



LEGAL NEWS

Angola

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OIL & GAS

RULES ON PETROLEUM SECTOR PROCUREMENT AMENDED

New rules and procedures applicable to (i) public tenders for the selection of Sonangol EP associates; and (ii) the procurement of goods and services for petroleum operations, were enacted by means of Presidential Decree No. 86/18, of 2 April 2018. The new statute repeals Decree No. 48/06, of 1 September 2006, and entered into force on 2 April 2018. The procedure for procurement of goods and services for petroleum operations still varies, depending on the value of the contract to be awarded, but the relevant contractual thresholds have been significantly increased. Among other things, the new rules provide that oil operators will only be required to launch public tenders for the award of contracts of over USD 1,000,000 (or the equivalent amount in Kwanzas).

RULES ON ABANDONMENT AND DECOMMISSIONING APPROVED

The President of the Republic approved the rules and procedures applicable to the abandonment of wells and decommissioning of oil and gas facilities in Angola (onshore and offshore), through Presidential Decree No. 91/18, of 10 April 2018. The new statute regulates the following matters, among others: (i) the obligation to draw up provisional and definitive abandonment plans and requirements for the drafting and approval of those plans; (ii) the carrying out of inspections and audits by the authorities; (iii) provisioning,

methodology and the estimation of abandonment costs; and (iv) technical specifications. Presidential Decree No. 91/18 entered into force on the date of its publication and applies to all petroleum concessions.

PUBLIC WORKS

CONTRACTS FOR CONSTRUCTION, MONITORING AND CONSULTING OF PUBLIC WORKS TO BE REVIEWED

The Minister of Construction and Public Works has been mandated, by means of Presidential Order No. 36/18, of 2 April 2018, to review the Contracts for Construction Works, Monitoring and Consulting of Public Works executed between 2013 and 2017, which remain 'on-hold' due to unforeseeable circumstances not attributable to the contracting parties. As a result of the review to be made, the Minister may renegotiate the deadlines for execution of these contracts. The new statute also confers upon the Minister the powers to notify the owners or users of buildings in danger of ruin or collapse of the required measures to be adopted.

NATIONAL INSTITUTE FOR PUBLIC WORKS CREATED

The National Institute for Public Works (INOP) was created by Presidential Decree No. 90/18, of 9 April 2018. The creation of INOP fulfills one of the measures foreseen in the Interim Plan (October 2017 to March 2018), approved by Presidential Decree No. 258/17, of 27 October 2017, to increase domestic productivity and competitiveness, which recommended the transformation of the National Company for Project Development into the National Institute for Public Works. Under this new statute, INOP has been entrusted with normalizing, implementing and supervising the quality and criteria of projects development, and techniques for the execution of civil construction works, as well as tackling the conception and development of projects and the supervision of public works. This statute entered into force on the date of its publication.

PUBLIC PROCUREMENT

PUBLIC PROCUREMENT UNIT CREATED

Presidential Decree No. 88/18, of 6 April 2018, created the Public Procurement Unit (UCP), working with the Contracting Public Entities (EPC), and established the Project or Contract Manager. The statute is applicable to the EPC foreseen in the Public Contracts Law (Law No. 9/16, of 16 June 2016, or PCL). The UCP is the technical service of the EPC responsible for centralizing and conducting all public procurement processes, as per the PCL. All technical attributions of the Bodies of the State Administration, Direct and Indirect, at central and local levels, as well as of the Autonomous Administration, in matters of public procurement, have been transferred to UCP, except for acquisitions that by their very nature must be

carried out by different bodies. This statute entered into force on the date of its publication.

TERRITORIAL PLANNING

COORDINATION OF THE LUANDA GENERAL MASTER PLAN

The President of the Republic determined, through Presidential Order No. 37/18, of 2 April 2018, that the Minister of Territorial Planning and Housing will be responsible for coordinating the implementation of the Luanda General Master Plan, in which she will be assisted by the Governor of the Province of Luanda. This statute also provides that the Minister may create a working group, comprised of specialized technicians, with the assistance of the company responsible for drawing up the Luanda General Master Plan.

TAX

NEW TAX FORMS APPROVED

New Consumption Tax, Urban Property Tax and Stamp Duty forms for monthly reporting purposes have recently been approved by means of Executive Decree No. 40/18, of 9 April 2018. Executive Decree No. 40/18 entered into force on 9 April 2018.

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