

ENERGY AND NATURAL RESOURCES

NEW RULES ON MARGINAL FIELDS

The National Assembly, by means of Law No. 4/16, of 17 May 2016, approved a legislative authorization granting the President of the Republic powers to legislate on the procedures and incentives to render adequate the contractual terms applicable to concessions where marginal discoveries occur. The legislative authorization is valid for ninety (90) days.

SONANGOL'S BY-LAWS AMENDED

The President of the Republic, by means of Presidential Decree No. 110/16, of 26 May 2016, approved an amendment to SONANGOL E.P.'s by-laws. This amendment reflects a change in the governance structure of SONANGOL E.P.'s Board of Directors, which will now include an Executive Committee, comprised of seven executive members.

MODEL FOR READJUSTMENT OF THE PETROLEUM SECTOR APPROVED

The President of the Republic, through Presidential Decree No. 109/16, of 26 May 2016, approved the Model for Readjustment of the Petroleum Sector. The new organizational model: (i) includes a reorganization of SONANGOL E.P., which remains the National Concessionaire for the petroleum sector responsible for managing and monitoring petroleum contracts; (ii) creates an Agency for the Petroleum Sector responsible inter alia for preparing and negotiating the granting of petroleum blocks, and resolving conflicts arising between the supervising ministries and the various stakeholders of the industry; (iii) creates a High Council for Monitoring the Petroleum Sector responsible for assisting the Angolan State in the exercise of its shareholder rights; (iv) maintains the powers of the Ministry of Petroleum; and (v) identifies the four phases for implementation of the new organizational model, specifically (1) design of the legal framework; (2) reorganization; (3) implementation; and (4) operational changes.

ENVIRONMENT

NEW CLEANING SERVICES CHARGE

Presidential Decree No. 107/16, of 20 May 2016, approved the Legal Framework for a Cleaning Services Charge, to finance Municipal Administrations or equivalent entities to carry out solid waste collection and treatment. This new charge is due by companies on the basis of the place of registered office or effective management. Depending on company size, this fee can reach 164.000 Kwanzas (roughly USD 1,000). The Decree came into force on 21 June 2016.

INDUSTRIAL PARKS – NEW TERMS OF REFERENCE FOR THE ENVIRONMENTAL IMPACT ASSESSMENT STUDIES

Through Executive Decree No. 206/16, of 3 May 2016, new Terms of Reference have been approved for the preparation of Environmental Impact Assessment Studies for Industrial Projects. These are aimed at scoping and addressing potential environmental issues associated with the area where these projects are to be implemented. This statute came into force on 3 May 2016.

ENVIRONMENTAL IMPACT ASSESSMENT – DEADLINE EXTENDED

Through Executive Decree No. 241/16, of 25 May 2016, the deadline for the Environment Ministry to send its opinion to the project licensing entity has been extended from 30 to 90 days.

TENDERING OPPORTUNITY FOR CLEANING SERVICES AND WASTE MANAGEMENT PROJECTS

Presidential Ordinance No. 55/16, of 9 May 2016, authorizes the launch of Negotiated Procedures for: (i) Public Space Cleaning Services; (ii) Construction and Operation of Waste Treatment and Recovery Plants; (iii) Waste Transfer Stations and construction of Landfill Sites.

PRIVATE INVESTMENT

INTERNAL REGULATIONS OF THE MINISTRY OF ENERGY AND WATERS' TECHNICAL UNIT FOR PRIVATE INVESTMENT APPROVED

Executive Decree No. 238/16, of 19 May 2016, approves the Internal Regulations of the Ministry of Energy and Waters' Technical Unit for Private Investment ("UTAIP-MEA"). UTAIP-MEA is a technical support service of the Ministry in charge of the preparation, handling and evaluation of private investment projects falling within the competence of the Ministry of Energy and Waters under the Private Investment Law.

PRICING SYSTEM

PRICING FRAMEWORK AMENDED

Presidential Decree No. 113/16, of 30 May 2016, amended Article 9.2 of Presidential Decree No. 206/11, of 29 July 2016, on the General Bases for the Organization of the National Pricing System. Article 9.2 was amended to provide that the reference price, determined by taking into consideration the cost structure of the relevant good or service, no longer constitutes a maximum price to be charged to the end consumer under the "surveilled price" regime.

GAMBLING ACTIVITY

GAMBLING ACTIVITIES LAW ENACTED

Law No. 5/16, of 17 May 2016, approves the Gambling Activities Law. This statute establishes the rules governing the activity of exploitation of games of chance, social games and online remote games carried out in the Angolan territory, including in vessels and aircrafts registered in Angola operating abroad. Under the new statute, the right to exploit gambling activities in gambling areas is dependent on the granting of a concession by the President of the Republic. The following aspects should be highlighted: (i) concessions may only be granted to commercial companies incorporated in Angola that comply with certain requirements; and (ii) the creation of a special tax over gambling which applies to the revenues of the entities exploiting this type of activities and to the prizes granted.

TAX

ELECTRONIC SUBMISSION OF THE ANNUAL INDUSTRIAL TAX RETURN (MODELO 1)

Ministerial Order No. 225/16, of 31 May 2016, which sets the requirements for the electronic submission of the annual tax return for Industrial Tax purposes, has been gazetted effective immediately. Taxpayers that choose electronic submission of the annual tax return (Modelo 1) must submit by 30 June 2016 by accessing the *Portal do Contribuinte*.

TELECOMMUNICATIONS

NEW REGULATIONS FOR ELECTRONIC COMMUNICATIONS ENACTED

Presidential Decree No. 108/16, of 25 May 2011, sets down a new general regime regulating the electronic communications sector. This regulation lays down the conditions to the offering of electronic communications services and networks as well as the requirements to act as an operator. This statute also sets the general principles under which electronic communications services are to be provided, including the universal service. Breach of the provisions of this statute is punishable with severe fines.

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ACTIVITY OF COLLECTING SOCIETIES REGULATED

Presidential Decree No. 114/16, of 30 May 2016, enacted the Regulations on the Organization and Operation of the Activities carried out by Collecting Societies ("CS"). This statute defines the rules and procedures to be complied with on the organization and procedures of the activities carried out by a CS and the mechanisms for collection and distribution of royalties for copyright and related rights. This Regulation sets in detail the purposes and duties of the CSs, and also sets very specific procedures related to the licensing, collection and distribution of royalties. The CSs, rights' holders and the users of protected works will have to comply with the Regulation as of its entry into force date, 30 May.

For more information on the content of this Legal News, please contact:

Fátima Freitas: fatima.freitas@fatimafreitas.com

Fátima Freitas Advogados
Edif. Monumental, R. Major Kanhangulo, 290 – 1D
LUANDA – ANGOLA
Tel.: +244 222 372 030
Fax: +244 222 372 017
www.fatimafreitas.com

mirandaalliance
www.mirandaalliance.com

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