

## RENEWABLE ENERGY

## NATIONAL ACTION PLAN FOR RENEWABLE ENERGY

Resolution No. 100/2015, of 15 October 2015, enacted the National Action Plan for Renewable Energy, mainly aimed at reducing energy dependency, reducing the foreign trade deficit and creating the "Green Islands" brand. The renewable energy strategy is based on ensuring that 100% of the electricity produced in Cape Verde comes from renewable energy sources by 2020.

## FINANCE

## TAX INSPECTORATE STATUTORY REGIME

As per Cape Verde's tax reform, the framework on Tax Inspectorate has been enacted by means of Decree-law No. 41/2015, of 27 August 2015. The tax inspection procedure aims at verifying compliance with tax obligations and preventing tax infringements.

## FOREIGN INVESTMENT

## INVESTOR'S ONE-STOP SHOP ESTABLISHED

In the context of sustained efforts to simplify administrative formalities applicable to investors, Decree-Law No. 42/2015, of 27 August 2015, established the Investor's One-Stop Shop. Through this single facility, the investor can obtain all the information and perform all the procedures required to set up in Cape Verde, including all those at the different levels of Public Administration. The System for Recognizing and Monitoring Projects incorporated in the Investor's One-Stop Shop is applicable to investments greater than 5 million Cape Verdean escudos (approximately EUR 45,000).

## PUBLIC PROCUREMENT

## ADMINISTRATIVE CONTRACTS WITH A NEW LEGAL FRAMEWORK

Decree-Law No. 50/2015, of 23 September 2015, re-published on 17 November 2015, enacted the legal framework for administrative contracts. Among other matters, said decree regulates amendments to administrative contracts, non-compliance, enforcement and termination.

## REGULATORY AUTHORITY FOR PUBLIC PROCUREMENT HAS NEW BY-LAWS

Decree-Law No. 55/2015, of 9 October 2015, enacted the new By-laws of the Regulatory Authority for Public Procurement (ARAP), which were revised to re-assess ARAP competencies and ensure ARAP's effective independence within the national public procurement system, and to grant this entity with wider monetary autonomy. ARAP was set up in 2008 with a view to regulating public procurement and implementing the principles of transparency and effectiveness. ARAP is responsible for, among other things, ensuring sound management of public funds used in public procurement, as well as applying competition law on the public procurement market.

## MEDIATION AND ARBITRATION

## NATIONAL CENTRE FOR MEDIATION AND ARBITRATION HAS BEEN SET UP

Decree-Law No. 51/2015, of 23 September 2015, created the National Centre for Mediation and Arbitration ("CNMA"), which is an institutionalized center for the use of alternative means of dispute resolution. CNMA has its headquarters in Praia, but has territorial jurisdiction throughout the country, through regional or local mediation and arbitration centers.

## REGISTRY AND NOTARY AFFAIRS

## LAND REGISTER IN THE ISLANDS OF SAL, BOAVISTA, MAIO, AND SÃO VICENTE

In the context of the Property Management Project for Promoting Government Investment, Decree-Law No. 37/2014, of 22 July 2014, established the special statutory regime for registering land in the islands of Sal, Boavista, Maio and São Vicente. This framework was later amended by Decree-Law No. 52/2015, of 24 September 2015. Among other alterations, the latter statute dispenses with the need to publish extracts of notary statements and certificates of inheritance in newspapers, it shortens deadlines arising from the general legal framework, and in general introduces improvements, notably in respect of buildings placed on land registers without prior statement of ownership and/or without being physically delimited by the owner.

## ENVIRONMENT

## WASTE MANAGEMENT

Decree-Law No. 56/2015, of 17 October 2015, established the statutory framework applicable to the prevention, production, and management of waste, and enacted the legal requirements for the licensing and concession of waste management operations.

## PROTECTION OF MARINE RESOURCES

By way of Resolution No. 112/2015, of 25 November 2015, the Letter for the Promotion of Blue Growth in Cape Verde was enacted. Among other things, its purpose is to foster sustainable development of ocean and coastal areas, to minimize environmental degradation, and to maximize the economic and social benefits generated by the sea.

## WATER RESOURCES

## WATER AND SANITATION CODE

The Water and Sanitation Code was enacted by means of Legislative-Decree No. 3/2015, of 19 October 2015. This Code defines the basic principles applicable to water resources and establishes rules aimed at ensuring their preservation and quality. This statute is applicable to all water resources present in the national territory, including surface and ground water, as well as water produced by desalination.

## MIGRATION

## VISA FACILITATION AGREEMENT ENTERED INTO WITH THE EU

Notice No. 2/2015, of 16 November 2015, was published, announcing that the Visa Facilitation Agreement executed between Cape Verde and the European Union entered into force on 1 December 2014. The agreement was signed on 26 October 2012 and approved by the National Assembly for ratification through Resolution No. 106/MIII/2014.

## CIVIL AVIATION

## NEW RULES FOR CIVIL AVIATION

Pursuant to the Chicago Convention, which Cape Verde is a party to, the national regulations of Member States must include the rules and practices recommended in the Technical Annexes to the Convention. To this end, on 6 August 2015 a number of regulations were enacted aimed at complying with international aviation rules and the Chicago Convention.

## MARITIME

## AFRICAN MARITIME TRANSPORT CHARTER

The African Maritime Transport Charter, adopted on 26 July 2010 in Kampala, Uganda, was approved for ratification by means of Resolution No. 144/MIII/2015, of 13 August 2015, rectified on 27 August 2015.

## OFFSHORE MARITIME SAFETY

Decree-Law No. 39/2015, of 24 August 2015, amended and re-enacted Decree-Law No. 18/2012, of 13 July 2012, which had established the legal framework applicable to the contracting of temporary concessions of offshore maritime safety to the private sector. The recent decree added a new chapter concerning fees due from said temporary concessions.

## CHARTERING FISHING VESSELS

Decree-Law No. 44/2015, of 21 September 2015, establishes a new statutory framework for chartering fishing vessels, thereby revoking Decree-Law No. 19/2003, of 16 June 2003. With the approval of said statute new formalities for chartering foreign-flagged fishing vessels are now required. This chartering is henceforth subject to authorization from the General Directorate of Marine Resources.

## CRIMINAL

## AMENDMENT TO CRIMINAL CODE AND CRIMINAL PROCEDURE CODE

The Criminal Code, in force since 1 July 2004, and the Criminal Procedure Code, in force since 1 October 2005, were amended by respectively Legislative Decree No. 4/2015 and by Legislative Decree No. 5/2015, both of 11 November 2015. Changes to the Criminal Code are mainly associated with the criminalization of certain behaviors, such as the trafficking of people, embezzlement, corruption of criminal officials, abuse of power and maritime piracy.

## PROJECTS AND INFRASTRUCTURE

## STATE ACTION IN THE CONTEXT OF PPPS

By means of Decree-Law No. 63/2015, of 13 November 2015, the Government approved the general rules applicable to the State action in relation to public-private partnerships (PPPs). The new statute provides additional detail on the procedures for the procurement, implementation and monitoring of PPPs.

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