



ANGOLA

## Import and export procedures and licensing

Presidential Decree no. 126/20 of 5 May was published to adjust the rules on import and export procedures and licensing to the current political, economic and social panorama.

With a view to applying a simplified and unbureaucratic model of the administrative procedures to be observed in licensing imports and exports, the decree maintains many of the provisions of its predecessor, Presidential Decree no. 75/17, of 7 April, which is now repealed. However, it no longer addresses the issue of settlement and payments, which is subject to the rules established by the National Bank of Angola in its own decree.

There is still an obligation for international trade operators to register in the Register of Exporters and Importers ("REI") and the registration is valid for a period of 5 years. The application for registration must always be accompanied by the commercial certificate and the licence for the dominant activity. If the application is accepted, a certificate and access data to the Computing Platform for Foreign Trade ("Platform"), which replaces SICOEX, will be issued.

The licensing procedures apply to all goods imported into or exported from the customs territory, whether or not they are subject to pre-shipment inspection. Thus, the main objectives of licensing are to control the origin and quality of imported and exported goods, from a sanitary, phytosanitary and food safety point of view. This is to ensure the effective application of restrictions on the entry and exit of goods into / out of the country, to allow statistical monitoring of imports and exports and to serve as a basis for recording the control of the exit and entry of foreign exchange from the country resulting from import operations.

The three types of licensing regime remain unchanged: licence dismissal; automatic licensing; and non-automatic licensing.

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Licensing is waived for imports of parts and accessories covered by a contract of guarantee, donated goods (unless they are used), cinematographic films whose commercial exploitation is permitted, goods necessary to protect the essential interests of the country's security (arms, ammunition, war material intended to ensure the supply of the Defence and Security Forces) and the temporary import of goods subject by law to this customs procedure. The import and export of materials sent abroad for testing, examination or research, for industrial or scientific purposes and the import and export of samples and goods which are exempted from licensing by express legal provision or for reasons of public interest justifying the exemption from licensing to be issued by the competent authority are also not subject to licensing.

**"For imports and exports subject to automatic and non-automatic licensing, the international trade operator must provide the Platform with the information requested by the Ministerial Department responsible for the Trade Sector, AGT and BNA or by another public entity responsible for the matter."**

For imports and exports subject to automatic and non-automatic licensing, the international trade operator must provide the Platform – prior to shipment of the goods in the country of export or in Angola, as the case may be – with the information requested by the Ministerial Department responsible for the Trade Sector, AGT and BNA or by another public entity responsible for the matter.

Automatic licensing is defined as the authorisation granted by the Ministerial Department responsible for the Trade Sector, for the import and export of goods where there is no restriction on entry or exit from the country, the operations being subject to this licensing as follows:

- The import and export of goods subject to the customs rules in force, applicable to the Petroleum Sector;
- The import and export of goods for private investment projects, provided they are duly approved under the terms of the Private Investment Laws;
- The import and export of parts, pieces and other aeronautical components intended for the maintenance of aircraft and ships (this is a new provision as the previous rules only extended to aircraft flying the national flag);
- The import and export of goods on the list to be approved by Joint Executive Decree of the Holders of the Ministerial Departments of Commerce and Finance.

The procedures for non-automatic licensing of imports and exports cover all those that do not fall under the licensing dismissal or automatic licensing systems. Moreover, they must be applied to the import of goods subject to the system or contingency regime, or to any other type of restrictions, the operations being the following:

- The import and export of goods listed on the Platform;

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- The import of goods under the quota system or any other type of restriction;
- Goods for bonded warehouses, customs warehouses, free zones and duty-free stores.
- The import and export of goods originating in countries with restrictions contained in UN resolutions.

In operations for which licensing is required, the Single Document (SD) remains the essential document for licensing the operation and it must contain the essential details of the operation, such as:

- Name and full address of the exporter and importer consignee;
- Code of the exporter and importer;
- Point of entry or exit and gross weight of the goods;
- Form of payment and bank details of the exporter;
- Place of loading or unloading and country of origin or destination of the goods;
- Description, Tariff Code, quantity, net weight and country of origin of the goods;
- FOB value, EXW, freight, Insurance, CFR, CIF value and packing and packaging.

**"Licence applications continue to be approved within 2 days and licences issued under the new rules become valid for a period of 120 days."**

One of the changes introduced under the new rules is the possibility of submitting pro-forma invoices in English or French, for licensing of the operation. Furthermore, the deadline for correction of lapses or insufficiency of the order is reduced from 10 to 5 days, after which the order is automatically cancelled on the Platform. Licence applications continue to be approved within 2 days and licences issued under the new rules become valid for a period of 120 days.

Finally, the new procedures do not apply to ongoing import and export transactions. The new Regulation will enter into force on 4 July 2020. ■