

EQUATORIAL GUINEA

May 2016

LABOR

MINIMUM WAGES FROZEN FOR ANOTHER YEAR

The minimum wages set out by Decree 121/2011, dated 5 December 2011, were kept in force by the government until the end of the year, by means of Decree 30/2016, of 29 January 2016. Decree 121/2011 was enacted in September 2011, with retroactive effects to 1 January 2011, setting forth the minimum wages for years 2011 and 2012, but no other decree on minimum wages was subsequently enacted. Decree 30/2016 maintains the 2011 minimum wages in force until the end of 2016.

SHIPPING

NATIONAL VESSEL REGISTRY IS CREATED

Decree 33/2016, of 12 February 2016, abolished the old vessel flagging system and established a new National Vessel Registry office. All Equatorial Guinea's flagged vessels have to be registered in the new registry during a grace period of 6 months ending in mid-June. Vessel owners may update their vessel registrations by contacting the Ministry of Transports, Technology, Mail and Telecommunications.

REAL ESTATE

GOVERNMENT APPROVES HORIZONTAL PROPERTY LEGAL FRAMEWORK

Separate ownership of apartments and other independent premises located in the same building or compound is allowed by the Civil Code in force in Equatorial Guinea, which deems that areas of common usage, such as gardens, lifts or staircases, among others, must be deemed as joint property of the various individual owners, but it does not provide for how they can deliberate on the management of those areas. To prevent disputes and ensure that buildings and compounds and their common areas are adequately maintained, the Government has enacted Decree 41/2016, dated 14 March 2016, which sets out how joint owners must be organized to manage those buildings and condominiums. Existing agreements between owners of a building divided into flats or other similar premises should be made consistent with Decree 41/2016, which is mandatory.

STATE ADMINISTRATION

GOVERNMENT APPROVES SET OF WELFARE MEASURES

On 11 March 2016, the Government has enacted a plan for the implementation of a large set of short and medium-term measures to improve the wellbeing of citizens, which must be implemented by the ministries in charge of health, education, welfare, media, defense, trade, justice and sports. All the measures are aimed at protecting women and ensuring them equal opportunities, fighting youth's unemployment and reduce criminality. The Prime Minister is to check the level of implementation of the approved measures on a quarterly basis.

OMBUDSMAN OFFICE REGULATIONS APPROVED

The Ombudsman has approved, by means of Resolution 22/2016, of 24 March 2016, detailed regulations on how private parties may file complaints against public bodies, civil servants or government officials and how they will be investigated and dealt with by the Ombudsman office. These regulations also specify how the Ombudsman office will exercise its authority on Habeas Corpus appeals and appeals for the protection of private data. They also clarify that while the Ombudsman cannot annul or modify the decisions of administrative authorities, he may recommend the modification of the criteria adopted for the issuance of such decisions and mediate conflicts between private partners and State bodies.

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