

# DEMOCRATIC REPUBLIC OF THE CONGO

August through October 2016

## LABOR

### NEW AMENDMENTS TO LABOR CODE

Law No. 16-010, of 15 July 2016, introduced a number of significant amendments to the Congolese Labor Code (in force since 16 October 2002). The amendments are aimed at updating the Congolese employment legal framework and ensure its compatibility with international labor standards. Noteworthy amendments include: (i) the possibility of terminating employment contracts by mutual agreement, (ii) the establishment of an 8-hour workday, (iii) the possibility of pregnant women suspending their employment contract without termination, (iv) the exclusion of HIV status (real or assumed) as grounds for terminating the employment contract, and (v) the possibility for foreigners to be appointed as union leaders upon meeting certain requirements.

## JUDICIARY

### ENACTMENT OF REGULATIONS ON BAILIFFS

As part of the reform initiated in recent years by the Congolese government to ensure compliance with the Constitution and the OHADA legal framework, a new statute formally governing the activities of bailiffs was recently enacted. One of the main purposes of Law no. 16-011, of 15 July 2016, is to monitor this legal profession, which up until now was only scarcely regulated. To that end, the new statute notably sets (i) the requirements for acting as bailiff in the DRC, (ii) the rights and obligations arising from such activity, (iii) the impediments and prohibitions for those acting as bailiffs, and (iv) the disciplinary measures to sanction breaches of the newly-enacted statute.

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