

# Africa regulatory ENSight

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# Angola

sector	legislation	effective date/status	key points and impact
Agriculture, forestry and fisheries	Forest and Wildlife Basic Legislation	Approved in January 2017 by Law No. 6/17.	<p>This law:</p> <ul style="list-style-type: none"> <li>• amends Law no.15/05 of Agricultural Development and repeals Decree no.40.040 and no.44.531;</li> <li>• approves the Forest and Wildlife Basic Legislation establishing the standards that aim to guarantee the conservation and rational and sustainable use of forests and wildlife within the national territory; and</li> <li>• also applies to biological diversity but does not apply to aquatic biological resources, genetic resources and conservation areas that are governed by special legislation.</li> </ul>
Agriculture, forestry and fisheries	Approval of Forestry License forms, Certificates of Origin, Storage, Transit Guide and Provisional Wood Transport Authorization for the 2017 Forest Campaign	Approved in June 2017 by Executive Decree no. 308/17.	<p>This decree:</p> <ul style="list-style-type: none"> <li>• implements law no.6/17 on Forest and Wildlife Basic Legislation; and</li> <li>• approves the Forestry License Model Forms required for obtaining Certificates of Origin, Storage, Transit Guide and Provisional Wood Transport Authorization for the 2017 Forest Campaign, for the standardization of the licensing of forest exploitation, transportation and marketing of forestry products.</li> </ul>
Agriculture, forestry and fisheries	Regulations on the Traceability, Commercialization and Distribution of Fishery, Aquaculture and Salt Products	Approved in March 2017 by Presidential Decree No. 57/17.	<p>This decree:</p> <ul style="list-style-type: none"> <li>• implements Decree no. 40/06 on Sanitary Measures for Fisheries and Aquaculture Products;</li> <li>• approves the Regulation on the Traceability, Commercialization and Distribution of Fishery, Aquaculture and Salt Products; and</li> <li>• applies to the trade process of the mentioned products, from the first sale until its acquisition by the consumer, marketed in the national territory, regardless of the their National or foreign origin.</li> </ul>

# Angola

sector	legislation	effective date/status	key points and impact
Employment	Regulations on the Performance of a Professional Activity by Non-resident Foreign Workers	Approved on 25 January 2017 by Presidential Decree no. 43/17 and came into force on 6 March 2017.	<p>This decree:</p> <ul style="list-style-type: none"> <li>repeals Decree 5/95, of 7 April 1995, Decree 6/01, of 19 January 2001 and other legislation inconsistent with the provisions of this Statute; and</li> <li>notes that companies falling under this Statute may only employ up to 30% non-resident foreign workforce; the remaining 70% must be filled by an Angolan workforce.</li> </ul>
All	Regulations on the Licensing of Commercial Activities, Commercial Establishments and Trading Services	Approved on 22 August 2017 by Presidential Decree no. 193/17 and comes into force on 21 October 2017.	<p>The decree:</p> <ul style="list-style-type: none"> <li>centralizes the powers with licensing to the Ministry of Commerce;</li> <li>requires that licensing applications, along with the relevant supporting documents, be mandatorily submitted online;</li> <li>approves new models of documents for business licensing; and</li> <li>sets out different licensing procedures for the provision of trading services.</li> </ul>

# Burundi

sector	legislation	effective date/status	key points and impact
Fast moving consumer goods	Law No.1/10 of 27 April 2017 amending a provision of Law no.1/10 of 30 June 2009 relating to implementation of the Common External Tariff of the East Africa Community	Approved on 27 April 2017.	The law provides exemption from custom duties for all imported foodstuffs for the period from 27 April to 27 July 2017.
Non-governmental organisations	Law No 1/01 amending Law No 1/0011 of 23 June 1999 laying down the general framework for cooperation between the Republic of Burundi and Foreign Non-Governmental Organizations (“FNGOs”)	Approved on 23 January 2017.	The law places stringent controls on FNGOs and their finances.
Non-governmental organisations	Law no 1/02 providing an organic framework for not for profit organisations	Approved on 27 January 2017.	This law provides for the organization and operation of every foreign non-profit organisation which is currently not governed by any specific law.

# Cameroon

sector	legislation	effective date/status	key points and impact
All	Decree fixing the modalities of authentication of SARL (limited liability company) statutes established under private signature	Approved on 28 February 2017 by Decree 2017/0877.	The decree: <ul style="list-style-type: none"><li>• provides the conditions governing the certification process of SARL's by-laws by the one-stop-shop;</li><li>• notes that only the single-shareholder limited liability companies or those with a share capital of less than CFA one million will be affected by the exception to the obligation to draw up statutes in the notarial form.</li></ul>

# Cape Verde

sector	legislation	effective date/status	key points and impact
Finance	Withholding Tax Rates / Decree Law no. 11/2017	Enacted on 20 March 2017.	The decree amends the provisions of Law no. 6/2015 by noting a 15% withholding tax rate is applicable to income from the provision of services and a 10% rate to rental income.
Finance	Legal Framework for Securitisation	Enacted on 17 August 2017 by Decree No. 36/2017 and entered into force on 18 August 2017.	The decree notes the rules applicable to the assignment of credits for purposes of securitisation where the assignee is a credit securitisation fund or a credit securitisation management company, as well as the incorporation and operation of: <ul style="list-style-type: none"><li>• credit securitisation funds;</li><li>• credit securitisation companies; and</li><li>• management companies of those funds.</li></ul>

# Gabon

sector	legislation	effective date/status	key points and impact
Agriculture, forestry and fisheries	Decree no. 00161 / PR of 1 June 2017 creating aquatic protected areas in the Gabonese Republic	Issued by the president on 1 June 2017.	The decree: <ul style="list-style-type: none"><li>creates new marine parks and eleven aquatic reserves, covering all 26.2% of marine waters under the Gabon jurisdiction; and</li><li>regulates aquatic protected areas for purposes relating to the exploitation of species and spaces.</li></ul>
Information and communications technology	Decree no. 00150 / PR / MENCCAP -PG of 10 May 2017 setting out the conditions for the issuance of technical approval in the Communication sector	Issued by the president on 10 May 2017.	The decree: <ul style="list-style-type: none"><li>sets out technical requirements for technical approval to be granted to entities operating in the communication industry and targets audiovisual, written, digital and cinematography communication; and</li><li>notes that technical approval is issued for each activity or group of activities in the communication sector for a period of two years and is not transferable.</li></ul>

# Kenya

sector	legislation	effective date/status	key points and impact
Finance	Capital Markets (Online Foreign Exchange Trading) Regulations, 2017	Gazetted on 25 August 2017.	These regulations relate to: <ul style="list-style-type: none"><li>• licensing of online foreign exchange brokers and money managers;</li><li>• the conduct of online foreign exchange business;</li><li>• inspections; and</li><li>• offences and penalties.</li></ul>
Property	Guidelines for extension and renewal of leases	Issued on 9 June 2017.	These guidelines provide detailed procedures to be followed for the extension and renewal of leases.



# Lesotho

sector	legislation	effective date/status	key points and impact
Information and communications technology	Lesotho Communications Authority (Licensing Classification and Fees) Rules 2018	The rules will commence on 1 April 2018.	The rules repeal the Lesotho Communications Authority (Licensing Fees) Rules 2013 and stipulate the following he fees payable under these Rules: <ul style="list-style-type: none"><li>• application fee;</li><li>• initial licence fee;</li><li>• annual fees; and</li><li>• renewal fees.</li></ul>

# Malawi

sector	legislation	effective date/status	key points and impact
Finance	Payment Systems (Interoperability of Retail Payment Systems) Directives, 2017	Gazetted on 15 September 2017.	<p>This directive:</p> <ul style="list-style-type: none"> <li>• applies to banks, mobile network operators, the Natswitch and all other payments service providers offering auto-teller machines, point of sale devices, mobile payments, internet based payments and any other payment service providers the Reserve Bank of Malawi may determine;</li> <li>• sets minimum mandatory requirements for interoperability of retail payment systems offered by payment service providers; and</li> <li>• makes it mandatory for payment service providers to put in place infrastructure that supports interoperability.</li> </ul>
Finance	Customs and Excise (Amendment) Act, 2017	Gazetted on 25 July and came into force on 1 July 2017.	The Act amends the Customs and Excise Act in respect of airtime, television subscriptions, gaming and betting, including lotteries.
Finance	Taxation (Amendment) Act, 2017	Gazetted on 25 July and came into force on 1 July 2017.	The Act amends the Taxation Act and gives effect to the tax measures contained in the 2017/18 <a href="#">Budget</a> .
Finance	Value Added Tax (Amendment) Act, 2017	Gazetted on 25 July and came into force on 1 July 2017.	The Act amends the Value Added Tax Act and gives effect to the tax measures contained in the 2017/18 <a href="#">Budget</a> .

# Mauritius

sector	legislation	effective date/status	key points and impact
Natural Resources	Environment Protection (Amendment of Schedule) Regulations 2017	Gazetted on 4 March 2017.	These regulations amend the Environment Protection Act, 2002 and updates the List of undertakings requiring an Environmental Impact Assessment.

# Nigeria

sector	legislation	effective date/status	key points and impact
Finance	Credit Reporting Act, 2017	Signed into law on 30 May 2017.	<p>The objectives of the Act are to:</p> <ul style="list-style-type: none"><li>• facilitate and promote access to credit and enhance risk management in credit transactions;</li><li>• promote access to accurate and reliable credit information and to protect the privacy of such information; and</li><li>• set standards and conditions for the establishment, regulation and operation of credit bureaus.</li></ul>

# OHADA

sector	legislation	effective date/status	key points and impact
Finance	Regulation to harmonise the practices of accounting and auditing professionals in OHADA Member States	Approved on 8 June 2017 and will enter into force on 1 January 2018.	<p>These regulations harmonise the practices of accounting and auditing professionals in OHADA Member States and cover:</p> <ul style="list-style-type: none"><li>• professional standards;</li><li>• practical guides on the application of professional standards;</li><li>• the code of ethics of accounting and auditing professionals; and the quality assurance system.</li></ul>

# Rwanda

sector	legislation	effective date/status	key points and impact
Finance	Law no 28/2017 of 29/06/2017 regulating commodity exchange and related contracts	Gazetted on 10 July 2017 and came into force on the same day.	This law regulates commodity trading and exchange and related contracts with regulatory objectives of maintaining and promoting the fairness, efficiency, competitiveness, transparency and orderliness of commodity exchanges and related contracts. All prior legal provisions contrary to this law are repealed.
Finance	National Bank of Rwanda Directive no. 01/2017 of 30/06/2017 on the Overnight Deposit Facility	Issued on 30 June 2017 and came into force on the same day.	This directive establishes the framework for the Central Bank to declare in use the Overnight Deposit Facility which allows commercial banks to place excess funds to remuneration.
Finance	National Bank of Rwanda Directive no.02/2017 of 30/06/2017 on Refinancing Facility	Issued on 30 June 2017 and came into force on the same day.	This directive establishes the framework for the Central Bank to avail a short term refinancing facility by providing banks with temporary liquidity as lender of last resort.
Finance	National Bank of Rwanda Directive no.03/2017 on the Standing Lending Facility	Issued on 30 June 2017 and came into force on the same day.	This directive establishes the framework for the Central Bank to avail an overnight lending facility for banks that may wish to borrow money on an overnight basis against collaterals. This facility will enable banks to meet their payment obligations even where other funding possibilities are not available.
Information and communications technology	Regulation No 004/R/MR-MCA/RURA/2017 Governing Broadcasting Services in Rwanda	Issued on 30 June 2017 and came into force on the same day.	These regulations establish a regulatory framework for providing broadcasting services in Rwanda and are applicable to persons carrying out or intending to carry out any activity in relation to terrestrial broadcasting services except signal distribution.
Waste Management	Regulations number 002/R/SAN-EWATSAN/RURA/2017 Governing Provisions of Services for Hazardous Waste Management	Issued on 1 March 2017 and came into force on the same day.	These regulations establish a regulatory framework for effective and efficient collection, transportation and treatment of hazardous waste in order to protect the public health and the environment.

# Sierra Leone

sector	legislation	effective date/status	key points and impact
All	Local Government (Amendment) Act, 2017	Signed into law by the president on 16 June 2017.	The Act amends the Local Government Act, 2014, to provide for the addition of new Districts created under the Provinces (Administrative Division) Order, 2017.
Aviation	The Sierra Leone Civil Aviation (Parachute Operations) Regulations, 2017	Assented to and became effective on 6 July 2017.	These regulations prescribe rules governing parachute operations conducted in Sierra Leone, excluding parachuting conducted in response to an inflight emergency.
Aviation	The Sierra Leone Civil Aviation Authority (Approved Training Organisation) Regulations, 2016	Gazetted on 1 January 2017.	These regulation address the certification and administration of Approved Training Organisations (“ATO”), noting that airmen requiring Sierra Leone certification, who receive training from a foreign ATO, should be trained by an ATO meeting the standards as set out in these regulations.
Aviation	The Sierra Leone Civil Aviation Authority (Aircraft Registration and Marking) Regulations, 2016	Gazetted on 5 January 2017.	The regulations: <ul style="list-style-type: none"> <li>• prescribe the requirements for registration and marking of Civil Aircrafts under the provisions of the Civil Aviation Act, 2008; and</li> <li>• do not apply to meteorological pilot balloons used exclusively for meteorological purposes or unmanned free balloons without a payload.</li> </ul>
Security	The National Security and Central Intelligence Bill, 2017	Gazetted on 9 February 2017.	The Bill repeals the National Security and Central Intelligence Act, 2002 to provide for the: <ul style="list-style-type: none"> <li>• amendment of the composition of the National Security Council, the District Security Committees and the Provincial Security Committees;</li> <li>• establishment of Chiefdom Security Committees; and a Transnational Organised Crime Unit; and</li> <li>• appointment of a Deputy National Security Coordinator of the Central Intelligence and Security Agency.</li> </ul>

# Sierra Leone

sector	legislation	effective date/status	key points and impact
Water and Sanitation	The Sierra Leone Water Company Act, 2017	Gazetted on 2 February 2017.	<p>The Act provides for:</p> <ul style="list-style-type: none"> <li>• a more efficient and effective management of community and rural water supply systems in specified areas; and</li> <li>• the facilitation of water sanitation and delivery in Sierra Leone.</li> </ul>
Water and Sanitation	The National Water Resources Management Act, 2017	Gazetted on 2 February 2017.	<p>The Act provides for:</p> <ul style="list-style-type: none"> <li>• the equitable, beneficial, efficient, and sustainable use and management of the country's water resources;</li> <li>• the establishment of a National Water Resources Management Agency; and</li> <li>• a Water Basin Management Board and Catchment Water Resources Management Committees for the management of the water resources.</li> </ul>



# South Sudan

sector	legislation	effective date/status	key points and impact
Finance	Taxation Amendment Act, 2016	Published by the Ministry of Finance and Economic Planning on 15 February 2017.	<p>The Act amends the Taxation Act, 2009 and related tax laws, providing for:</p> <ul style="list-style-type: none"><li>• a reduction of the tax burden on businesses;</li><li>• the incorporation of amendments from the Finance Act, 2015; and</li><li>• the establishment of new withholding taxes and other changes designed to increase government revenues.</li></ul>

# Swaziland

sector	legislation	effective date/status	key points and impact
Finance	The Public Finance Management Act, 2017	The Act became effective on 12 July 2017.	<p>The Act:</p> <ul style="list-style-type: none"> <li>repeals the Finance Management and Audit Act no. 18 of 1967 and the Treasury Bills and Government Stocks Act no.7 of 1994; and</li> <li>provides for the management of public finances and public debt.</li> </ul>
National Security	The Suppression of Terrorism (Amendment) Act, 2017	The Act became effective on 8 August 2017.	The Suppression of Terrorism Act has been amended to include a wider definition of the term “terrorist” and to recognise acts of terrorism.
National Security	The Public Order Act, 2017	The Act became effective on 8 August 2017.	<p>The Act:</p> <ul style="list-style-type: none"> <li>promotes and protects public order, health, safety and morals; and</li> <li>gives effect to the fundamental rights of freedom of peaceful assembly, association and freedom of expression embodied in the Constitution of the Kingdom of Swaziland.</li> </ul>

# Tanzania

sector	legislation	effective date/status	key points and impact
All	The Written Laws (Miscellaneous Amendments) Act, 2017	Passed as law on 12 September 2017, but not yet gazetted as an Act to show the effective date of its application.	The Act among others, amends the: <ul style="list-style-type: none"> <li>• Mining Act (Cap. 123);</li> <li>• Natural Wealth and Resources (Permanent Sovereignty) Act, 2017;</li> <li>• Petroleum Act (Cap. 392);</li> <li>• Surface and Marine Transport Regulatory Authority Act (Cap. 413);</li> <li>• Tanzania Communications Regulatory Authority Act (Cap. 172); and</li> <li>• Value Added Tax Act (Cap. 148).</li> </ul>
Transportation	The Railways Bill, 2017	Passed as law on 12 September 2017, but not yet gazetted as an Act to show the effective date of its application.	The Bill: <ul style="list-style-type: none"> <li>• establishes the Tanzania Railways Corporation and makes better provision for the development, maintenance and promotion of rail infrastructure, rail transport services; and</li> <li>• only applies to mainland Tanzania.</li> </ul>
Oil and Gas	The Petroleum (Retail Operations in Township and Villages) Rules, 2017	Published in Government Notice No. 14 on 27 January 2017.	The rules regulate the petroleum retail business activities in townships and villages in mainland Tanzania and cover: <ul style="list-style-type: none"> <li>• application for construction approval;</li> <li>• licensing procedures;</li> <li>• environmental protection;</li> <li>• technical provisions; and</li> <li>• compliance and enforcement.</li> </ul>
Oil and Gas	The Petroleum (Bulk Procurement) Regulations, 2017	Published in Government Notice No. 198 on 5 May 2017.	These regulations govern the implementation of Bulk Procurement System of Petroleum Products and revokes the Petroleum (Bulk Procurement) Regulations, 2015.

# Uganda

sector	legislation	effective date/status	key points and impact
Finance	Tier 4 Microfinance Institutions & Money Lenders Act, 2016	Statutory Instrument gazetted on 28 April 2017 and became effective on 1 July 2017.	<p>The purpose of this Act is to:</p> <ul style="list-style-type: none"> <li>• regulate tier 4 microfinance institutions by: <ul style="list-style-type: none"> <li>○ facilitating the microfinance industry to promote social and economic development;</li> <li>○ establishing prudential standards for microfinance institutions in order to safeguard the deposits of members, prevent financial system instability of the funds of depositors and ensure stability of the financial system;</li> <li>○ apply non-prudential standards to tier 4 microfinance institutions by defining sources of capital and establishing default protection mechanisms;</li> </ul> </li> <li>• provide a regulatory framework for the management and control of money lending businesses and repeal the Money Lender's Act (Cap. 273); and</li> <li>• establish the Uganda Microfinance Regulatory Authority responsible for licensing and management of tier 4 microfinance institutions.</li> </ul>
Finance	East African Development Bank (Amendment) Act, 2017	The Act commenced on 31 March 2017.	The Act gives effect to the Charter approved at the Summit of the East African Community Heads of State meeting held in Bujumbura.

# Zambia

sector	legislation	effective date/status	key points and impact
Information and communications technology	The Information and Communication Technologies (Allocation of 3G frequencies) (Revocation) Order, 2017	Approved on 12 June 2017, gazetted and came into effect on 16 June 2017.	The order revokes the Information and Communications Technologies (Allocation of 3G Frequencies) Regulations, 2010, but stipulates that licensees holding 3G frequencies allocated under the revoked regulations shall continue to hold such frequencies.
Information and communications technology	The Information and Communication Technologies (Allocation of 2G frequencies) (Revocation) Order, 2017	Approved on 12 June 2017, gazetted and came into effect on 16 June 2017.	The order revokes the Information and Communications Technologies (Allocation of 2G Frequencies) Regulations, 2010 but stipulates that licensees holding 2G frequencies allocated under the revoked regulations shall continue to hold such frequencies.
Information and communications technology	The Information and Communication Technologies (Licensing) (Amendment) Regulations, 2017	Approved on 12 June 2017, gazetted and came into effect on 16 June 2017.	These regulations amend the Information and Communications Technologies (Electronic Communications) (Licensing) Regulations, 2010.
Trade	Customs and Excise (General) (Amendment) Regulations	Gazetted and came into effect on 10 February 2017.	These regulations amend the Customs and Excise (General) Regulations, 2000.

# Zimbabwe

sector	legislation	effective date/status	key points and impact
Finance	Collective Investment Schemes (Fees) Rules, 2017	Gazetted in September 2017.	The Collective Investment Schemes (Fees) Rules, 1998 are repealed and the Rules introduced in respect of the: <ul style="list-style-type: none"> <li>• internal scheme registration fees;</li> <li>• external scheme registration fees;</li> <li>• trustee and manager licensing fees;</li> <li>• professional scheme Registration fees; and</li> <li>• fees for late submission of returns.</li> </ul>
Finance	Collective Investment Schemes (Professional Schemes) (Amendment) Rules, 2017	Gazetted in September 2017.	These Regulations amend the Collective Investment Schemes (Professional Schemes) Regulations, 1998.
Finance	Collective Investment Schemes (Internal Schemes) (Amendment) Rules, 2017	Gazetted in September 2017.	These Regulations amend the Collective Investment Schemes (Internal Schemes) Regulations, 1998.
Finance	Insurance (Amendment) Regulations, 2017	Gazetted on 25 August 2017.	These Regulations repeal the Insurance (Amendment) Regulations, 2013 and amend the Insurance Regulations, 1989 in relation to the: <ul style="list-style-type: none"> <li>• minimum capital requirement for insurers;</li> <li>• calculating capital for insurers;</li> <li>• minimum capital for insurance brokers;</li> <li>• self-assessment by insurance companies and brokers; and</li> <li>• repudiation of claims.</li> </ul>
Finance	Exchange Control (General) (Amendment) Order, 2017	Gazetted on 25 August 2017.	This Order amends the Exchange Control (General) Order, 1996. In respect of the maximum amount of foreign currency that may be taken out of Zimbabwe.

The information provided herein is intended to provide a general overview, and is not an exhaustive list of all legislative developments across Sub-Saharan Africa. For more information, please contact [info@ENSafrica.com](mailto:info@ENSafrica.com)

