

REPUBLIC OF THE CONGO

November 2014 through January 2015

TMT

Electronic commerce holds tremendous potential in our networked world. The impact that accessing the digital marketplace could have on Congolese economy is not lost on the government, which is trying to fall in step with other, more advanced African economies, and develop Congo's digital economy.

Decree no. 2014-596, of 3 November 2014, promises to be a good building block, seeking to streamline and extend the use of electronic signatures across all economic sectors, establish their legal recognition and set general rules for accreditation of service providers, and certification of operations or procedures.

MARITIME/CORPORATE

Foreign companies will have a harder time establishing themselves in the country in light of the new rules on mandatory Congolese equity participation. **Order no. 19572, of 20 November 2014**, sets Congolese equity participation rate at 25%-40% for foreign companies authorized to either carry out maritime activities in general or provide supporting services for maritime transports in the country.

For its part, **Order no. 19573, of 20 November 2014**, clarifies the situation of foreign companies looking to provide seafarer-related services in the country. Formerly bundled together with maritime service providers in general, they are now in a category of their own and require a Congolese 60-70% minimum equity participation rate.

CIVIL AVIATION

Under newly enacted **Decree no. 2014-839, of 24 December 2014**, aircraft operators must provide the national civil aviation authority with statistical and financial information, including air transport data for passengers, freight and mail by commercial airlines, crew lists and civil aircraft movements to and from national airports.

The statute also sets forth the penalties assessable in the event of failure to comply with the information duty and leaves it to subordinate legislation to further regulate on additional financial documents to be provided.

Order no. 530, of 14 January 2015, approves the new National Civil Aviation Agency's (ANAC) Organizational Charter.

For further information about the contents of this Legal News, please contact:

Rui Amendoeira: rui.amendoeira@mirandalawfirm.com

or

Matthieu Le Roux:

matthieu.leroux@mirandalawfirm.com

Miranda Correia Amendoeira & Associados

Av. Eng. Duarte Pacheco, 7

1070-100 LISBON – PORTUGAL

T: +351 217 814 800 | F: +351 217 814 802

www.mirandalawfirm.com

mirandaalliance

www.mirandaalliance.com

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