



Legal News Angola

June 2020

COVID-19

Given the public health emergency situation due to COVID-19, a number of statutes have been approved establishing measures to avoid the spread of the disease and mitigate its effects. For more detailed information about the statutes published in response to the pandemic, please consult this [link](#).

VISAS

Regulations on the Legal Regime on Foreign Citizens Approved

Presidential Decree No. 163/20, of 8 June 2020 (and the respective Rectification No. 7/20, of 29 June 2020) were enacted and approved the Regulations of Law No. 13/19, of 23 May 2019 (the Legal Regime on Foreign Citizens in the Republic of Angola). These Regulations entered into force on 8 June 2020. The Regulations brought about noteworthy amendments with respect to work visas (including the fact that they are now to be issued within 30 business days, and special rules were approved for priority sectors for the development of the national economy), the granting and renewal of residence authorizations (with greater flexibility with regard to the applications, and

the de-bureaucratization of the procedures) and the update of the amount of the fines provided for in the law.

MINERAL RESOURCES

Creation of The National Agency of Mineral Resources

Within the scope of the reorganization of the mineral resources sector, the National Agency of Mineral Resources (*Agência Nacional de Recursos Minerais*, or “ANRM”) was created by means of Presidential Decree No. 161/20, of 5 June 2020, which also approved its organizational framework. Among the measures set forth in the new statute, it should be highlighted that ANRM was entrusted with duties of the former national concessionaires (Ferrangol EP, which was disbanded, and Endiama EP) with respect to regulation, supervision and promotion of investments in the mining sector, including *inter alia* processing of the files for the granting of mineral rights, monitoring the quality of the mineral resources and mineral products, preparing and launching mineral concessions for the market, carrying-out public tenders for the granting of mineral rights, negotiating mineral investment contracts on behalf and in representation of the State, and monitoring their implementation, and supervising the geological-mineral activities with a view to ensuring a sustainable management and use of the country’s mineral resources.

The files pending with Endiama EP and Ferrangol EP relating to the granting of mineral rights or the duties inherent to the status of national concessionaire shall continue to be processed and conducted by those entities on a provisional basis, under ANRM’s mandatory supervision. The transfer of the files to ANRM should be completed within 6 months of the publication of the statute – which entered into force on the date of its publication.

PRIVATE INVESTMENT

Creation of the Investment Desk

In order to ensure that private investors have a simplified and priority access to the Public Administration services, Presidential Decree No. 167/20, of 15 June 2020,

created a new investment desk, *Janela Única do Investimento* (JUI). The JUI is a mechanism created to facilitate investment, through which the Agency for Private Investment and Promotion of Exports of Angola (AIPEX) will henceforth centralize all operations associated with the making of investments. AIPEX will, on the behalf of the investor and in a simplified manner, obtain from the relevant Public Administration bodies all authorizations and services necessary for the implementation of the investment projects. The implementation of this new mechanism will be supported by a digital platform, that will ensure the interoperability between the digital platforms of the Public Administration services.

CORPORATE AND COMMERCIAL

New Regulations on the Procedures for Online Registration of Commercial Acts and Publication of Acts Related to Commercial Companies

Executive Decree No. 168/20, of 1 June 2020, approved the Regulations on the Procedures for Online Registration of Commercial Acts and Publication of Acts related to Commercial Companies. The Regulations govern the online performance and publication of acts for the incorporation and dissolution of companies, amendments to by-laws, application for and issuance of commercial registration permanent certificates, as well as it defines the procedures for the online publication of acts relating to commercial companies. It also defines the requirements to be complied with for the incorporation of companies, the identification of national and foreign legal persons, the probative value of documents, the authentication and digital signature of documents, as well as other practical matters in connection with commercial registration. This statute further determines the rules for the management of the online platform, entrusted to the One-Stop Shop for Companies (*Guiché Único da Empresa*). The Regulations only apply to companies incorporated through the website. Left outside its scope are all acts having to be performed by means of public deeds executed before Notary Public, except for publication purposes.

PRIVATIZATIONS

[Privatization of Assets in The Financial Sector](#)

Within the scope of the Privatization Program (PROPRIV), the proceedings regarding the disposal of shares in Banco Angolano de Investimentos (BAI) and the privatization of Empresa Nacional de Seguros de Angola (ENSA SA) have been initiated. The privatization of ENSA, as well as the disposal of 10% of the shares in BAI, indirectly held by the State, will be carried out through pre-qualification bid. These two proceedings are part of a number of privatizations to take place within the financial sector, including the disposal of 100% of Banco de Comércio e Indústria (BCI) and 25% of the shares in Banco Caixa Geral Angola (BCGA).

BANKING

[Rules for the Implementation of Duties to Prevent and Combat Money Laundering, Financing of Terrorism and Proliferation of Weapons of Mass Destruction Approved](#)

Rules on the effective implementation of the duties provided for in the Law on the Prevention and Combating of Money Laundering, the Financing of Terrorism and the Proliferation of Weapons of Mass Destruction (Law No. 5/20, of 27 January 2020), as well as the conditions for exercising them, and the instruments, mechanisms and formalities inherent to the prevention and combating of money laundering, the financing of terrorism and the proliferation of weapons of mass destruction, were approved (BNA Order No. 14/20, of 22 June 2020). Among other aspects, the Order established rules on risk analysis and assessment, and on the duty to collect and verify customer identification; determined the mechanisms for identifying the beneficial owner; established rules regarding the responsibility of the Board of Directors of the Financial Institution and the Compliance Officer; defined the form of reporting irregularities; and determined obligations regarding the selection and training of employees.

Minimum Information Requirements in Disclosing the General Conditions of Financial Products and Services Approved

The minimum information requirements to be met in the disclosure of the general conditions with patrimonial effects of products and services made available to the public by Financial Institutions were approved (BNA Order No. 15/20, of 22 June 2020). The Order also determined that Institutions must disclose to the public a complete pricelist of the commissions, expenses, interest rates and exchange rates applicable to their financial products and services. The Institutions must be in compliance with the Order within 90 days of its publication.

POWER SECTOR

Power Tariff Regulations Amended

The Power Tariff Regulations were amended by Presidential Decree No. 178/20, of 25 June 2020, in order to define the revenue levels of each company in the Public Power Sector's value chain. The new statute aims to ensure the financial sustainability of the sector and its efficient operation, as well as to implement the best international regulatory practices, and entrusts the Regulatory Institute for Power and Water Services with the authority to determine and approve methodologies and tariffs.

GOVERNMENTAL

Several Ministries Have New Organizational Frameworks

Further to the amendments introduced by means of Presidential Legislative Decree No. 5/20, of 15 April 2020, in the organization and operation of the auxiliary bodies of the President of the Republic, the need arose to adjust the organizational frameworks of the different Ministries to the structure of the Executive Power. Accordingly, the following new organizational frameworks were approved:

- Ministry of Territorial Administration (Presidential Decree No. 156/20, of 3 June 2020);

mirandaalliance

- Ministry of Industry and Commerce (Presidential Decree No. 157/20, of 3 June 2020);
- Ministry of Public Works and Land Use Planning (Presidential Decree No. 158/20, of 4 June 2020);
- Ministry of Mineral Resources, Petroleum and Gas (Presidential Decree No. 159/20, of 4 June 2020);
- Ministry of Culture, Tourism and Environment (Presidential Decree No. 162/20, of 8 June 2020);
- Ministry of Telecommunications, Information Technologies and Mass Media (Presidential Decree No. 166/20, of 12 June 2020);
- Ministry of National Defense and War Veterans (Presidential Decree No. 176/20, of 23 June 2020); and

Ministry of Agriculture and Fisheries (Presidential Decree No. 177/20, of 23 June 2020).

For further information about the content of this Legal News, please contact:

angola@mirandaalliance.com

mirandaalliance

MEMBERS ANGOLA | BRAZIL | CAMEROON | CAPE VERDE | CÔTE D'IVOIRE | DEMOCRATIC REPUBLIC OF THE CONGO
EQUATORIAL GUINEA | GABON | GUINEA-BISSAU | MACAU (CHINA) | MOZAMBIQUE | PORTUGAL | REPUBLIC OF THE CONGO
SÃO TOMÉ AND PRÍNCIPE | SENEGAL | TIMOR-LESTE **LIAISON OFFICES** FRANCE (PARIS) | UK (LONDON) | USA (HOUSTON)

© Miranda & Associados, 2020. Reproduction is authorised, provided the source is acknowledged. WARNING: The texts contained in this bulletin are provided for general information purposes only, and are not intended to be a source of advertising, solicitation, or legal advice; thus, the reader should not rely solely on information provided herein and should always seek the advice of competent counsel. This bulletin is distributed free of charge to our clients, colleagues and friends. If you do not wish to continue receiving it, please reply to this e-mail.