

EQUATORIAL GUINEA

February 2017

OIL SECTOR

MINISTER OF TRANSPORTS REQUIRES REGISTRATION OF RIGS

The Minister of Transports has issued Order 2/2017, of 30 January 2017, to replace the rules in force since 1997 on the grant of authorizations for the performance of maritime activities, including cargo handling, and on the registration of vessels. The order requires petroleum platforms and their owners, lessees and/or operators to register in the National Register of Vessels and Maritime Companies and pay several fees. Fines set forth in the order range from 100K XAF to 15 million XAF.

STATE ADMINISTRATION

TAX BURDEN INCREASED BY 2017 STATE BUDGET LAW

Law 4/2016, dated 12 December 2016, which has approved the 2017 State Budget, has cancelled any Personal Income Tax benefits which may have been granted to companies that are not provided in the 2014 General Tax Law. Law 4/2016 has also maintained the Minimum Corporate Income Tax rate at 3% of the annual turnover. This rate had been increased from 1% last year and many companies hoped the increase would be limited to 2016.

TELECOMMUNICATIONS

IT ACTIVITIES AND E-COMMERCE GET REGULATED

Information technology activities and services now have a legal framework, which is laid down by Law 1/2017, of 10 January 2017. Law 1/2017 contains detailed rules on the rights, duties and liability of internet service providers, network operators and users, including on the assignment of internet domain names and e-commerce. Law 1/2017 entered into force in February.

PARLIAMENT PASSES LAW ON ELECTRONIC SIGNATURES AND DOCUMENTS

Law 2/2017, dated 10 January 2017, was passed by the Parliament to establish rules on the creation and use of electronic signatures and the issuance of electronic certificates. The law, which will enter into force in April, will be applicable to electronic certification service providers incorporated or having a permanent establishment in Equatorial Guinea and to all State entities. Penalties for the breach of Law 2/2017 requirements and obligations will be imposed by the Minister of Telecommunications and New Technologies.

CIVIL AVIATION

CIVIL AVIATION AUTHORITY WORKS TO INCREASE AVIATION SAFETY

The Aviation Authority of Equatorial Guinea, which is responsible for aviation safety organization and supervision, is now implementing a State Program for Operational Safety in Civil Aviation in the country and a National Plan for the Search and Rescue of Aircrafts. They were both approved in December 2016, by Decrees 113/2016 and 114/2016, and are aimed at increasing the efficiency of mechanisms to prevent and investigate aircraft accidents and rescue victims.

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