

## BANKING

## NEW RULES ON INFLOW AND OUTFLOW OF NATIONAL AND FOREIGN CURRENCY

Angolan Central Bank Order No. 1/2016, of 12 April 2016, provides for new rules and procedures applicable to the cross-border transfer of national and foreign currency by individuals. The Order allows Angola resident individuals entering or exiting the country to transport national currency up to the amount of Kz 5,000.00 and hard currency up to the amount of USD 10,000.00. Foreign exchange non-residents have more stringent rules as they are only authorized to transport hard currency in an amount of up to USD 5,000.00. If the aforesaid thresholds are exceeded, the relevant individuals will be required to complete a so-called "Statement of entry and exit of foreign currency" (as approved by Order No. 1/16). The Order entered into force on 12 April 2016 and repealed Angolan Central Bank Order No. 1/12, of 16 January 2012, Angolan Central Bank Order No. 28/12, of 1 November of 2012, and article 4 of Angolan Central Bank Order No. 12/15, of 28 December 2015.

## REAL ESTATE

## MANDATORY REGISTRATION OF RENT-TO-OWN AGREEMENTS AND URBAN ALLOTMENT LICENSES

Law No. 3/16, of 15 April 2016, provides for the mandatory registration of promissory rent-to-own agreements and urban allotment licenses, and its subsequent developments, with the relevant Real Estate Registry Office. The creation of this mandatory registration rule aims at publicizing to third parties the real estate rights and limitations typically arising out of these agreements and licenses.

## PRIVATE INVESTMENT

## INTERNAL REGULATIONS OF THE MINISTRY OF TRANSPORT'S TECHNICAL UNIT FOR PRIVATE INVESTMENT APPROVED

Executive Decree No. 202/16, of 26 April 2016, approves the Internal Regulations of the Ministry of Transport's Technical Unit for Private Investment ("UTAIP-MT"). UTAIP-MT is a specialized technical service of the Ministry of Transport, in charge of preparing, evaluating and negotiating private investment projects falling within the competence of the Ministry of Transport under the Private Investment Law. The statute establishes the rules for the internal organization and functioning of the UTAIP-MT.

## NATIONALITY

## NATIONALITY LAW GAZETTED

Law No. 2/16, of 15 April 2016, sets out the new terms and conditions for the granting, loss and reacquisition of Angolan nationality. Main changes arising from this new Nationality Law include, *inter alia*, the granting of authority to the President of the Republic to in certain cases decide on the granting, loss and reacquisition of Angolan nationality, notably on the granting of Angolan nationality to foreign citizens who provide relevant services to the Angolan State; the introduction of additional requirements for the acquisition of nationality by naturalization; and the introduction of several restrictive rules on acquisition and maintenance of Angolan nationality by individuals who would be entitled to have Angolan Nationality by virtue of the Angolan independence in 1975 and foreign citizens born in Angola before 10 November 1975. Law No. 2/16, of 15 April 2016, repeals Law No. 1/05, of 1 July 2005.

## FOREST PRODUCTS

## SCHEDULE OF FEES FOR THE EXPLOITATION OF FOREST PRODUCTS APPROVED

Joint Executive Decree No. 200/16, of 26 April 2016, approves the schedules of fees and other charges for the exploitation of forest products and related acts, including the exploitation of wood and non-wood forest products, the issuance of certificates, authorizations and declarations, transit permits and inspections. The Central and Local Executive Services of the Forestry Development Institute are responsible for the assessment and collection of the abovementioned fees.

## MARITIME

## NEW REGULATIONS ON SEAFARERS AND MARITIME PERSONNEL

Presidential Decree No. 78/16, of 14 April 2016, enacts the New Regulations on Seafarers and Maritime Personnel. This statute establishes the requirements for professional registration, certification of fitness, access to the career and relevant functions to perform, embark and disembark from vessels, certification and recognition of qualifications of seafarers and of other maritime personnel. This statute also sets out detailed substantial and procedural requirements for the hiring and certification of seafarers and other maritime personnel and specific rules for such personnel to embark and disembark at Angolan ports under the direct supervision of IMPA (Angolan Maritime and Port Institute). The new legislation also defines the penalties applicable in case of breach of various substantial and procedural requirements.

## NEW REGULATIONS ON MAXIMUM SAFETY CAPACITY OF VESSELS AND SHIPS

Presidential Decree No. 79/16, of 14 April 2016, enacts the New Regulations on Maximum Safety Capacity of Vessels and Ships. This statute establishes the procedures for the definition of the maximum capacity of vessels and ships sailing under Angolan flag and it only applies to crews and vessels registered in the country. The new regulations set out the procedures for the issuance and amendment of a mandatory certificate on maximum safety capacity that shall apply to every vessel under IMPA (Angolan Maritime and Port Institute) supervisory powers.

## NEW PILOTING RULES FOR ANGOLAN PORTS

Presidential Decree No. 85/16, of 19 April 2016, establishes new access requirements and rules for the provision of piloting services in national territory. According to the new rules, it is mandatory to resort to piloting services inside and outside the port area up to three miles from the coast and in any navigable river channels and inland waters under Angolan jurisdiction. Presidential Decree No. 85/16 entered into force on 19 April 2016 and repealed Legislative Diploma No. 3800, of 13 February 1968.

## SEARCH AND RESCUE AT SEA

Presidential Decree No. 89/16, of 21 April 2016, creates the National Center for Search and Rescue Operations – i.e., SARMAR Angola – and approves the Search and Rescue System (SAR System). The statute also provides for rules and procedures for assistance, salvage and refloating operations at sea. Presidential Decree No. 89/16 entered into force on 21 April 2016.

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

Fátima Freitas: [fatima.freitas@fatimafreitas.com](mailto: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](http://www.fatimafreitas.com)

**mirandaalliance**

[www.mirandaalliance.com](http://www.mirandaalliance.com)

MEMBERS PORTUGAL | ANGOLA | BRAZIL | CAMEROON | CAPE VERDE  
DEMOCRATIC REPUBLIC OF THE CONGO | EQUATORIAL GUINEA  
FRANCE | GABON | GUINEA-BISSAU | MACAU (CHINA) | MOZAMBIQUE  
REPUBLIC OF THE CONGO | SÃO TOMÉ AND PRÍNCIPE | TIMOR-LESTE

LIAISON OFFICES UK (LONDON) | USA (HOUSTON)

© Fátima Freitas Advogados, 2016. 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 Legal News 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.