

Africa regulatory ENSight

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Angola

sector	legislation	effective date/status	key points and impact
All	Presidential Decree No.89/19 – National minimum wage increase	Issued on 21 March 2019 and became effective on the same day.	<p>The decree updates the statutory national minimum monthly wage by economic sector as below:</p> <ul style="list-style-type: none"> • general trade and mining industry at AOA32,181.15; • transportation, services and manufacturing industries at AOA26,817.63, and • agriculture and economic activities not included in the other categories at AOA 21,454.10.
All	Legislative Decree No.2/19 - Regularization and Collection of Social Security Debts	Issued on 11 March 2019 and will enter into force on 11 June 2019.	<p>The decree:</p> <ul style="list-style-type: none"> • provides the legal regime governing the regularization and collection of social security debts; and • establishes procedures for voluntary or coercive payment of debts of any kind to social security
Transport and logistics	Dispatch No.15/19	Issued on 21 February 2019.	The dispatch determines that regulated products capable of transporting pests and dangerous diseases are required to obtain a prior import permit at entry or phytosanitary certificates.

Cape Verde

sector	legislation	effective date/status	key points and impact
Finance	Decree-Law No.57/2018	Issued on 14 November 2018.	The law amends the legal regime of mandatory automobile liability insurance.

Democratic Republic of Congo

sector	legislation	effective date/status	key points and impact
Finance	Decree No.0001/CAB/MIN/MINES/01/2019 - Establishing new rates for parafiscal taxes in the mining sector	Issued on 22 February 2019.	<p>The decree:</p> <ul style="list-style-type: none">• introduces a new tax on exceptional treatment of exported raw minerals at the rate of USD500/30 tonnes;• introduces a new tax on mining cooperative agreements at USD5,000; and• increases the mining royalty from 0% to:<ul style="list-style-type: none">• 6% depending on the type of mineral; and• 10% for strategic minerals which will be determined by the government.

Equatorial Guinea

sector	legislation	effective date/status	key points and impact
Transport and logistics	Law No.4/2018 – Road Transportation Law	Issued on 19 December 2018.	<p>The law:</p> <ul style="list-style-type: none">• governs road transportation in Equatorial Guinea;• contains rules applicable to companies that transport their own cargo and passengers; and• contains licensing procedures for companies that carry cargo or passengers for clients or ancillary activities, including logistics, storage, wholesale, and vehicle renting.

Ethiopia

sector	legislation	effective date/status	key points and impact
Nature conservation	Forest Development, Conservation and Utilization Proclamation No. 1065/2018	Gazetted on 23 January 2018.	<p>The proclamation:</p> <ul style="list-style-type: none">• repeals the Forest Development, Conservation and Utilization Proclamation No.542/2007;• determines that there shall be the following types of forest ownership:<ul style="list-style-type: none">• private forest;• community forest• association forest; and• state forest.• notes that Community Forest Developers shall have priority, as appropriate, in benefitting from the forests concession given by the government.

Gabon

sector	legislation	effective date/status	key points and impact
Aviation	Decree No.00401/MT/ANAC – Aeronautics Regulations	Gazetted in February 2019.	<p>The regulations relate to:</p> <ul style="list-style-type: none"> • licenses and training of aviation staff; • technical exploitation and airworthiness of aircrafts; • plane crash and incidents investigations; • air traffic services; • design and operation of airfields; and • security management.
Aviation	Decree No.00014/MTL/ANAC - Stricter Requirements for Airports Ground Handling	Issued on 21 December 2018.	<p>The decree:</p> <ul style="list-style-type: none"> • requires ground handling services in Gabon airports to be managed in a stricter manner; and • notes that ground operators should be duly certified by <i>Agence Nationale de l'Aviation Civile du Gabon</i> (“ANAC”) provided certain requirements are met.
Transport and logistics	Decree No.000015/MLT/ANAC – New Regime for Air Transport Services	Issued on 21 December 2018.	<p>The decree:</p> <ul style="list-style-type: none"> • introduces a new regime for operating licenses and air transport certificates in Gabon; and • determines that any entity planning to operate air transport services needs to first obtain an operating license and an air transport certificate issued by the ANAC.

Ghana

Aviation	Civil Aviation Amendment Bill	Approved in March 2019.	The bill seeks to: <ul style="list-style-type: none">• improve the safety and strengthen security in the aviation industry; and• ensure that Ghana is International Civil Aviation Organization (“ICAO”) compliant.
All	Right to Information Bill, 2018	Passed on 26 March 2019.	The bill seeks to put into effect Article 21(1) (f) of the 1992 constitution of the Republic of Ghana which states that “All persons shall have the right to Information subject to such qualifications and laws as are necessary in a democratic society”.

Kenya

sector	legislation	effective date/status	key points and impact
Energy	Energy Bill, 2017	Signed into law on 13 March 2019.	<p>The bill:</p> <ul style="list-style-type: none">• establishes the Energy and Petroleum Regulatory Authority, the Rural Electrification and Renewable Energy Corporation and the Nuclear Power and Energy Agency;• regulates midstream and downstream petroleum and coal activities;• regulates the production, supply and use of electricity and other energy forms; and• regulates the exploration, recovery and commercial utilization of geothermal energy.

Mozambique

sector	legislation	effective date/status	key points and impact
All	Law No.16/2018 – New Legal Regime for Foundations	Issued on 28 December 2018 and will enter into force on 30 March 2019.	The law is applicable to foundations incorporated in Mozambique and to foreign foundations carrying out their activities in Mozambique.
Oil and gas	Ministerial Statute No.95/2018 – Specifications for Petroleum Products	Issued on 7 November 2018 and came into force on 8 November 2018.	The statute: <ul style="list-style-type: none">• provides for the technical specifications and rules for the quality control of petroleum products traded in Mozambique; and• is applicable to the trading of LNG, gasoline, lamp oil, diesel and fuel oils / maritime diesel.

Namibia

sector	legislation	effective date/status	key points and impact
All	Repeal of Obsolete Laws Act, 2018	The Act became effective from 1 March 2019.	The intention of the bill is to remove 143 proclamations, ordinances and Acts from the statute books.
Finance	Determination on Limits on Exposures to Single Borrowers, Large Exposures and Concentration Risk (BID-4): Banking Institutions Act, 1998	Issued on 19 February 2019 and gazetted on 14 March 2019.	The determination is intended to: <ul style="list-style-type: none">• set certain conditions and limitations on the borrowing of excessive amounts of a bank's funds by one person or a group of related persons or group of counterparties or one economic sector or industry whose performance is determined by the common or correlated underlying factors; and• safeguard a bank's depositors and creditors by diversifying credit risk among several persons engaged in different lines of business.

Nigeria

sector	legislation	effective date/status	key points and impact
Oil and gas	Flare Gas (Prevention of Waste and Pollution) Regulations, 2018	Issued on October 2018.	The regulations: <ul style="list-style-type: none">• seek to protect the environment by reducing the environmental and social impact caused by the flaring of natural gas;• prevents the waste of natural resources; and• create social and economic benefits from gas flare capture.

Republic of Congo

sector	legislation	effective date/status	key points and impact
Finance	Statement No. 01/005/DGI/DG/IS/BSE/NK/2019 - New payroll tax return	Issued on 2 February 2019.	The statement notes that a new payroll tax return model (<i>déclaration unique des impôts, cotisations sociales et contributions patronales sur les rémunérations</i>) has been issued and must be used as of February 2019.
Finance	Decree no.18/041 – New Social Security Rates	Promulgated on 24 November 2018 and became effective from 1 January 2019.	The decree determines new applicable social security rates are as follows: <ul style="list-style-type: none">• family contributions: 6.5% (to be borne by the employer);• retirement contributions: 10% (to be divided equally between the employer and the employee); and• professional risks contributions: unchanged at 1.5% (to be borne by the employer).

Rwanda

sector	legislation	effective date/status	key points and impact
Finance	No 2100 /2018 – 00012 [614] - Regulation of the National Bank of Rwanda governing the organisation of micro-insurance business	Issued on 12 December 2018 and gazetted and became effective on 24 December 2018. Existing insurers are given six months transitional period to conform to the provisions of this regulation.	The purpose of the regulation is to: <ul style="list-style-type: none">• create a conducive environment for the micro-insurance business;• regulate micro-insurers;• protect micro insurance policyholders; and• promote and develop micro-insurance business in Rwanda.

Senegal

sector	legislation	effective date/status	key points and impact
Oil and gas	Law No. 2019-03 – New Petroleum Code	Enacted on 1 February 2019.	The code: <ul style="list-style-type: none">• repeals the 1998 Petroleum Code;• replaces Law No. 98-05 of 8 January 1998; and• sets out the general legal framework applicable to the carrying out of petroleum operations in Senegal, including prospecting, marketing, exploration, transport, development, storage, and exploitation and liquefaction of natural gas.
Oil and gas	Law No.2019-04 - Local Content in the Hydrocarbons Industry	Issued on 1 February 2019.	The law: <ul style="list-style-type: none">• aims to encourage the use of Senegalese goods and services;• aims to improve the participation of the national workforce, technology and capital in the entire value chain of the oil and gas industry; and• is applicable to oil companies, subcontractors, service providers and suppliers involved in petroleum operations.

Uganda

sector	legislation	effective date/status	key points and impact
Finance	Investment Code Act, 2019	Assented to in February and became effective on 29 March 2019.	<p>The code, amongst others:</p> <ul style="list-style-type: none">• repeals the 1991 Investment Code;• defines all East African citizens as domestic investors;• establishes the Uganda Investment Authority (“UIA”) as a one-stop investment centre and provides for the financing and auditing of the centre;• makes it mandatory for foreign investors to register with the UIA;• scraps the old investment incentives and notes that the Minister of Finance will prescribe new ones; and• lists criteria for qualification for investment incentives including a requirement to export 80% of goods produced and the use of 70% of locally sourced raw materials, among others.

Zambia

sector	legislation	effective date/status	key points and impact
All	Employment Code Bill, 2019	Issued on 13 February 2019.	<p>The bill:</p> <ul style="list-style-type: none">• repeals and replaces the Employment Act, the Employment (Special Provisions) Act, the Employment of Young Persons and Children Act and the Minimum Wages and Conditions of Employment Act;• provides for the form and enforcement of contracts of employment, employment entitlements and other benefits;• provides for the protection of wages of employees, prohibition of discrimination at an undertaking;• provides for the protection of wages of employees; and• provides for the registration of employment agencies.

Zimbabwe

sector	legislation	effective date/status	key points and impact
Finance	Statutory Instrument (“SI”) 2019-032 - Exchange Control (Amendment) Regulations, 2019	Gazetted on 22 February 2019.	<p>The SI:</p> <ul style="list-style-type: none">• amends the Exchange Control Regulations, 1996;• notes that currency;<ul style="list-style-type: none">○ means the coin and paper money of Zimbabwe or of a foreign country that is designated as legal tender and which is customarily used and accepted as a medium of exchange in the country of issue;○ includes:<ul style="list-style-type: none">▪ foreign currency that is designated as legal tender in the Republic of Zimbabwe by virtue of section 44A of the Reserve Bank of Zimbabwe Act [Chapter 22:15] (No. 5 of 1999);▪ for the purposes of these regulations, bond notes and coins as defined in section 44B of the Reserve Bank of Zimbabwe Act [Chapter 22:15] (No. 5 of 1999);▪ any electronic currency issued in terms of section 44C of the Reserve Bank of Zimbabwe Act [Chapter 22:15] (No. 5 of 1999) (including in particular the RTGS dollar); and▪ any bill of exchange, promissory note, traveller’s cheque or letter of credit or any draft or other document issued to obtain currency or credit for an amount of money;”.

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