

# doing business in the Republic of the Congo



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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 prime minister is the head of government. The president is directly elected by absolute majority popular vote, in two rounds if needed, for a five-year term and is eligible for two additional terms. The prime minister and Cabinet are appointed by the president.</li> <li>• <b>Legislative:</b> The Republic of the Congo has a bicameral Parliament.</li> <li>• <b>Judicial:</b> The highest courts are the Supreme Court and the Constitutional Court. The High Court of Justice, outside the judicial authority, tries cases involving treason by the president. The subordinate courts are the Court of Audit and Budgetary Discipline, courts of appeal, regional and district courts, employment tribunals and juvenile courts.</li> <li>• <b>Next presidential elections:</b> March 2026.</li> </ul>										
<b>economic data</b>	<table> <tr> <td>• Nominal GDP (USD billions):</td> <td>12.81</td> </tr> <tr> <td>• GDP per capita (USD):</td> <td>2 479.09</td> </tr> <tr> <td>• Inflation rate (% change):</td> <td>3.00</td> </tr> <tr> <td>• Government revenue (% of GDP):</td> <td>25.77</td> </tr> <tr> <td>• Government gross debt (% of GDP):</td> <td>70.27</td> </tr> </table> <p>*Source: IMF (January 2024 estimates)</p> <ul style="list-style-type: none"> <li>• The Republic of the Congo's economy relies on the export of natural resources. The government seeks to attract foreign investors in the forestry, agriculture, construction, ecotourism, transport, mining, and information technology services sectors to reduce dependency on the oil sector.</li> <li>• The main industries include petroleum extraction, cement, lumber, brewing, sugar, palm oil, soap, flour, and cigarettes.</li> <li>• The Republic of the Congo's main export partners are China, the United Arab Emirates, India, and Italy. The main export commodities include copper, crude petroleum, refined petroleum, lumber, and tin.</li> <li>• The Republic of the Congo's main import partners are China, France, Belgium, and Angola. The main import commodities include ships, chicken products, refined petroleum, processed fish, and packaged medicines.</li> </ul>	• Nominal GDP (USD billions):	12.81	• GDP per capita (USD):	2 479.09	• Inflation rate (% change):	3.00	• Government revenue (% of GDP):	25.77	• Government gross debt (% of GDP):	70.27
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<b>risk ratings</b>	<ul style="list-style-type: none"> <li>• S&amp;P Global Overall Country Risk (Q1 2024): 153/211</li> <li>• Corruption Perceptions Index (2023): 158/180</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>• Central African Economic and Monetary Community (<i>Communauté Économique et Monétaire de l'Afrique Centrale</i> ("CEMAC"))</li> <li>• Economic Community of Central African States (ECCAS)</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>• Organization for the Harmonization of Business Law in Africa ("OHADA")</li> <li>• Organisation of African, Caribbean and Pacific States</li> <li>• Organization of the Petroleum Exporting Countries</li> <li>• United Nations</li> <li>• World Bank Group</li> <li>• World Customs Organization</li> <li>• The Republic of the Congo receives preferential treatment under the agreements listed here: <a href="http://ptadb.wto.org/Country.aspx?code=178">http://ptadb.wto.org/Country.aspx?code=178</a></li> </ul>
<b>bilateral investment treaties</b>	<ul style="list-style-type: none"> <li>• The Republic of the Congo has bilateral investment treaties in force with China, Germany, Italy, Mauritius, Republic of Korea, Switzerland, the United Kingdom, and the United States.</li> <li>• Treaties have been signed with Angola, Libya, Morocco, Namibia, Portugal, South Africa, Spain, and Tunisia, but these have not yet entered into force.</li> </ul>
<b>investment-related agreements / institutions</b>	<ul style="list-style-type: none"> <li>• African Growth and Opportunity Act</li> <li>• Cotonou Agreement</li> <li>• Multilateral Investment Guarantee Agency</li> <li>• World Trade Organization</li> </ul>
<b>dispute resolution</b>	<ul style="list-style-type: none"> <li>• Convention on the Settlement of Investment Disputes between States and Nationals of Other States (ICSID Convention)</li> <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 the Republic of the Congo is available at: <a href="https://wipolex.wipo.int/en/legislation/members/profile/CG?collection=treaties">https://wipolex.wipo.int/en/legislation/members/profile/CG?collection=treaties</a></li> <li>• See the trade marks 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>The Republic of the Congo's legal system is based on French civil law and Congolese customary law.</li> </ul>
<b>dispute resolution</b>	<ul style="list-style-type: none"> <li>Arbitration is the preferred method of dispute resolution in the Republic of the Congo.</li> <li>The OHADA Treaty also provides an arbitration procedure. Disputes relating to the general OHADA Uniform Acts, or any other business dispute, can be submitted to the OHADA arbitration procedure.</li> <li>All national arbitration legislation has been superseded by the Uniform Act on Arbitration Law.</li> </ul>
<b>land acquisition, planning, and use</b>	<ul style="list-style-type: none"> <li>Law No. 17-2000 establishes the legal framework for the registration of land ownership and the transfer of ownership.</li> <li>There are stringent land-purchasing protocols for foreign investors.</li> </ul>
<b>competition</b>	
<i>merger control</i>	<ul style="list-style-type: none"> <li>At present, there is no competition legislation governing merger control in the Republic of the Congo.</li> <li>However, the Republic of the Congo has a draft Competition Bill which provides for the establishment of various decision-making and advisory bodies. There is currently no indication as to when this Bill (or the bodies to be created thereunder) will become operational, nor any guidance as to the precise content / workings thereof.</li> <li>The Republic of the Congo is a member of two regional competition bodies, CEMAC and OHADA. OHADA does not yet have an operational regulator and it is understood that its merger control regime is not yet functional. CEMAC does, however, have an operational merger control regime in place and merger activities in the Republic of the Congo should therefore be conducted with CEMAC in mind. In particular, in terms of CEMAC regulations, where the parties to a concentration hold a combined market share of more than 30% in the CEMAC common market or where the parties together achieve a turnover of at least F.CFA10-billion in the CEMAC common market, the transaction shall be notified at CEMAC level and the CEMAC Commission will have exclusive jurisdiction to review the merger.</li> </ul>

<i>prohibited practices</i>	<ul style="list-style-type: none"> <li>Similarly, there is no competition specific legislation in the Republic of the Congo which governs prohibited practices (whether horizontal, vertical, abuse of dominance, or otherwise). However, there does appear to be broad regulation of competition and prices, including the prohibition of anticompetitive agreements. These provisions are catered for in other legislation and regulated by the rules applicable to the domain in which they have an effect.</li> <li>OHADA does not regulate prohibited practices. CEMAC regulates anticompetitive agreements and abuses of dominance in the Common Market. Activities in the Republic of the Congo should therefore be conducted with CEMAC in mind. 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> </ul>
<b>employment</b>	
<i>immigration</i>	<ul style="list-style-type: none"> <li>The Labour Code governs employment regulations in the Republic of the Congo.</li> <li>Both a visa and work permit are required by anyone entering the Republic of the Congo with the intention to work.</li> </ul>
<i>local employment vs secondment</i>	<ul style="list-style-type: none"> <li>An employee may be seconded to the Republic of the Congo.</li> </ul>
<i>fixed term contracts and temporary employment services</i>	<ul style="list-style-type: none"> <li>Employees may enter into fixed-term contracts with a maximum duration 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>
<b>foreign investment regime</b>	
<b>investment regime</b>	<ul style="list-style-type: none"> <li>The Investment Charter, 2003 (<i>Charte des Investissements</i>) governs foreign investment in the Republic of the Congo.</li> <li>The Investment Promotion Agency (<i>Agence pour la Promotion des Investissements</i>) has been established to <i>inter alia</i> implement government investment policy through activities to promote and facilitate private investment.</li> <li>The Congolese Agency for the Creation of Enterprises (<i>Agence Congolaise Pour la Création des Entreprises (ACPCE)</i>) is a one-stop shop that centralises several registration procedures.</li> </ul>



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<b>registration / licensing requirements</b>	<ul style="list-style-type: none"> <li>All businesses are required to register with the ACPCE.</li> <li>The ACPCE handles companies' administrative procedures and formalities including: <ul style="list-style-type: none"> <li>registering the articles of association of the company;</li> <li>entering the company into the Trade and Securities Register (<i>Registre de Commerce et de Crédit Mobilier</i>, RCCM) and the National Register of Companies (<i>Système Congolais d'Immatriculation des Entreprises Nationales</i>); and</li> <li>registration with the national social security bodies.</li> </ul> </li> </ul>
<b>non-industry specific registrations/licences</b>	<ul style="list-style-type: none"> <li>The following general non-industry specific registrations/licences may also be required:</li> </ul>
<i>General Directorate of Taxes and Domains (Direction Générale des Impôts et des Domaines ("DGID"))</i>	<ul style="list-style-type: none"> <li>A limited liability company must be registered with the DGID to obtain a tax identification number (NIU).</li> </ul>
<i>National Investment Commission ("NIC")</i>	<ul style="list-style-type: none"> <li>The NIC was established by Decree No. 2003-57, under the authority of the Ministry of Economy, Finance and Budget and is responsible for issuing investment certificates under the Investment Charter.</li> </ul>
<i>Congolese Employment Agency ("ACPE")</i>	<ul style="list-style-type: none"> <li>The ACPE must be notified of the commencement of a company's operations and employee contracts must be certified by the ACPE.</li> </ul>
<i>Departmental Directorate of Labour</i>	<ul style="list-style-type: none"> <li>Any person who intends to open a business of any kind is required to first make a declaration to the Departmental Directorate of Labour.</li> </ul>
<i>National Social Security Fund (Caisse Nationale de Sécurité Sociale ("CNSS"))</i>	<ul style="list-style-type: none"> <li>Employers and their employees must be registered with the CNSS.</li> </ul>

<b>industry-specific licences</b>	<ul style="list-style-type: none"> <li>Industry specific licenses 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>the tax privileged regimes applicable under the Investment Charter to enterprises investing at least F.CFA100-million (General Regime), small and medium-sized domestic enterprises investing between F.CFA30-million and F.CFA1-billion (Special Regime) and exporting companies located in preferential development zones (Preferential Development Zone Regime). Benefits granted under each of the regimes vary according to the set-up or the operating period of relevant enterprises;</li> <li>tax incentive measures available to eligible persons for exporting, reinvesting benefits, establishing companies in isolated areas, and improving the social and cultural sector within the country;</li> <li>benefits under the Petroleum Code and Mining Code;</li> <li>a special tax regime available to new enterprises engaging in agropastoral, agricultural and fishing activities, as well as holding companies; and</li> <li>special tax incentives granted to companies carrying out activities in selected industrial or economic zones.</li> </ul> </li> </ul>
<b>exchange control regulation</b>	<ul style="list-style-type: none"> <li>The Republic of the Congo is a member of CEMAC and subject to the CEMAC Currency Exchange Regulation No. 02/18/CEMAC/UMAC/CM of 21 December 2018. In terms of the CEMAC Regulations: <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 of the intermediary's approved 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>
<b>types of entities available for foreign investment</b>	<ul style="list-style-type: none"> <li>The forms of doing business available in the Republic of the Congo are mainly the following provided for by the OHADA Uniform Act on Commercial Companies and Economic Interest Groupings:</li> </ul>



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	<ul style="list-style-type: none"> <li>public limited company (<i>société anonymes</i> ("SA"));</li> <li>simplified limited liability company (<i>société par actions simplifiées</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>sociétés 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 office.</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>The following minimum share capital requirements apply: <ul style="list-style-type: none"> <li>SARL: There is no minimum required share capital. In practice, the shareholders are free to determine the share capital, which must be divided into equal shares whose face value may not be less than F.CFA5 000;</li> <li>SA: F.CFA10-million, divided into shares whose face value may not be 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 the Republic of the Congo 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 the Republic of the Congo.</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> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>the permanent staff exceeds 50 employees.</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 in the Republic of the Congo 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 the Republic of the Congo.</li> </ul>
<b>registration process</b>	<ul style="list-style-type: none"> <li>Companies are registered with the ACPCE, and it takes approximately one month 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>The Republic of the Congo has a source-based tax system in terms of which both residents and non-residents are subject to tax on income earned from a source in the Republic of the Congo.</li> </ul>
<b>corporate residence</b>	<ul style="list-style-type: none"> <li>Although the General Tax Code does not provide a definition of residence, a company is considered resident if it: <ul style="list-style-type: none"> <li>is incorporated in the Republic of the Congo;</li> <li>has its registered office or principal office for all its activities in the Republic of the Congo; or</li> <li>has a permanent establishment in the Republic of the Congo that forms a complete commercial cycle.</li> </ul> </li> </ul>
<b>corporate tax rate</b>	<ul style="list-style-type: none"> <li>Resident companies and permanent establishments of foreign companies are taxed at a rate of 28%.</li> <li>Microfinance companies and private schools organised as companies are taxed at a reduced corporate income tax rate of 25%.</li> <li>Companies that are subject to corporate income tax are also subject to a minimum tax (<i>taxe spéciale sur les sociétés</i> ("TSS")), at the higher of 2% of the annual turnover and F.CFA2-million. The TSS is creditable against the corporate income tax liability. Companies that are exempt from corporate income tax are liable to TSS at the higher of 1% of their annual turnover and F.CFA1-million.</li> </ul>
<b>capital gains tax ("CGT")</b>	<ul style="list-style-type: none"> <li>Capital gains are included in ordinary taxable income and are subject to corporate income tax at the standard rate.</li> </ul>



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withholding tax (“WHT”) rates	WHT rate		
	payment to	residents	non-residents*
	branch profits	N/A	10.5%
	dividends	15%	15%
	interest	20% (bonds and debentures) 15% (other interest)	20% 5% (petroleum companies)
	royalties	N/A	20% 10% (one-off services)
	management, consulting, and technical service fees	N/A	20% 10% (services by CEMAC residents)
	* The withholding tax rate may be reduced in terms of a relevant double tax agreement.		
<b>double tax agreements (“DTAs”)</b>	<ul style="list-style-type: none"> <li>DTAs are in force with China, France, Italy, Mauritius and CEMAC (including Cameroon, Central African Republic, Chad, Equatorial Guinea, and Gabon).</li> </ul>		
<b>losses</b>	<ul style="list-style-type: none"> <li>Losses may be carried forward for a period of three years.</li> </ul>		
<b>transfer pricing</b>	<ul style="list-style-type: none"> <li>In terms of the Republic of the Congo’s transfer pricing rules, transactions between related persons must be entered into on an arm’s length basis. Payments made by Congolese companies that are under the control, <i>de jure</i> or <i>de facto</i>, of foreign enterprises or a group of enterprises, and which do not reflect the conditions that would have been set between independent parties, are deemed to be a distribution of profits subject to Congolese tax.</li> </ul>		
<b>limitations on interest deductibility</b>	<ul style="list-style-type: none"> <li>Interest on shareholder or related company loans exceeding their participation in the company’s share capital is deductible only if:                             <ul style="list-style-type: none"> <li>the interest rate does not exceed the rate allowed by the central bank plus 3 percentage points;</li> <li>the loan does not exceed half the company’s capital; and</li> <li>there has been full payment of the company’s share capital or of the capital of the entity paying the interest.</li> </ul> </li> <li>With effect from 1 January 2023, any interest paid on loans outside CEMAC and not declared to the BEAC as per the CEMAC Foreign Exchange Regulations are not deductible.</li> </ul>		

<b>employee taxes</b>	<ul style="list-style-type: none"> <li>The income tax rates applicable to resident individuals are:                             <table border="1" data-bbox="1408 343 2085 518"> <thead> <tr> <th>chargeable income (F.CFA)</th> <th>tax rate</th> </tr> </thead> <tbody> <tr> <td>up to 464 000</td> <td>1%</td> </tr> <tr> <td>464 001 – 1 000 000</td> <td>10%</td> </tr> <tr> <td>1 000 001 – 3 000 000</td> <td>25%</td> </tr> <tr> <td>over – 3 000 000</td> <td>40%</td> </tr> </tbody> </table> </li> </ul>	chargeable income (F.CFA)	tax rate	up to 464 000	1%	464 001 – 1 000 000	10%	1 000 001 – 3 000 000	25%	over – 3 000 000	40%
chargeable income (F.CFA)	tax rate										
up to 464 000	1%										
464 001 – 1 000 000	10%										
1 000 001 – 3 000 000	25%										
over – 3 000 000	40%										
<b>social security contributions</b>	<ul style="list-style-type: none"> <li>Both employers and employees must make monthly social security contributions to the CNSS.</li> <li>The employer contribution rates are as follows:                             <ul style="list-style-type: none"> <li>family allowance (payable to the Family and Children in Difficulty Fund (“CFED”)): 10.035% with an annual salary cap of F.CFA7.2-million;</li> <li>labour accidents / employment injuries (payable to the Professional Risks and Pensions Fund (“CRPP”)): 2.25% with an annual salary cap of F.CFA7.2-million; and</li> <li>retirement contribution (payable to the CRPP): 8% with an annual salary cap of F.CFA14.4-million.</li> </ul> </li> <li>The employee contribution rate for pension contributions to the CNSS is 4% of the gross salary with a monthly salary cap set at F.CFA1.2-million.</li> </ul>										
<b>payroll tax</b>	<ul style="list-style-type: none"> <li>A payroll tax (<i>taxe unique sur les salaires</i>, TUS) is payable by employers at a rate of 7.5% (2.5% for petroleum companies) of gross remuneration subject to individual income tax.</li> <li>A solidarity contribution for universal health insurance coverage (<i>contribution de solidarité pour la couverture assurance maladie universelle</i>, CAMU) is due by entities and individual business owners at a rate of 0.5% on the amount of business license tax assessed during the financial year.</li> </ul>										
<b>stamp duty</b>	<ul style="list-style-type: none"> <li>Stamp duty (<i>contribution du timbre</i>) is levied on all official documents, judicial instruments and documents used as evidence in court proceedings at rates varying between F.CFA1 000 and F.CFA1 500 according to the category and the size of the document.</li> <li>Registration duty (<i>droits d’enregistrement</i>) at the rate of 5% is payable on the transfer of participation and voting rights in Congolese companies. The transfer of movable property is subject to transfer duty (<i>droits de cession</i>) at a rate of 4%.</li> <li>The transfer of immovable property is subject to registration duty at a rate of 8%. However, for the first registration, this rate is 3% for buildings located in the city centre, and 2% for buildings not registered in the land register and those located in urban and rural areas. The minimum duty for registration is fixed at F.CFA10 000.</li> </ul>										



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<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 the Republic of the Congo and on the importation of goods and services.</li> </ul>
<i>VAT rate</i>	<ul style="list-style-type: none"> <li>18% plus a 5% surcharge (i.e., an effective rate of 18.9%).</li> <li>A reduced rate of 5% is applicable to certain listed consumer goods, diesel and lubricants imported from Cameroon by companies in the forestry sector, mineral water and butane gas packaged in the Republic of the Congo, locally manufactured glass products and the sale of cement produced in the country.</li> </ul>
<i>registration threshold</i>	<ul style="list-style-type: none"> <li>All individuals or legal entities who habitually or occasionally and independently carry out taxable transactions falling within the scope of VAT and whose annual turnover exceeds F.CFA100-million must register for VAT.</li> <li>Entities with an annual turnover below the registration threshold may voluntarily register for VAT.</li> </ul>
<i>reverse VAT on imported services</i>	<ul style="list-style-type: none"> <li>Resident companies are required to account for output VAT in respect of services rendered by non-resident companies not registered for VAT in the Republic of the Congo through a reverse-charge mechanism.</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>Trade Mark 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>The Republic of the Congo is a member of OAPI. OAPI has a central registry in Cameroon which facilitates the central filing of IP rights, including trade marks. 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 are: 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 trade marks</b>	<ul style="list-style-type: none"> <li>Provision is made for: <ul style="list-style-type: none"> <li>collective marks;</li> <li>goods and service marks; 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 trade mark; and</li> <li>a certified copy of the priority document (if applicable).</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 conditions for registration have been met, the mark 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 trade mark 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:

## Celia Becker

Executive | Africa regulatory and business intelligence  
cbecker@ENSafrica.com

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