



HYDROCARBONS SECTOR

Constraints to share transfers of PSC holders become clearer

Article 55 of the 2019 Hydrocarbons Code gave the State and the Gabon Oil Company a preemption or first refusal right applicable to both direct and indirect assignments of participating interests in production sharing contracts (PSCs), but Article 57 left to future regulations the terms and procedure for the exercise of such right in indirect transfers. On 20 January 2022, the Government approved Decree no. 0021/PR/MPGM to regulate that right with respect to transfers of shares in entities holding interests in PSCs. This decree sets out the procedure for notification, the timelines associated with the exercise of the right, and the mechanism to set the price of the transfer in case the right is exercised. The decree was published in the Official Gazette on 24 February 2022, and is already in force.

EITI implementation in progress

After the country's readmission to the Extractive Industries Transparency Initiative (EITI) in October 2021, the by-laws of the EITI were formally adopted by Order no. 0541/PM/MER, published in late January 2022. By implementing the EITI, Gabon commits to the transparent management of its extractive sectors, notably as

regards the granting of permits, the collection and use of revenue, and the publication of expenditure-related data.

ENVIRONMENT

Rules for environmental protection of classified facilities are revised

The Government adopted Decree no. 0020/PR/MEFMEPCPAT, which was published on 24 February 2022, to establish a new regime and nomenclature for facilities classified for environmental protection, which amends all conflicting provisions of Decrees nos. 543/PR/MEFEPEPN of 15 July 2005, and 0039/PR/MRSEPN of 10 January 1979 on the same topic. This regime applies to any industrial, petroleum, mining, forestry, agricultural, trade or other facilities held or exploited by any natural or State-owned or private legal person, which may endanger or lead to certain disadvantages principally, but not entirely, environment-related. It lays down the procedure to be complied with and the documents to be filed with the Ministry of Environment depending on the extent of a facility's potential impact. It also lists the obligations relating to updating risk assessment and emergency plans, and sets forth penalties for breaches in addition to the ones already foreseen by Environmental Law no. 007/2014 of 1 August 2014.

SOCIAL SECURITY

Social security obligations of independent contractors now clarified

The Minister of Welfare and Women's Rights issued Order no. 000025/MASDF of 04 January 2022 on the health insurance regime of independent workers to clarify that such workers must register as both employer and employee with the National Social Security Fund (CNSS), and pay a fixed contribution on a quarterly basis.

JUSTICE

New legal framework for bailiffs is enacted

The 1970 Law regulating the bailiffs' profession has been recently superseded by Law no. 001/2022, of 23 March 2022, which details the types of actions that bailiffs can undertake, sets out the requirements and procedure for admittance to the profession, lays down their rights, privileges and obligations, and sets up a National Chamber of Bailiffs. Disciplinary infractions, penalties, and sanctioning procedures applicable to bailiffs are also addressed in this new law.

HEALTH

Health data system is being set up

The Parliament has recently passed Law no. 004/2022 of 27 April 2022 for the setting up of a national health database, which is to include information gathered from private and public health institutions and State departments. This law establishes the main principles and rules for the collection, processing and storage of data, and the sanctioning of data privacy rights violations.

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