



LEGAL NEWS

Republic of the Congo

August through October 2019

BUSINESS

NEW SPECIAL ECONOMIC ZONES

In the context of the setting-up and implementation of the legal framework on Special Economic Zones (“SEZs”), Laws Nos. 33-2019, 34-2019 and 35-2019, all three of 14 October 2019, created the Oyo Ollombo, Ouesso and Ignié SEZs, respectively. In addition to the creation of the relevant SEZs, these statutes detail the activities which may be carried out within each SEZ, including agricultural activities, pharmaceutical activities, the manufacturing of electronic and computer products, financial and insurance activities, transportation activities, the exploitation and primary processing of mining products, and logistics. The works required for the development of the SEZs are deemed as being of public interest.

TAX AND FINANCE

FEE ON ELECTRONIC TRANSACTIONS REGULATED

In furtherance of the 2019 Finance Law, which had created a 1% fee on the amount of electronic transactions, the Government approved Order No. 15899-2019, of 5 September 2019, regulating the legal framework applicable to such fee. This Order defines and details the manner in which such fee is to be paid, the litigation procedures in connection therewith, and the penalties for non-compliance, which may go so far as to include the suspension of activities of the entity liable – i.e. the mobile communications, banking and microfinance operators established in the country.

AVIATION

AIR TRANSPORTATION AGREEMENTS WITH THE NETHERLANDS AND LUXEMBOURG RATIFIED

Laws Nos. 27-2019 and 28-2019, both of 19 September 2019, authorized the ratification by the Republic of the Congo of the air transportation Agreements with the Netherlands and Luxembourg, respectively. The purpose of these treaties is to grant the other party rights to exploit international air transportation by such party's appointed air transportation operators. The terms of appointment of said operators, the conditions for revocation and suspension of such appointment, the rules on the carrying-out of commercial activities, as well as the special customs, tax and foreign exchange regimes, are amongst the matters addressed in and governed by these Agreements.

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