

REPUBLIC OF THE CONGO

May 2016

BANKING AND FINANCE

CONGO ACCEDES TO AGREEMENT CREATING AFREXIMBANK

The accession of the Republic of Congo to the 1993 agreement on the creation of the African Import-Export Bank (signed in Ivory Coast) has been authorized by **Law 8-2016**, of 29 March 2016. Following the creation of the African Bank of Development in 1963, and with a view to more efficiently developing foreign trade in Africa, it was decided to create a pan-African international financial institution: AFREXIMBANK. Its main objectives are to promote and facilitate the development of the intra-/extra-African trade, and to provide the necessary financing – notably, through direct or indirect loans to African exporters, and acting as intermediary between African and non-African exporters/importers by means of the issuance of letters of credit, securities and others instruments used in import and export transactions.

CIVIL AVIATION

FRESH RULES ON AIRCRAFT NATIONALITY AND REGISTRATION MARKS, ID PLATES AND REGISTRATION CERTIFICATES

On 25 Mars 2016, the Minister of Transport issued **Order 2640** setting forth rules relating to the identification of the different types of aircraft operated in Congo. Enacted to develop Decree 2015-224, which set out the general rules on the registration of civil aircraft in the country, this statute includes an official aircraft classification and approves a template of the registration certificate, as well as it details the location, size and font of the nationality and registration marks, in terms which are consistent with the applicable ICAO policies.

NEW REGULATIONS ON SECURITY CHECKS

With a view to implementing Decree 2014-25, governing security checks in airports and aerodromes, **Order 34464** was enacted on 4 November 2015 to detail the terms and conditions under which the security agents of aircraft's, aerodromes' and airports' operators can be granted the license required for exercising their duties. Also enacted on 4 November 2015, **Order 34465** defines the types and extension of the security checks to which passengers, personal effects and vehicles may from now on be subject.

INTERNATIONAL LAW

GENEVA CONVENTION ON THE CONTINENTAL SHELF RATIFIED

By means of **Law 2-2016** and **Decree 2016-40**, both dated 11 February 2016, the Republic of Congo has ratified the 1958 Geneva Convention on the Continental Shelf. Upon the entry into force of the Convention in the country (i.e. 30 days after the deposit of the ratification documents), the international legal framework instituted by this instrument in terms of sovereign rights of the State over its continental shelf, including the regimes on delimitation, exploration and exploitation of natural resources, laying of submarine cables or pipelines, navigation and biology-related research, will become fully applicable in Congo.

INVESTMENT & COMMERCIAL

MORE DETAILS ON SPECIAL ECONOMIC ZONES

Orders 35020, 35021, 35022, 35023, 35024 and **35025** were all issued on 1 December 2015 by the Minister in charge of the Special Economic Zones for the purposes of addressing various aspects relating to the internal organization of these structures, such as the responsibilities and duties incumbent upon the different authorities concerned (including the general directorate, the general inspectorate, and the general and regional planning and infrastructure directorates). The enactment of these statutes is a clear indication that the actual implementation of Special Economic Zones in the Congo, as part of the Government's efforts to diversify the national economy and to further the country's industrialization, is soon to be expected.

SOCIAL SECURITY

UNIVERSAL HEALTHCARE FUND CREATED

Law 12-2015, of 31 August 2015, created the financially-independent Universal Healthcare Fund (*Caisse d'Assurance Maladie Universelle - CAMU*). This statute was enacted further to Law 10-2014, of 13 June 2014, which disbanded the National Social Security Fund (*Caisse Nationale de Sécurité Sociale*), and Law 37-2014, of 27 June 2014, establishing a universal healthcare system. The CAMU is entrusted with the responsibility of managing said system, ensuring healthcare coverage for all beneficiaries – both from the public and private sectors. It is envisioned that this fund be partly financed by contributions from (private) employers and their employees (including expats), but in terms yet to be defined.

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