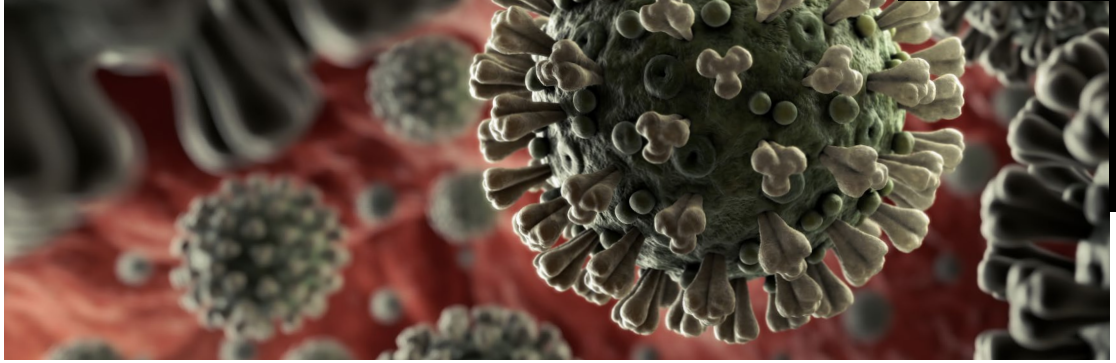


01 APR. 20



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Coronavirus: Exceptional control and prevention measures

Presidential Decree 81/20 of 25 March declared a state of emergency in Angola for a period of 15 days. Following that declaration, by Presidential Decree 82/20 of 26 March, the President of the Republic of Angola approved a series of specific measures intended to control and prevent the spread of the pandemic caused by the new Coronavirus.

Restriction on movement

a) Restriction on the freedom of movement (staying at home)

People must stay in their homes and movement of people on the public roads is prohibited. Necessary and urgent movements of people and vehicles are permitted, but only for the following purposes:

- i) Buying essential goods and services;
- ii) Providing essential services
- iii) Doing authorized professional work/jobs in operation during the state of emergency;
- iv) Obtaining health care;
- v) Home delivery of food or medicines;
- vi) Providing assistance to vulnerable people;
- vii) Doing voluntary work;

"The President of the Republic of Angola approved a series of specific measures intended to control and prevent the spread of the pandemic caused by the new Coronavirus."

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- viii) Doing in public acts at institutions that remain open;
- ix) Seeking banking services;
- x) Access to the workplace, when applicable;
- xi) Returning to your home;
- xii) Transport of goods.

Movements to buy goods and services should preferably be to the establishments closest to your home.

b) Cordons sanitaires

Movement of people is prohibited in the following cases:

- i) National – movements in and out of the country for any reason are forbidden;
- ii) Provincial – movements between provinces are forbidden throughout the country.

Movements in and out of the country or between provinces are exceptionally allowed in cases of emergency and need, in particular, for the entry and exit of essential goods and services, humanitarian aid, and the entry and exits of the sick.

Anyone entering the country will be subject to compulsory testing.

The exit of any of the following goods from the country is forbidden:

- i) Products in the basic food basket;
- ii) Fuel;
- iii) Medicines;
- iv) Medical equipment;
- v) Consumable materials for medical use.

Compulsory quarantine

Institutional or home quarantine (often referred to as “isolation”) is compulsory in the following cases:

- i) Patients with COVID-19 and those infected with SARS-cov2;
- ii) People subject to active surveillance ordered by the health authority.

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Any breach of the duty of compulsory quarantine constitutes a crime of disobedience and violation of the home quarantine leads to the application of institutional quarantine. The prosecuting authorities can enter home of the offender to arrest him or her his in the case of resistance.

People who have had contact with positive cases of COVID-19/SARS-cov2 will be located and monitored by the authorities.

"Compulsory testing will be extended and any refusal to be tested amounts to a crime of disobedience."

Compulsory testing

Compulsory testing will be extended and any refusal to be tested amounts to a crime of disobedience.

Special protection

The following groups should receive special protection:

- i) People over the age of 60;
- ii) Patients with chronic diseases who are considered to be at risk, including those with weakened immune systems, kidney patients, patients with hypertension, diabetics, cardiovascular patients, patients with chronic respiratory disease, and cancer patients;
- iii) Pregnant women and women with children under the age of 12 in their care.

People subject to special protection who work for a public or private company do not have to attend their place of work.

The above restrictions do not apply to: (i) holders of political office; (ii) health professionals; (iii) transport operators and those providing mobility support; (iv) and members of the defence and security forces.

Sovereign bodies and other bodies

Under the Presidential Decree, the President of the Republic, the National Assembly and the courts must adopt their own rules of operation to safeguard the functioning of essential minimum services. The Ministerial Departments and other auxiliary bodies of the President of the Republic, and the Provincial Governments, Municipal Authorities, Communal Authorities, and Urban District Authorities must continue to operate. However, they may limit or suspend the provision of non-essential public services. The number of workers who attend their places of work in person is reduced to no more than one third of the usual number, in accordance with the rotation of staff considered to be essential. This rotation is to be defined by the Ministry of Public Administration, Employment and Social Security, and it may not include pregnant women or women with dependent children under the age of 12 in their care.

ANGOLA**Public services**

The public services of the Direct and Indirect Central and Local Administration of the State are closed, except for the following public services, regardless of whether they are provided by public or private entities:

- i) Hospitals;
- ii) Banco Nacional de Angola;
- iii) Security services;
- iv) Pharmacies, medicine suppliers, and providers of goods and services for hospital use;
- v) Military, public order and equivalent services and units;
- vi) Private security services;
- vii) Civil protection services, fire-fighters and emergency services;
- viii) Energy and water services, including front desks;
- ix) Transport and mobility support services;
- x) Waste collection and treatment services;
- xi) Cemeteries, morgues and registries for registration of death; and
- xii) Except in cases of force majeure, water supply services from private tanks.

The Presidential Decree expressly suspends the in-person supervision of oil lifting operations.

The public institutions that continue to operate must ensure the conditions essential for the personal protection of their employees. In doing so, they must comply with the guidelines of the health authorities, particularly in terms of hygiene and biosafety. Moreover, in the case of service to the public, they must comply with the guidelines on maintaining distance between people.

"All educational establishments and training establishments of the National Training System are closed."

Higher education and professional training establishments

All educational establishments and training establishments of the National Training System are closed.

ANGOLA**Sporting, cultural, recreational, and leisure activities**

The activities set out below are closed or suspended, as follows:

- i) Sporting activities: closure of all sports competitions, and venues for sports competitions and training, as are all public spaces intended to play sports;
- ii) Cultural activities: (a) suspension of cultural and artistic activities, and the holding of fairs and exhibitions, and (b) closure of sites for cultural activities, museums, libraries, theatres, monuments and similar;
- iii) Recreational and leisure activities: (a) a ban on leisure and recreational activities on the public roads or in public spaces, and the public spaces for leisure and bathing are closed, (b) closure of clubs and games rooms, and (c) closure of bars and similar, except for the provision of home delivery services.

Commercial activity

As regards the partial suspension of rights of ownership and private economic initiative due to the declaration of a state of emergency, the President of the Republic has ordered:

a) Closure of commercial establishments

All private commercial establishments are closed, except for the following, which must also create the biosafety condition necessary to protect their staff:

- i) Wholesale and retail establishments selling food;
- ii) Banks and payment services;
- iii) Telecommunications and press, radio and television services;
- iv) Hotels;
- v) Restaurants for external service, in particular take-away and home delivery;
- vi) Filling stations and all the services that are part of the fuel supply chain;
- vii) Funeral parlours and related services;
- viii) Maintenance and repair of motor vehicles and urgent maintenance;
- ix) Other essential services after a favourable opinion from the public health authorities.

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"It is advisable for the employees of the companies included in these arrangements to carry with them a declaration issued by their employer confirming that they are working under these exceptional arrangements."

These establishments may only be closed in a situation of force majeure, and the authorities can take any measures necessary to maintain the provision of their services.

It is advisable for the employees of the companies included in these arrangements to carry with them a declaration issued by their employer confirming that they are working under these exceptional arrangements.

b) Industrial and agricultural activities

Industrial units are also closed, except for the industries described below. The units that do remain open must create the biosafety conditions necessary to protect their staff. Those remaining open are units for:

- i) Production of food and beverages;
- ii) Products essential to the health services;
- iii) Oil and support services;
- iv) Mining;
- v) Units that work with a continuous production cycle, for example, those that use high-temperature furnaces in their production process;
- vi) Units that produce cardboard, glass and plastics;
- vii) Other essential units after a favourable opinion from the public health authorities.

Agricultural production units, family farms and subsistence farms remain in operation.

It is advisable for the employees of the companies included in these arrangements to carry with them a declaration issued by their employer confirming that they are working under these exceptional arrangements.

ANGOLA**c) Functioning of markets and street traders**

The formal and informal public markets remain in operation between 6:00 and 13:00 hours. They may only sell essential products, including (i) food, (ii) natural and diet products, (iii) personal hygiene and cleaning products, and cosmetics, and (iv) butane gas. However, informal street markets involving “gatherings of people” are banned. In the event of a proven high risk of community infection, the above markets can be closed on the recommendation of the public health authorities.

The market management bodies are responsible for ensuring compliance with the recommended distance between stall holders and their customers. In turn, the local authorities are responsible for making arrangements for the regular disinfection of markets, and for creating a hygienic and healthy environment.

Individual street traders can continue to work provided they observe the recommended minimum distance between themselves and their customers.

d) Inspection of activities

The bodies responsible for inspecting economic activities will continue to operate and work with the support of the Defence and Security Forces. They must also increase their inspections in order to identify and punish any price speculation by commercial establishments.

e) Individual protection measures

The institutions that continue to operate must ensure the essential conditions for the personal protection of their employees. In doing so, they must comply with the guidelines of the health authorities, particularly in terms of hygiene and biosafety. Moreover, in the case of service to the public, they must comply with the guidelines on maintaining distance between people.

**Impact on employment
relationships**

While the state of emergency remains in force, public or private employers can release their employees to work from home when their job allows this. Employees must only attend their place of work if this is strictly necessary.

"While the state of emergency remains in force, public or private employers can release their employees to work from home when their job allows this. Employees must only attend their place of work if this is strictly necessary."

ANGOLA**a) Working from home**

Home working should be applied whenever the person in question can do their job remotely. Individuals released from work obligations and activities as a result of the state of emergency may continue to work from home. In such cases, it falls on the employer to define the framework of the remote work.

In comparison with employees who attend their place of work in person, employees working from home: (i) enjoy the same rights, (ii) perform the same duties and obligations (for example, compliance with the normal daily and weekly working hours) and (iii) enjoy equal treatment.

What is allowed: the application of disciplinary measures to employees and workers who breach the obligation to provide their services while the state of emergency is in effect.

What is not allowed: termination of the employment relationship based on the absence of workers from their place of work.

b) Working in the usual workplace

People should only attend their workplace in the context of the public and private services that must be kept in operation during the state of emergency.

Only workers whose work is absolutely necessary to ensure the normal operation of the services should attend the workplace. For example: (i) the processing of workers' salaries, (ii) compliance with financial obligations, (iii) computer equipment assistance and maintenance, or (iv) other work essential to enabling colleagues to work from home.

It is advisable for the employees of the companies included in these arrangements to carry with them a declaration issued by their employer confirming that they are working under these exceptional arrangements.

As a final note, if the work visas of non-resident foreign workers expire, they will still remain valid and effective.

"Only workers whose work is absolutely necessary to ensure the normal operation of the services should attend the workplace."

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Residential tenancies

Under the Presidential Decree, evictions are prohibited in the case of residential tenancy agreements. However, tenants are not released from the obligation to pay the rents due.

Public procurement

The Presidential Decree provides that during the state of emergency (i) the acquisition of the goods and services urgently needed to control and combat the pandemic is subject to exceptional measures, and (ii) the acquisition of essential goods and services, in particular, medicines, hospital equipment and biosafety materials can be carried out under simplified procurement arrangements. The Ministry of Finance is responsible for creating the conditions for these exceptional arrangements to be put into effect.

We will have to wait for the Ministry of Finance regulations laying down the detailed rules on this matter to know (i) what goods and services can be acquired under the exceptional arrangements (and under what terms), and (ii) what goods and services can be purchased under the simplified procurement rules.

Civil conscription

The Presidential Decree authorises the use of the defence and security forces to guarantee compliance with the provisions of the decree. The Ministries of National Defence and of the Interior are responsible for creating the conditions for these forces to participate in enforcing the decree to the extent necessary and in a proportional manner. The decree also orders the civil conscription of retired doctors and nurses, except for those who are particularly vulnerable to the COVID-19 pandemic. The Ministry of Health is responsible for putting these measures into practice.

General duty of cooperation

The Presidential Decree imposes a duty of cooperation on citizens and public and private entities. In particular, they must (i) obey the orders or instructions of the bodies and agents responsible for security, civil protection and public health (ii) respond promptly to any justified requests by the bodies responsible for implementing the measures in the Presidential Decree.

Public transport

Essential public transport will remain in operation only to provide a minimum service. The Ministry of Transport is responsible for defining the reduction in the availability of public passenger transport. The provision of moto-tax (motorbike taxi) services is also prohibited.

Road and rail transport will remain in operation only for the provision of minimum services, such as the transportation of essential goods and merchandise.

No more than one-third of the normal capacity of passengers may travel at the same time in public or private transport. The owners of the companies or of vehicles must ensure the minimum conditions of hygiene and health and safety.

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Finally, the Ministry of Transport must do whatever is necessary and appropriate to ensure transport services for essential people and goods, via land, sea and air. The Ministry must also ensure maintenance and operation of essential infrastructures.

Religious events and funeral ceremonies

Events of a religious nature or of worship involving groups of people attending places of worship are suspended. Individual worship is still permitted.

No more than 50 people may attend any funeral ceremony.

Validity of documents

While the state of emergency remains in force, official documents remain valid even if they have expired. This rule covers the:

- i) Identity card;
- ii) Driving licence;
- iii) Vehicle registration document;
- iv) Vehicle ownership document;
- v) Passport;
- vi) Tourist and work visa;
- vii) Resident alien card.

"Suspension of all legal limitation and expiry periods for actions and rights for the duration of the state of emergency."

Licences and authorisations

During the state of emergency, all licences, authorisations and other types of administrative acts remain valid even if their period of validity has expired.

Tax measures

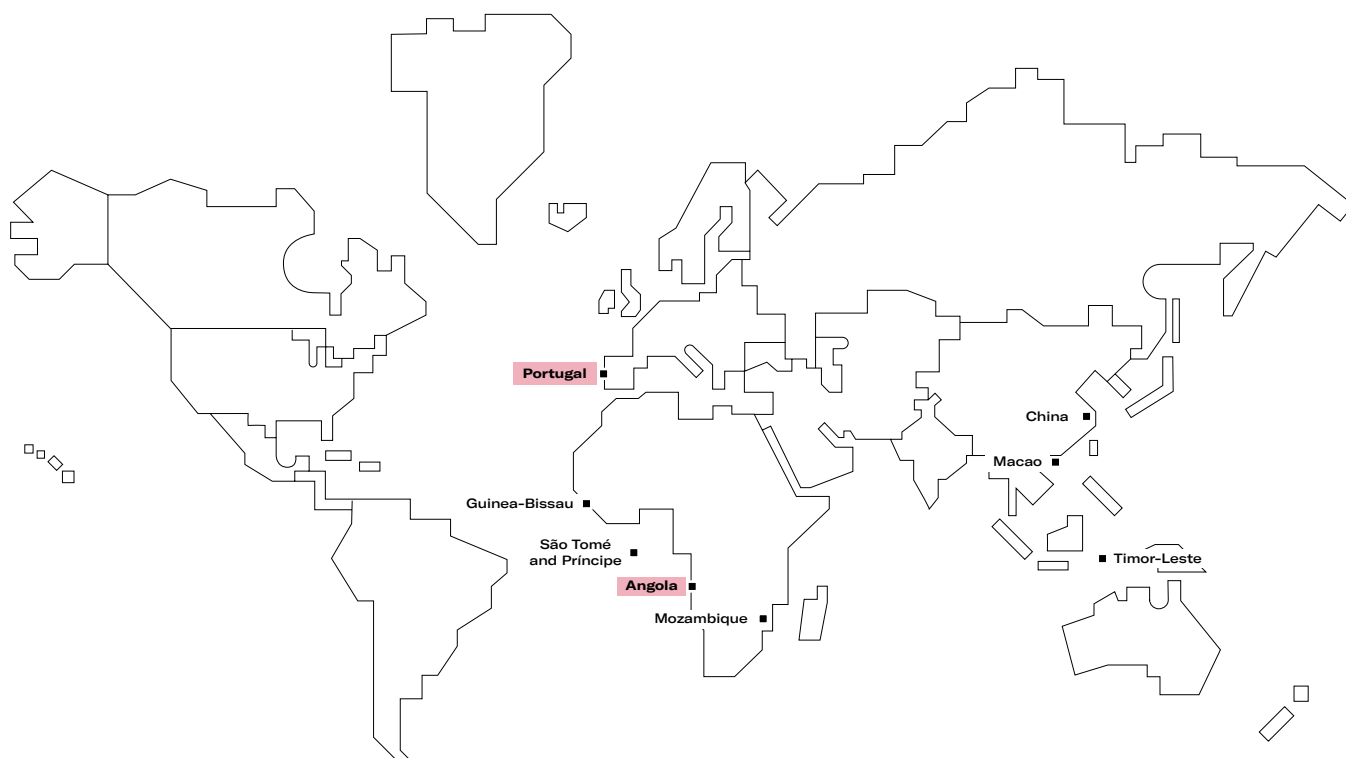
The following tax measures have been adopted in the context of the declaration of a state of emergency:

- i) Suspension of all legal limitation and expiry periods for actions and rights for the duration of the state of emergency;

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- ii) The importation of food and medicines is temporarily exempt from the payment of import taxes and a scheme for their subsequent settlement is established. The Minister of Finance is responsible for ensuring the mechanisms needed to carry out the above settlement;
- iii) Exceptional arrangements have been introduced for licensing the importation of food, medicines and biosafety material, as well as for other products. However, the decree does not define the details of these arrangements and power to do so has been conferred on the Ministers of Finance, the Economy and Planning, Transport, and Trade, and on the Bank of Angola. The intention is to facilitate and expedite these imports.

However, exceptional rules on licensing for the importation of food, medicines and biosafety materials have been introduced in the meantime. These rules appear in Instruction 5/20 of 30 March to expedite the importation procedure and this is the subject of a separate newsletter. ■



PLMJ COLAB ANGOLA – CHINA/MACAO – GUINEA-BISSAU – MOZAMBIQUE – PORTUGAL – SÃO TOMÉ AND PRÍNCIPE – TIMOR-LESTE

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