2017, of 12 May 2017. Incubators are entities that aim to support the incorporation or development of these companies in the early stages of their lives by making available a diverse sort of methodologies, services and spaces that enable the development of a business.

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