

# doing business in Equatorial Guinea

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country profile											
<b>government structure</b>	<ul style="list-style-type: none"> <li>• <b>Executive:</b> The president is the chief of state and the head of government. The president is directly elected by simple majority popular vote for a seven-year term and is eligible for a second term. The prime minister and deputy prime ministers are appointed by the president. Cabinet is appointed by the president and overseen by the prime minister.</li> <li>• <b>Legislative:</b> Equatorial Guinea has a bicameral National Assembly.</li> <li>• <b>Judicial:</b> The highest courts are the Supreme Court of Justice and the Constitutional Court. The subordinate courts are Court of Guarantees, Military Courts, Provincial Courts, First Instance Courts, Specialised First Instance Courts (Labour courts, Penitentiary Surveillance Courts and Family and Juvenile Custody Courts), Investigating Courts, Traditional Courts, and Peace Courts.</li> <li>• <b>Next presidential elections:</b> November 2029.</li> </ul>										
<b>economic data</b>	<table> <tbody> <tr> <td>• Nominal GDP (USD billions):</td> <td>11.93</td> </tr> <tr> <td>• GDP per capita (USD):</td> <td>7 727.18</td> </tr> <tr> <td>• Inflation rate (% change):</td> <td>2.11</td> </tr> <tr> <td>• Government revenue (% of GDP):</td> <td>15.89</td> </tr> <tr> <td>• Government gross debt (% of GDP):</td> <td>48.48</td> </tr> </tbody> </table> <p><i>*Source: IMF (December 2023 estimates)</i></p> <ul style="list-style-type: none"> <li>• Equatorial Guinea's economy is mainly driven by oil and gas. Undeveloped mineral resources include gold, zinc, diamonds, columbite-tantalite, and other base metals.</li> <li>• The main industries include petroleum, natural gas, and sawmilling.</li> <li>• Equatorial Guinea's main export partners are China, India, Spain, and the United States. The main export commodities include crude petroleum, natural gas, industrial alcohols, lumber, and veneer sheeting.</li> <li>• Equatorial Guinea's main import partners are the United States, Spain, China, the United Kingdom, and the United Arab Emirates. The main import commodities include gas turbines, beer, ships, industrial machinery, and excavation machinery.</li> </ul>	• Nominal GDP (USD billions):	11.93	• GDP per capita (USD):	7 727.18	• Inflation rate (% change):	2.11	• Government revenue (% of GDP):	15.89	• Government gross debt (% of GDP):	48.48
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<b>risk ratings</b>	<ul style="list-style-type: none"> <li>• S&amp;P Global Overall Country Risk (Q4 2023): 166/211</li> <li>• Corruption Perceptions Index (2022): 171/180</li> </ul>										

international treaties and memberships	
<b>international and regional organisations and customs unions</b>	<ul style="list-style-type: none"> <li>• African Continental Free Trade Area Agreement</li> <li>• African Development Bank Group</li> <li>• African Union</li> <li>• Bank of Central African States (<i>Banque des États de l'Afrique Centrale</i> ("BEAC"))</li> <li>• Community of Portuguese-speaking Countries (<i>Comunidade dos Países de Língua Portuguesa</i>)</li> <li>• Economic Community of Central African States (ECCAS)</li> <li>• Central African Economic and Monetary Community (<i>Communauté Économique et Monétaire de l'Afrique Centrale</i> ("CEMAC"))</li> <li>• Group of 77</li> <li>• International Monetary Fund</li> <li>• International Organization of the French-speaking World (<i>Organisation Internationale de la Francophonie</i>)</li> <li>• Organisation of African, Caribbean and Pacific States ("OACPS")</li> <li>• Organization of the Petroleum Exporting Countries</li> <li>• Organization for the Harmonization of Business Law in Africa ("OHADA")</li> <li>• United Nations</li> <li>• World Bank Group</li> <li>• World Customs Organization</li> <li>• Equatorial Guinea receives preferential treatment under the following agreements: <a href="http://ptadb.wto.org/Country.aspx?code=226">http://ptadb.wto.org/Country.aspx?code=226</a></li> </ul>
<b>bilateral investment treaties</b>	<ul style="list-style-type: none"> <li>• Equatorial Guinea has bilateral investment treaties in force with China, France, Russia, and Spain.</li> <li>• Treaties have been signed with Cabo Verde, Ethiopia, Morocco, Portugal, South Africa, Ukraine, and the United Arab Emirates, but these have not yet entered into force.</li> </ul>
<b>investment-related agreements / institutions</b>	<ul style="list-style-type: none"> <li>• Cotonou Agreement (may be succeeded by the European Union and OACPS Partnership Agreement)</li> <li>• Multilateral Investment Guarantee Agency</li> <li>• World Trade Organization (Observer)</li> </ul>
<b>dispute resolution</b>	<ul style="list-style-type: none"> <li>• OHADA</li> <li>• United Nations Commission on International Trade Law (UNCITRAL)</li> </ul>
<b>intellectual property ("IP") treaties</b>	<ul style="list-style-type: none"> <li>• A comprehensive list of IP-related treaties signed by Equatorial Guinea is available at: <a href="https://wipolex.wipo.int/en/legislation/members/profile/GQ?collection=treaties">https://wipolex.wipo.int/en/legislation/members/profile/GQ?collection=treaties</a></li> <li>• See the trademarks section below for further detail.</li> </ul>



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legal regime	
<b>applicable legal regime</b>	<ul style="list-style-type: none"> <li>Equatorial Guinea's legal system is based on Spanish and local customary law.</li> <li>Commercial law has, however, undergone significant changes due to the country's adoption of the OHADA body of business legislation, which aligns Equatorial Guinea with the French-based legal systems of a number of its francophone neighbours.</li> </ul>
<b>dispute resolution</b>	<ul style="list-style-type: none"> <li>The OHADA Treaty provides an arbitration procedure, and the Uniform Act on Arbitration supersedes all national legislation on commercial law. Disputes relating to the general Uniform Acts, or any other business dispute, can be submitted to the OHADA arbitration procedure.</li> </ul>
<b>land acquisition, planning, and use</b>	<ul style="list-style-type: none"> <li>All land belongs to the state. This gives the state a wide mandate to be able to take possession of land whenever it is in the sovereign interest to do so.</li> <li>Under Law No. 4/2009 on the Land Ownership Regime in Equatorial Guinea, foreigners cannot own land but may lease land with a maximum duration of 99 years.</li> <li>Equatorial Guinean law provides for compensation if property is expropriated by the government.</li> </ul>
<b>competition</b>	
<i>merger control</i>	<ul style="list-style-type: none"> <li>There is currently no operational competition law regime in Equatorial Guinea.</li> <li>Equatorial Guinea is a member of two regional competition bodies, CEMAC and OHADA. OHADA does not yet have an operational merger control regime in place and does not regulate prohibited practices. CEMAC does, however, have an operational competition law regime in place and all activities in Equatorial Guinea should therefore be conducted with CEMAC in mind.</li> <li>In particular, in terms of CEMAC regulations, an economic concentration (merger) may arise where two or more previously independent companies merge; two or more companies acquire, directly or indirectly, and whether by purchase of securities or assets, by contract or by any other means, control of the whole or parts of one or more firms; or a joint venture performing on a lasting basis the functions of an autonomous entity is created.</li> <li>The CEMAC merger control regime is suspensory, and a notifiable merger may not be implemented without the prior approval of the CEMAC Competition Commission.</li> <li>A merger transaction has a community dimension and is notifiable to the CEMAC Competition Commission for exclusive review where the parties to a concentration hold a combined market share of more than 30% in the</li> </ul>

	<p>CEMAC common market, or where the parties together achieve a turnover of at least F.CFA10-billion in the CEMAC common market.</p> <ul style="list-style-type: none"> <li>Implementing a notifiable transaction prior to obtaining clearance is subject to a fine not exceeding 10% of the parties' worldwide turnover (in so far as the sales in the economic sector of activity relating to the concentration are concerned) and 20% of the parties' worldwide turnover in the CEMAC common market (the same restriction as for worldwide turnover applies).</li> </ul>
<i>prohibited practices</i>	<ul style="list-style-type: none"> <li>OHADA does not regulate prohibited practices. CEMAC regulates anticompetitive agreements and abuses of dominance in the Common Market. Activities in Sierra Leone should therefore be conducted with CEMAC in mind.</li> <li>In particular, in terms of CEMAC regulations, the CEMAC Commission has exclusive jurisdiction to investigate and sanction anticompetitive agreements and abuses of dominance where trade between member states is affected.</li> <li>Under the CEMAC competition regime, horizontal and vertical agreements between undertakings, decisions by associations of undertakings or concerted practices which are likely to affect trade between member states and which have the object or effect of preventing, restricting or distorting competition within the Common Market and in particular those which directly or indirectly fix purchase or selling prices or other trading conditions, share markets or sources of supply, and aim at bid-rigging in view of sharing markets are prohibited. The abuse of a dominant position is also prohibited.</li> <li>In CEMAC, offending parties are subject to a maximum fine of 10% of the worldwide turnover and 20% of the turnover achieved in the Common Market (which fines are doubled in the case of repetition).</li> </ul>
<b>employment</b>	
<i>immigration</i>	<ul style="list-style-type: none"> <li>Expatriates, other than United States citizens, working in Equatorial Guinea must hold a valid work permit and a residence permit.</li> <li>A work permit for an expatriate employee will not be issued by the Ministry of Labour unless a formal written labour contract is filed with the Ministry.</li> <li>Equatorial Guinea has five types of work permits: <ul style="list-style-type: none"> <li>Permit A ("PA") is granted to an employee who will work in a single work location for less than six months. It is not renewable.</li> <li>Initial Permit B ("IPB") is granted to an individual who will engage in an established profession, working place or activity. It is valid for one year.</li> <li>Permit B Renewed ("PBR") is granted to individuals holding IPB at the end of the validity period of the IPB. It is valid for two years.</li> <li>Permit C ("PC") is granted to individuals holding PBRs at the end of the validity period of the PBR. It is valid for three years.</li> </ul> </li> </ul>



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	<ul style="list-style-type: none"> <li>Permanent Permit ("PP") is granted to individuals holding PCs at the end of the validity period of the PC.</li> </ul>
<i>local employment vs secondment</i>	<ul style="list-style-type: none"> <li>In terms of Equatorial Guinea's employment legislation, the secondment of employees is subject to strict rules regarding the employer/company that assigns the employee and the maximum duration of the secondment. The employee must be employed by a local company.</li> <li>In terms of Equatorial Guinea's immigration legislation, employment by a local entity (including branches of foreign entities) is a prerequisite for applying a work permit.</li> </ul>
<i>fixed-term contracts and temporary employment services</i>	<ul style="list-style-type: none"> <li>Fixed-term contracts are allowed under the General Labour Law.</li> <li>However, fixed-term contracts are prohibited for permanent tasks and can only be concluded for a maximum period of two years.</li> </ul>
<i>payment in local currency</i>	<ul style="list-style-type: none"> <li>Remuneration must be paid in local currency.</li> </ul>
<i>restraint of trade agreements</i>	<ul style="list-style-type: none"> <li>Restraint of trade agreements, such as non-competition or non-solicitation agreements/clauses, are not expressly prohibited by Equatorial Guinean labour laws and may be considered valid and enforceable as long as they do not involve absolute and unjustifiable deviations from general labour principles, such as freedom of work and choice of work.</li> </ul>
<b>foreign investment regime</b>	
<b>investment regime</b>	<ul style="list-style-type: none"> <li>The Investment Law (Law No. 7/1992 of 30 April 1992) governs foreign investment in Equatorial Guinea. It was amended in 1994 by Law No. 2/1994 and subsequent amendments have generally been implemented through several decrees.</li> <li>The Single Business Window (<i>Ventanilla Unica Empresarial</i> ("VUE")), established in 2019, acts as the official one-stop shop where all the formalities for company registration are to be carried out.</li> </ul>
<b>registration / licensing requirements</b>	<ul style="list-style-type: none"> <li>No specific registration is required at an investment authority, but the general non-industry specific registration / licences as set out below are required.</li> </ul>
<b>non-industry specific registrations / licences</b>	<ul style="list-style-type: none"> <li>See below.</li> </ul>
<i>Ministry of Commerce and Promotion of Small and Medium Enterprises</i>	<ul style="list-style-type: none"> <li>Investors must register a company at the Ministry of Commerce and Promotion of Small and Medium Enterprises.</li> <li>An annual fee is charged, which is calculated with reference to the size of the company.</li> </ul>

<i>Tax Authority</i>	<ul style="list-style-type: none"> <li>Companies must be registered with the Tax Authority and obtain a tax identification number ("NIF").</li> <li>Registration with the Tax Authority is also available at the one-stop shop.</li> </ul>
<i>Ministry of Labour</i>	<ul style="list-style-type: none"> <li>Employers must register with the Ministry of Labour and obtain a registration number from the Ministry.</li> <li>Upon application, the employer obtains an inspection book and labour calendar.</li> <li>Employers must register all employees with the Ministry of Labour within five days following the execution of the relevant employment contracts.</li> <li>Employers and employees must contribute to the Workers Protection Fund (<i>Fondo de Protección del Trabajador</i>).</li> </ul>
National Institute of Social Security ( <i>Instituto de Seguridad Social</i> ("INSESO"))	<ul style="list-style-type: none"> <li>All new businesses must register their employees for social security and obtain social security numbers for them in the first month that they receive a salary.</li> </ul>
<b>industry-specific licences</b>	<ul style="list-style-type: none"> <li>Industry-specific licences may also be required.</li> </ul>
<b>incentives</b>	<ul style="list-style-type: none"> <li>Incentives include: <ul style="list-style-type: none"> <li>benefits under the Investment Law for companies whose centre of main activities is in non-littoral areas; and</li> <li>specific benefits granted to companies making strategic investments.</li> </ul> </li> </ul>
<b>exchange control regulation</b>	<ul style="list-style-type: none"> <li>Equatorial Guinea is a member of CEMAC and subject to the CEMAC Currency Exchange Regulation No. 02/18/CEMAC/UMAC/CM. In terms of the CEMAC Regulation: <ul style="list-style-type: none"> <li>the foreign exchange Regulations do not apply to transactions between member states of the CEMAC; nor do they apply to the franc zone, except for measures relating to gold, some loans, direct investments, and transactions in foreign securities;</li> <li>all other payments can be made freely, subject to a statement for statistical purposes and presentation to the intermediary bank of supporting documents for amounts that exceed F.CFA1-million per month and per entity; and</li> <li>the transfer of funds abroad exceeding F.CFA100-million requires declaration to the BEAC and to the relevant finance ministry at least 30 days before completion.</li> </ul> </li> </ul>



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<b>types of entities available for foreign investment</b>	<ul style="list-style-type: none"> <li>The forms of doing business available in Equatorial Guinea are mainly the following provided for by the OHADA Uniform Act on Commercial Companies and Economic Interest Groupings: <ul style="list-style-type: none"> <li>public limited company (<i>société anonyme</i> ("SA"));</li> <li>simplified limited liability company (<i>société par actions simplifiée</i> ("SAS"));</li> <li>private limited liability company (<i>société à responsabilité limitée</i> ("SARL"));</li> <li>general partnership (<i>société en nom collectif</i>, SNC);</li> <li>limited partnership (<i>société en commandite simple</i>, SCS);</li> <li>joint venture (<i>société en participation</i>);</li> <li>de facto partnership (<i>société de fait</i>);</li> <li>economic interest grouping (<i>groupement d'intérêt économique</i>, GIE);</li> <li>registered branch of a foreign company; and</li> <li>representation or liaison offices.</li> </ul> </li> </ul>
<b>private limited liability company</b>	
<b>minimum number of shareholders</b>	<ul style="list-style-type: none"> <li>SARL   SA   SAS: A minimum of one shareholder is required.</li> <li>In principle, local shareholders are not required, but may be required in certain specified sectors such as mining, oil, and gas.</li> </ul>
<b>minimum share capital</b>	<ul style="list-style-type: none"> <li>SARL: at least F.CFA100 000, reduced from F.CFA1-million under Presidential Decree No. 45/2020 dated 24 April 2020.</li> <li>In terms of the OHADA Uniform Act on Commercial Companies and Economic Interest Groupings, the following minimum share capital requirements apply: <ul style="list-style-type: none"> <li>SA: F.CFA10-million, divided into shares with a face value of not less than F.CFA10 000; and</li> <li>SAS: no minimum required share capital.</li> </ul> </li> </ul>
<b>directors</b>	<ul style="list-style-type: none"> <li>SARL: must have at least one managing director (<i>gérant</i>). It is recommended that someone who is either based in or regularly travels to Equatorial Guinea be appointed as managing director, as it is required for such a person to hold a long-term visa. There is no requirement to appoint directors / managers in addition to the managing director.</li> <li>SA: must appoint a chairperson of the board who can also act as general manager of the company (<i>directeur général</i>). A board of directors with three to 12 members, including a chairperson, is to be appointed.</li> <li>SAS: free to determine its management structure, which should, as a minimum, consist of one chairperson. There is no requirement to appoint a board of directors.</li> </ul>
<b>company secretary</b>	<ul style="list-style-type: none"> <li>There is no requirement to appoint a company secretary in Equatorial Guinea.</li> </ul>

<b>auditor</b>	<ul style="list-style-type: none"> <li>SARL and SAS: must appoint a statutory auditor when two of the following three conditions are met at the end of the financial year: <ul style="list-style-type: none"> <li>its total balance sheet exceeds F.CFA125-million;</li> <li>the annual turnover exceeds F.CFA250-million; or</li> <li>the permanent staff exceeds 50 employees.</li> </ul> </li> <li>SA: appointment of an auditor is mandatory.</li> <li>SAS: appointment of an auditor is mandatory where an SAS effectively controls one or more companies, or where an SAS is effectively controlled by one or more companies.</li> </ul>
<b>registered address</b>	<ul style="list-style-type: none"> <li>Every company must have a registered office which must be indicated in the Articles of Association.</li> <li>The address of the company's accountants or lawyers may be used as registered address for an interim period.</li> </ul>
<b>shelf companies</b>	<ul style="list-style-type: none"> <li>There are no shelf companies available in Equatorial Guinea.</li> </ul>
<b>registration process</b>	<ul style="list-style-type: none"> <li>Companies are registered with the Commercial Registry (<i>Registro de la Propiedad y Mercantil</i>), and it takes approximately seven days to complete registration once all the required documents have been submitted.</li> </ul>
<b>tax</b>	
<b>tax system</b>	<ul style="list-style-type: none"> <li>Equatorial Guinea has a residence-based tax system in terms of which residents are subject to tax on their world-wide income, whereas non-residents are subject to tax only on their Equatorial Guinea-sourced income.</li> </ul>
<b>corporate residence</b>	<ul style="list-style-type: none"> <li>A company is resident in Equatorial Guinea if: <ul style="list-style-type: none"> <li>it is constituted according to Equatorial Guinean laws;</li> <li>its head office is located in Equatorial Guinea; or</li> <li>its place of effective management is located in Equatorial Guinea.</li> </ul> </li> <li>A company operating in the hydrocarbon sector is deemed to be a resident if it carries out activities or is providing services in Equatorial Guinea for more than three months in a calendar year.</li> </ul>
<b>corporate tax rate</b>	<ul style="list-style-type: none"> <li>Resident companies and permanent establishments of foreign companies are subject to corporate income tax at the rate of 35%.</li> <li>A minimum tax (<i>Cuota Minima Fiscal</i>) is levied at the higher of 1.5% of turnover of the previous year or F.CFA800 000.</li> </ul>



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<b>capital gains tax ("CGT")</b>	<ul style="list-style-type: none"> <li>Capital gains are included in ordinary taxable income and subject to corporate income tax at the standard rate.</li> <li>A non-final 10% withholding tax applies on capital gains from the disposal of shares.</li> </ul>																				
<b>withholding tax ("WHT") rates</b>	<table border="1"> <thead> <tr> <th rowspan="2">payment to</th> <th colspan="2">WHT rate</th> </tr> <tr> <th>residents</th> <th>non-residents*</th> </tr> </thead> <tbody> <tr> <td>branch profits</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td>dividends</td> <td>10%</td> <td>25%</td> </tr> <tr> <td>interest</td> <td>10%</td> <td>25%</td> </tr> <tr> <td>royalties</td> <td>N/A</td> <td>15%</td> </tr> <tr> <td>management, consulting, and technical service fees</td> <td>N/A</td> <td>15%</td> </tr> </tbody> </table> <p>* The withholding tax rate may be reduced in terms of a relevant double tax agreement.</p>	payment to	WHT rate		residents	non-residents*	branch profits	N/A	N/A	dividends	10%	25%	interest	10%	25%	royalties	N/A	15%	management, consulting, and technical service fees	N/A	15%
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<b>double tax agreements ("DTAs")</b>	<ul style="list-style-type: none"> <li>DTAs are in force with CEMAC member states (including Cameroon, the Central African Republic, Chad, Gabon, and the Republic of the Congo).</li> </ul>																				
<b>losses</b>	<ul style="list-style-type: none"> <li>Losses may generally be carried forward for a period of three years.</li> <li>Companies operating in the hydrocarbon sector may carry forward losses for five years.</li> </ul>																				
<b>transfer pricing</b>	<ul style="list-style-type: none"> <li>Equatorial Guinea does not have specific transfer pricing rules but does have general rules prohibiting the direct or indirect transfer of income to an affiliated company by increasing or reducing purchase prices.</li> </ul>																				
<b>limitations on interest deductibility</b>	<ul style="list-style-type: none"> <li>There are no thin capitalisation rules applicable in Equatorial Guinea.</li> <li>However, interest paid on shareholder loans is only deductible under the following conditions: <ul style="list-style-type: none"> <li>the interest is deductible up to the lending rate of Equatorial Guinean commercial banks at the time the interest payments were due; and</li> <li>for controlling shareholders, the loan may not exceed the share capital.</li> </ul> </li> </ul>																				

<b>employee taxes</b>	<p>The income tax rates applicable to resident individuals are:</p> <table border="1"> <thead> <tr> <th>annual chargeable income (F.CFA)</th> <th>tax rate</th> </tr> </thead> <tbody> <tr> <td>up to 1 000 000</td> <td>0%</td> </tr> <tr> <td>1 000 001 – 3 000 000</td> <td>10%</td> </tr> <tr> <td>3 000 001 – 5 000 000</td> <td>15%</td> </tr> <tr> <td>5 000 001 – 10 000 000</td> <td>20%</td> </tr> <tr> <td>10 000 001 – 15 000 000</td> <td>25%</td> </tr> <tr> <td>15 000 001 – 20 000 000</td> <td>30%</td> </tr> <tr> <td>above 20 000 000</td> <td>35%</td> </tr> </tbody> </table>	annual chargeable income (F.CFA)	tax rate	up to 1 000 000	0%	1 000 001 – 3 000 000	10%	3 000 001 – 5 000 000	15%	5 000 001 – 10 000 000	20%	10 000 001 – 15 000 000	25%	15 000 001 – 20 000 000	30%	above 20 000 000	35%
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<b>social security contributions</b>	<ul style="list-style-type: none"> <li>Both employees and employers must make monthly social security contributions to the INSESO.</li> <li>The employer contribution rate is 21.5% of gross salaries, whereas the employee contribution rate is 4.5%.</li> <li>Employers must also contribute to the Worker Protection Fund (<i>Fondo de Protección del Trabajador</i>) at a rate of 1% of gross salaries and employees at the rate of 0.50% of their net salaries.</li> </ul>																
<b>payroll taxes</b>	<ul style="list-style-type: none"> <li>There is no payroll tax in Equatorial Guinea.</li> </ul>																
<b>stamp duty</b>	<ul style="list-style-type: none"> <li>Stamp duty (<i>impuesto sobre actos jurídicos documentados</i>) is levied on a broad class of legal instruments at rates varying from F.CFA500 to F.CFA2 000 per page.</li> <li>The transfer of shares, bonds and other securities is subject to property transfer tax (<i>impuesto sobre transmisiones patrimoniales inter vivos</i>) at rates varying between 1% and 5% as well as stamp duty.</li> <li>The transfer of immovable property is subject to property transfer tax (<i>impuesto sobre transmisiones patrimoniales inter vivos</i>) at rates varying between 5% (between residents) and 25% (between residents and non-residents).</li> </ul>																
<b>value added tax ("VAT")</b>																	
<i>taxable supplies</i>	<ul style="list-style-type: none"> <li>VAT is levied on the supply of goods and services in Equatorial Guinea and on the importation of goods and services.</li> </ul>																
<i>VAT rate</i>	<ul style="list-style-type: none"> <li>15%</li> <li>6% (applicable to a limited list of basic consumables and books).</li> </ul>																



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<b>registration threshold</b>	<ul style="list-style-type: none"> <li>All individuals and companies that carry out, occasionally or habitually and in an independent manner, economic activities of production, sale, import of goods or supply of service, including agricultural and professional activities, are subject to VAT.</li> </ul>
<b>reverse VAT on imported services</b>	<ul style="list-style-type: none"> <li>If non-residents have not appointed a tax representative domiciled in Equatorial Guinea, resident companies are required to account for output VAT in respect of imported services rendered by non-resident companies.</li> <li>Such VAT is available as an input credit, provided that the services are used in the making of taxable supplies.</li> </ul>
<b>trade marks</b>	
<b>international conventions, treaties, and arrangements</b>	<ul style="list-style-type: none"> <li>Madrid Protocol</li> <li>Nice Agreement</li> <li>Paris Convention</li> <li>Trademark Law Treaty</li> <li>World Intellectual Property Organization Convention</li> <li>World Trade Organization / Trade-Related Aspects of Intellectual Property Rights (TRIPS) (all <i>Organisation Africaine de la Propriété Intellectuelle</i> ("OAPI") countries are members except Comoros and Equatorial Guinea)</li> </ul> <p><i>*Note</i></p> <p>Equatorial Guinea is a member of OAPI. OAPI has a central registry in Cameroon which facilitates the central filing of IP rights, including trademarks. An OAPI application automatically covers all member countries, as the member states had to renounce their national IP laws to become members. It is therefore not possible to file individual national applications in any of the OAPI member states.</p> <p>OAPI member states include Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Comoros, Côte d'Ivoire, Equatorial Guinea, Gabon, Guinea, Guinea-Bissau, Mali, Mauritania, Niger, Republic of the Congo, Senegal, and Togo.</p>
<b>classification</b>	<ul style="list-style-type: none"> <li>The International Classification of Goods and Services (Nice Classification) applies.</li> <li>A single application may cover any number of classes.</li> </ul>
<b>categories of trademarks</b>	<ul style="list-style-type: none"> <li>Provision is made for:             <ul style="list-style-type: none"> <li>collective trademarks;</li> <li>ordinary trademarks (goods and service trademarks); and</li> <li>geographical indications.</li> </ul> </li> </ul>
<b>filing requirements</b>	<ul style="list-style-type: none"> <li>Full particulars of the applicant;</li> <li>Power of Attorney, in French or English, simply signed (per application);</li> <li>electronic representation of the trademark; and</li> </ul>

	<ul style="list-style-type: none"> <li>a certified copy of the priority document (if applicable) with a verified French or English translation.</li> </ul>
<b>procedure</b>	<ul style="list-style-type: none"> <li>An application is filed at the OAPI office in Cameroon. Applications are examined for compliance with formal requirements only. If the office finds that the formal conditions for registration have been met, the trademark registers and the registration is published.</li> </ul>
<b>oppositions</b>	<ul style="list-style-type: none"> <li>Opposition may be lodged within six months following the date of advertisement of the registration. No extensions are allowed.</li> </ul>
<b>duration and renewal</b>	<ul style="list-style-type: none"> <li>A trademark registration is effective for an initial period of 10 years and, thereafter, renewable for further periods of 10 years.</li> </ul>

ENS is a full-service law firm with significant experience and specialist expertise that spans all commercial areas of law, tax, forensics, and IP across Africa. For more information or assistance please contact:

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