

MEDIA

PARLIAMENT PASSES NEW MEDIA CODE

A new Communications Code was adopted by Law 19/2016, of 9 August 2016. The Code, which repeals Law 12/2001 of 12 December 2001, sets forth rules applicable to the licensing, performance and financing of audiovisual, written, digital and cinematographic communication activities.

The new Code reaffirms the principle of freedom of communication by providing that communications, whether audiovisual, written, digital or cinematographic, are free provided that they uphold law and order, and it makes clear that any censorship constitutes a breach of human rights. The Code also contains conflict of interest rules prohibiting members of the government, judges and other State officials from owning a company engaged in communications activities in Gabon and provisions aimed at protecting the freedom of press.

In addition, the Communications Code includes rules on the qualifications and conduct of journalists and other professionals engaged in communication activities as well as provisions setting forth the requirements to be met by public and private companies engaged in such activities.

STATE

ADOPTION OF BY-LAWS OF NATIONAL AGENCY FOR INVESTMENT PROMOTION

Decree 0169/PR/MDDEPIP, gazetted in July 2016, has approved the by-laws of the National Agency for Investment Promotion ("ANPI") in Gabon and has complemented the provisions of Decree 0311/PR/MPHAT, of 25 September 2014, with respect to the responsibilities and structure of the ANPI. ANPI was created to assist the Gabonese Government in promoting exports, investments, business creation and development, supporting project developers and implementing public-private partnerships.

ANPI, which is headquartered in Libreville, is a State entity with legal personality separate from the State. It is a part of the Presidency of the Republic and under the supervision of the Ministry in charge of investment promotion.

ANPI is entrusted with several tasks, including: searching potential national and foreign investors; collecting and disseminating information of relevance for economic operators; guiding investors and assisting them in fulfilling the formalities required for their investments in the country (access to credit, as well as securing licenses, authorization and other documents necessary for their operations); designing and proposing measures to attract investments; proposing and implementing a Strategic Plan for the Promotion of investments and exports and issuing certificates of origin for products to be exported.

GOVERNMENT APPROVES BYLAWS OF STATE PROCEEDS MANAGEMENT FUND

Decree 0450/PR/MDDEPIP, of 9 September 2016, has set out the by-laws of the Deposit and Consignment Fund – *Caisse des Dépôts et Consignation* ("CDC"), which was created and organized by Ordinance 024/PR/2010, of 12 August 2010, as ratified by Law 045/2010, of 12 January 2011. The CDC is a legal entity separate from the State, headquartered in Libreville, which can perform industrial, commercial, banking and financial activities. It is autonomous from an administrative and a financial standpoint and governed by the laws applicable to commercial companies in Gabon, but it is subject to the supervision of the Ministry of Economy.

The CDC is in charge of keeping in deposit and managing funds received by notary publics, bailiffs, courts and administrative authorities, proceeds from State's shares and participations and other amounts earned or held by different State entities and departments. It can offer banking services to its clients and to small and medium sized companies, including credit facilities for projects of municipalities and in strategic sectors. It can also acquire shares and securities, carry out capital market operations, manage assets owned by third parties, make investments on its own behalf and on behalf of other parties and support the creation of companies and jobs.

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

Catarina.Tavora@mirandalawfirm.com

Miranda & 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

MEMBERS

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

LIAISON OFFICES

UK (LONDON) | USA (HOUSTON) | FRANCE (PARIS)

© Miranda & Associados, 2016. Reproduction is authorised, provided the source is acknowledged.

WARNING: The texts contained in this Legal Alert 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.