



LEGAL NEWS

Mozambique

February 2019 through April 2019

ENERGY AND NATURAL RESOURCES

ENERGY REGULATORY AUTHORITY (ARENE)

The Energy Regulatory Authority Organizational Statutes (ARENE) was approved through Resolution No. 2/2019, of 19 March 2019, of the Interministerial Committee for the Public Administration Reform. Among the powers of ARENE it is worth highlighting the supervision of the production, transport, distribution and marketing of electricity of any source, liquid fuels and low-pressure natural gas.

NATIONAL RESCUE AND SALVAGE SYSTEM FOR THE MINERAL RESOURCES EXTRACTIVE INDUSTRY REGULATED

With a view to ensure the rescue of people and the preservation of goods, including environment and infrastructures safety and protection measures, the Council of Ministers approved the Regulations of the National Rescue and Salvage System for the Mineral Resources Extractive Industry by means of Decree No. 32/2019, of 29 April 2019. The entities carrying out mining or petroleum operations are thus henceforth required to establish rescue groups. The new rules came into force on 30 April 2019.

CREATION OF THE GENERAL INSPECTORATE FOR MINERAL RESOURCES AND ENERGY

By way of Decree No. 31/2019, of 26 April 2019, the General Inspectorate for Mineral Resources and Energy was created. This entity is vested with powers to ensure compliance with the applicable legislation by the extractive industry of mineral resources, petroleum and energy.

STATE

STATE ENTERPRISES' SECTOR LAW REGULATED

On 26 February 2019, the Council of Ministers enacted Decree No. 10/2019, which regulated the law setting forth the principles and rules applicable to the State's Enterprise Sector (SEE), i.e. Law No. 3/2018, of 19 June 2018. Other than providing for more detailed rules pertaining to the organization, functioning and management of each corporate body of the SEE companies, the new Regulations contain especially relevant provisions on the acquisition and disposal of shareholdings by SEE companies, their indebtedness and the procurement of goods and services.

BANKING

SALE AND PURCHASE OF FOREIGN CURRENCY REGULATED

So as to discipline the sale and purchase of foreign currency and to avoid market speculation, the Bank of Mozambique approved Notice No. 5/GBM/2019, of 4 April 2019. The exchange rate applicable to the sale and purchase of foreign currency is the spot exchange rate in force on the date of execution of the relevant transaction.

NEW RULES FOR DEPOSIT INFORMATION DUTIES

The Bank of Mozambique approved new rules through Notice No. 1/GBM/2019, of 1 February 2019, relating to the information duties applicable to credit institutions and financial companies authorized to take deposits from the public. The new Regulations on Deposit Information Duties determine the information that must be provided to the public in the negotiation, execution and performance of the deposit agreement.

INTRADAY CREDIT REGULATIONS

The Bank of Mozambique issued Notice No. 3/GBM/2019, of 8 March 2019, which sets forth the rules applicable to the granting of intraday credit by the Bank of Mozambique and the reimbursement by credit institutions. The new rules apply to credit institutions that have accounts with the Bank of Mozambique and that execute the financial settlement of their obligations through the payments' subsystems.

NEW REGULATIONS OF THE REAL TIME GROSS TRANSFER SETTLEMENT SUBSYSTEM

Through Notice No. 4/GBM/2019, of 8 March 2019, the Bank of Mozambique approved the new Regulations of the Real Time Gross Transfer Settlement Subsystem (MTR) and repealed the previous rules laid down in Notice No. 8/GBM/09, of 23 December 2009. New rules to access, suspend and exclude any MTR participant are thus defined. Further, the MTR Operations Manual to be observed by all participants is adopted.

MARITIME

NEW REGULATIONS ON THE MARITIME CABOTAGE CUSTOMS REGIME

By way of Ministerial Decree No. 31/2019, of 3 April 2019, the Minister of Economy and Finance approved the new Regulations on the Maritime Cabotage Customs Regime and repealed Ministerial Diploma No. 26/2008, of 2 April 2008, on the same matter. New rules and procedures applicable to the transportation of goods, commodities and valuables under the Maritime Cabotage Customs Regime to be observed by shipping agents, shipowners, shipping and freight agents, shippers and their legal representatives, customs clearance officers and freight forward agents are thus defined.

REGULATIONS ON SCIENTIFIC MARITIME INVESTIGATION AND RESEARCH APPROVED

Since 20 April 2019, all national and foreign natural or legal entities aiming at executing scientific maritime investigation and research connected with living and non-living resources, including prospection and exploration of hydrocarbons and maritime mineral resources are now subject to the Regulations on Scientific Maritime Investigation and Research Regulations, set forth under Decree No. 30/2019, of 19 April 2019. The referred activities are now subject to new licensing requirements or

agreements executed with Mozambican authorities, depending on whether the entity developing such activity is a Mozambican national or not.

PHARMACEUTICAL

REGULATIONS ON GOOD MANUFACTURING PRACTICES FOR MEDICINES FOR HUMAN USE APPROVED

In order to ensure that medicinal products manufactured in Mozambique are safe, effective, have good quality and correspond to the population needs, the Council of Ministers approved the Regulations on Good Manufacturing Practices for Medicines for Human Use, by means of Decree No. 29/2019, of 18 April 2019. These new Regulations are intended to bring national rules in line with the guidelines of the World Health Organisation and the Southern African Development Community. The new rules entered into force on 19 April 2019.

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