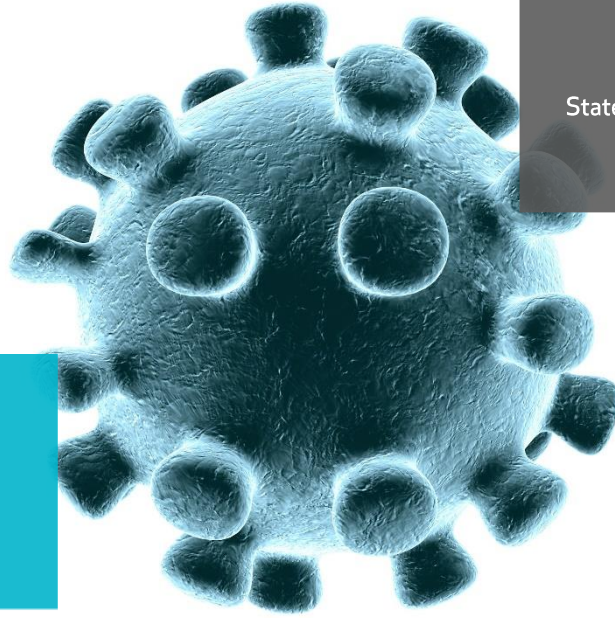


Themes

ANGOLA
State of Emergency
Declaration
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UPDATE STATE OF EMERGENCY IN ANGOLA

On 25 March, taking into account the declaration of a pandemic by the World Health Organization, caused by the SARS-CoV-2 virus and the respective COVID-19 infection, a State of Emergency was declared by the President of the Republic of Angola, João Manuel Gonçalves Lourenço, pursuant to **Presidential Decree No. 81/20 of 25 March**.

The State of Emergency will have a duration of 15 days, which can be extended, beginning at 00:00 on 27 March 2020 and ending at 23:59 on 11 April 2020.

The declaration of the State of Emergency determined the suspension of certain fundamental rights, in particular:

- **Right of residence, movement and migration to any part of national territory** - public authorities were empowered to establish restrictions and preventive measures necessary to reduce the risk of contagion.
- **Right of international movement** - powers were also conferred on public authorities for the border control of people and goods.
- **Property and private economic initiative rights** - public authorities have the power to request the provision of certain services that prove necessary, as well as the use of movable and immovable property, health care units, among others.
- **General workers' rights** - the public authorities have the ability, if necessary, to request services from workers in the health, civil protection, security and defence sectors.
- **Right to strike** - the right to strike is suspended.
- **Right of assembly and demonstration** - public authorities may impose restrictions that limit or prohibit the holding of meetings and gatherings, assemblies, conferences, or congresses involving more than 50 people.
- **Right to freedom of belief, in its collective dimension** - public authorities may limit or prohibit the holding of certain celebrations or

religious or cult events that involve more than 50 people.

Implementation of Preventive Measures

Presidential Decree No. 82/20 of 26 March was published, entering into force at 00:00 on 27 March 2020 and enacted the “Exceptional and Temporary Measures for the Prevention and Control of Propagation of the COVID-19 Pandemic”. These include:

- **Restriction on the freedom of movement** - banning the movement and stay of people on public roads, with isolation at home, with the exception of necessary and urgent trips, such as:
 - ▶ acquisition of essential goods and services;
 - ▶ provision of essential services;
 - ▶ exercise of professional activities or performance of tasks that remain in operation during the period of State of Emergency;
 - ▶ obtaining health care;
 - ▶ home delivery of food or medicines;
 - ▶ assistance to vulnerable people;
 - ▶ volunteer actions;
 - ▶ banking services;
 - ▶ transport of goods;
 - ▶ travel to the workplace.
- **National health perimeter** - prohibition on entering and leaving national territory, with the exception of the entry and exit of essential goods and services, as well as humanitarian aid, with such persons being subject to mandatory testing.
- **Provincial health perimeter** - establishment of a provincial health perimeter in all provinces, with movement through the territory being prohibited, except for the entry and exit of essential goods and services or those for the sick, as well as humanitarian aid.
- **Mandatory quarantine** - quarantine obligation for citizens infected with Covid-19 and for citizens whom the competent authorities determine to be under surveillance.
- **Expansion of testing** - conditions will be created for extending the scale of mandatory testing.
- **Functioning of sovereign bodies** - sovereign bodies will adopt their own regimes, safeguarding minimum essential services.
- **Public services in general** - closure of public services of direct, indirect, central and local administration of the State with the exception of hospital units (public and private), the National Bank of Angola, insurance services, pharmacies, military and similar services, civil protection services, traffic support, waste collection and treatment and cemeteries, morgues and death registration services.
- **Special protection for particularly vulnerable citizens** - special protection for citizens especially vulnerable to Covid-19 infection, namely people over the age of sixty, people with chronic risk diseases and pregnant women or women with children under the age of twelve.
- **Safeguarding employment relations** - prohibition on the termination of employment based on the absence of workers from the workplace.

- **Working from home** - citizens released from working during the period of the State of Emergency may be subject to remote working, with each entity being responsible for defining its terms.
- **Closure of educational establishments and vocational training centres** - closure of all educational establishments and vocational training centres.
- **Suspension of sports competitions and training** - suspension of all sports competitions, competition and training establishments.
- **Closure of all private businesses** with the exception of wholesaling and retail food establishments, banks and payment services, telecommunications, press, radio and television, hotels, catering for external services, fuel stations, funeral agencies, urgent car maintenance and repair and other services essential to collective life, subject to the necessary security conditions for the protection of service personnel; the closure of businesses providing the above-mentioned services is prohibited.
- **Markets and street vending:**
 - ▶ public markets remain in operation between 6 a.m. and 1 p.m., exclusively for the sale of essential products and may be closed if the risk of contagion increases;
 - ▶ individual street sales are permitted provided that the minimum distance between buyer and seller is observed;
 - ▶ prohibition of informal markets which involve large numbers of people.
- **Industrial and agricultural activity:**
 - ▶ closure of industrial units, with the exception of production of food and beverages, products essential to health services, oil units and respective support services, mining production, units with continuous production cycles, production units for cardboard, glass and plastic, as well as others that are essential to collective life; it is prohibited to close units that provide the mentioned services, except in cases of force majeure;
 - ▶ agricultural production units, as well as family farming and subsistence activities, remain in operation.
- **Prohibition of political activities and restriction of freedom of assembly and demonstration** - banning of political events and activities, meetings and demonstrations that involve more than 50 people.
- **Prohibition on recreational, cultural and leisure activities on public roads or in public spaces**, closing of nightclubs, games rooms, bars and similar, with the exception of the provision of home delivery services, closing of places for cultural activities, museums, libraries, theatres, monuments and the like and suspended all cultural and artistic activities and the holding of fairs and exhibitions.
- **Religious services and celebrations** - suspension of religious services and celebrations of a collective nature.
- **Funeral ceremonies** - prohibition on funeral ceremonies with more than 50 participants.
- **Exceptional public procurement regime** - essential goods and services, namely medicines, hospital supplies, health safety supplies and other essential supplies can be purchased under a simplified procurement regime.
- **Post-clearance tax regularization** - payment of taxes on the import of food, medicines and other essential goods are subject to post-clearance regularization.

- **Licensing for the import of essential goods** - the import of food, medicines, health safety material and other essential products are subject to an exceptional licensing regime which is streamlined and less bureaucratic.
- **Protection of tenants** - prohibition on the expulsion of tenants under residential rental contracts.
- **Visits to hospital and prison establishments** - ban on visits to persons in hospital and to persons arrested or detained; information must be made available to family members on the status of persons hospitalized, arrested and detained.
- **Collective transport of people and goods** - only minimal services should be provided with regard to collective transport of people and goods.
- **Individual protection measures** - obligation to guarantee essential conditions for the individual protection of employees and public attendance by public and private institutions that remain in office.
- **Requisition of retired doctors and nurses** - civil requisition of retired doctors and nurses, with the exception of cases of doctors and nurses particularly vulnerable to the pandemic.
- **Suspension of the counting of any statutory limitation periods** - suspension of the counting of any statutory limitation and limitation periods for actions and rights for the duration of the State of Emergency.
- **Validity of expired official documents** - official documents are considered valid and effective even if they have expired, in particular identity cards, driving licenses, vehicle booklets, car titles, passports, tourist and work visas and residence cards.
- **Licenses and authorizations** - licenses, authorizations or other types of administrative acts remain valid regardless of

the length of the respective term, as long as the State of Emergency is in force.

- **Bank credits** - as long as the State of Emergency is in effect, interpellations, and executions resulting from the delay in the fulfilment of obligations that cannot be performed due to the application of the measures provided for in the Decree have no effect.
- **Inspection of economic activities** - the competent authorities for the inspection of economic activities maintain their functions and must strengthen inspections.
- **Media outlets and duty of information** - public and private media outlets continue to function and must collaborate with the competent authorities.

Failure to comply with the provisions of this decree is punishable by a crime of disobedience, which may result in immediate detention.

Interim Measures

The measures mentioned above are supplemental to various other measures that were adopted for the prevention and containment of the epidemic through Provisional Presidential Legislative Decree No. 1/20 of 18 March including:

- Suspension of all commercial and private passenger flights to and from Angola from 20 March onwards for 15 days extendable for an equal period of time, except for cargo flights and those that are essential for humanitarian reasons or that are a part of Angola's foreign policy.
- Prohibition on the movement of people at the land borders from 00h00 of 20 March 2020 and for 15 days extendable for an equal period of time.
- Banning the docking and disembarkation of passenger ships and their crews, coming from outside Angola from 00h00 of 20 March 2020 and for 15 days extendable for an equal period of time, except for the docking and disembarkation of cargo ships.

- Cargo ship crews are only allowed to disembark in the event of assistance being required for medical and humanitarian reasons.
- Ban on visits to citizens who disembark at national airports and who are in the quarantine period.

Ministerial Acts

On 24 March the Ministry of Justice and Human Rights of Angola, led by Minister Francisco Manuel Monteiro de Queiroz, issued Executive Decree No. 121/20 of 24 March. This suspended the following services:

- registries and notaries;
- civil and criminal identification;
- Legal Department;
- Companies Incorporation Desk (Guiché Único da Empresa – GUE);
- Entrepreneur's Desk (Balcão Único do Empreendedor);
- Centre for Extrajudicial Dispute Resolution – CREL;
- National Institute of Judicial Studies – INEJ.

The minimum and urgent services, such as death registration, as well as the services for setting up online businesses remain in operation. Weddings that had already been scheduled on the date the suspension took effect were also maintained.

These measures were adopted for a duration of 15 days, having entered into force on 24 March 2020.

On March 24 2020, the Ministry of Public Administration, Employment and Social Security, led by Minister Teresa Rodrigues Dias, enacted the following measures, published by Executive Decree No. 122/20 of March 24:

- obligation of all public and private companies, as well as other entities covered by the General Employment Law, to prepare and apply contingency plans under Provisional Presidential Legislative Decree No. 1/20 of 18 March;
- absences from the workplace of workers subject to quarantine conditions are considered justified, as well as those whose work activity is suspended due to the pandemic, without prejudice to employers' full and punctual payment of the wages to such workers.

The National Bank of Angola

On 26 March, the National Bank of Angola, anticipating the entry into force of Presidential Decree No. 81/20 of 25 March and subsequent entry into force of the State of Emergency, issued a Statement announcing the application of the following extraordinary measures:

- the maintenance by the financial institutions of the normal provision of their services, including cash deposits and withdrawals, domestic and international transfers, issuing of domestic and international payment cards, issuing of customer account statements ensuring that access to its facilities complies with the health security conditions recommended by the Ministry of Health;
- provision of alternative means by financial institutions, in particular telephone, e-mail, homebanking or other digital solutions that guarantee regular access to their clients' accounts and balances and allow remote operations to be carried out;
- guarantee by financial institutions of the full and regular functioning of ATMs and payment terminals throughout the national network;
- maintenance of remittance and reception services of funds transfers by financial

institutions authorised for this purpose which may exceptionally accept bank transfers from the originators for the settlement of operations, when the requirements of the regulations on combating and preventing money laundering and terrorist financing (AML/CFT) are met.

The National Bank of Angola ensured that it will continue, during the period of the State of Emergency, to safeguard activities related to liquidity facilities, deposit services, as well as cash withdrawals at central level and regional delegations.

On 30 March the Governor of the National Bank of Angola, José de Lima Massano, issued Instruction No. 4/2020, of 30 March, which establishes rules on the temporary facilities that financial institutions shall grant their customers, in particular a sixty-day moratorium on repayment of principal and interest which does not result in a change in the value of instalments in progress, as well as the temporary suspension of all notices of default and default periods and executions arising from the delay in meeting those obligations, provided that such delay is caused by the pandemic.

The moratorium provided for in this Instruction is not automatic and must be requested in writing by the client, in physical or digital format and is only applicable to credit operations that are not in default and that are in a repayment period or that started in March 2020. This moratorium is exempt from expenses or commissions. Financial institutions will be responsible for making the assessment of borrowers whose credit risk is affected by the pandemic and those other situations in which the credit risk is not significantly altered by the pandemic.

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