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Newsletter



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Presidential Decree no. 163/20 of June 8

Regulation of the Law on the Legal Regime of Foreign Citizens

at

Republic of Angola.

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**Regulation of the Law on the Legal Regime of Foreign Citizens
at
Republic of Angola.**

These Regulations were approved by **Presidential Decree No 163/20 of June 8**, which consequently repealed Presidential Decree No 108/11 of May 25 and Presidential Decree No 151/17 of July 4. The present Decree, which came into force on the date of its publication, which in the meantime saw paragraph 3 of Article 5° amended by Corrigendum No. 7/20 of June 29, regulates the Legal Regime of Foreign Citizens in the Republic of Angola approved by Law No. 13/19 of May 23.

Infringement, all the provisions cited without indication of the diploma belong to the **Presidential Decree No. 163/2 of June 8**.

In accordance with the provisions of Article 2 of the Decree under review, there are the following types of borders:

- Terrestrial;
- Fluvial;
- Maritime;
- Airports;
- Sea Ports and
- River Ports of Angola

As determined by Article 3 of this Decree, under penalty of punishment under the law, as a rule, borders may only be crossed at border crossing points and during **opening hours**¹ which must be fixed if the points are not open 24 hours a day.

Under the terms of Article 7 of this Decree in conjunction with Article 21 of Law No. 13/19 of May 23, entry into national territory may be refused to **any foreign national** who presents a passport or equivalent document under one of the following conditions:

¹ Established by agreements with bordering countries, except in airports, marine and river ports in Angola, whose opening hours are established by the competent authorities.



- Not valid for the Republic of Angola;
- With the expiration date;
- Strikethrough or with fake appearance;
- With an entry visa issued without the conditions laid down in Law No 13/19 of May 23;
- With the entry visa inadequate to the objectives of your stay in national territory;
- Use of someone else's passport; and
- To whom a fine has been imposed and who has not paid it, unless they satisfy it at the time.

In turn, entry into national territory may be refused to **non-resident foreign citizens**:

- Do not present a return ticket to the country of origin;
- Has no proven means of subsistence;
- Is a minor and is not accompanied by a parent or guardian or without their express permission;
- Constitutes a danger or serious threat to public order, national security or public health; and
- Is indicted for non-admission to the Integrated Information System of the Migration Authority.

Refusal of entry on grounds of public health shall be made by indication of the health authority and may only be based on diseases defined in WHO instruments or other infectious or contagious parasitic diseases subject to protection measures on national territory. Foreign citizens who have been refused entry must be placed in a Temporary Installation Centre or similar space until they are repatriated.

Refusal of entry is a **matter for the court and the Migratory Authority**. If the refusal of entry takes place at a border post, the person in charge of the service must give reasons for the decision, which shall take immediate effect.

The **validity of travel documents**, according to Article 8 of this Decree, must be at least six (6) months longer than the duration of stay, except in the case of an alien resident in the country.

In accordance with Article 9 of this Decree, the **term of responsibility** to be presented by a non-resident alien wishing to enter the country must include food and accommodation for the foreign citizen, as well as the reimbursement of the costs of the respective removal in the event of illegal stay, must be subscribed by an Angolan citizen or foreign citizen entitled to stay regularly in national territory.

The diplomatic missions or consular posts may make the acceptance of the terms of responsibility dependent on proof of the subscriber's financial capacity through bank statements, declaration of service indicating the salary of the last three receipts of the values received for the provision of the subordinate or independent activity.

Regarding the **liability of carriers**, according to Article 11 of this Decree, in conjunction with Articles 25 and 115 of Law no. 13/19 of May 23, as soon as notified of the decision to refuse entry of a passenger or crew member who does not meet the legally required requirements, in addition to being subject to a counterclaim, is responsible for bearing all the costs of the foreign national's stay in the international zone or in the Temporary Installation Centre until the transfer to the country of origin or the point where they started using the means of transport, as well as the costs of escorting if applicable.

As defined by Article 12 of this Decree in conjunction with Article 26 of Law 13/19 of May 23, the Migration and Alien Service (SME) shall establish the appropriate procedures and technological solutions for the **transmission** by air carriers, shipowners or agents of the **following** data:

- The full name;
- The date of birth;
- Nationality;
- The number, type, date of issue and validity of the travel document;
- The transport code;
- The time of departure and arrival of the aircraft;
- The initial point of embarkation; and
- The border crossing point on entry into Angolan territory.

The procedures and technological solutions for data transmission shall be regulated by the head of the Ministerial Department of Interior.

Under Article 13 of this Decree, in conjunction with Article 31 of Law No. 13/19 of May 23, the **decision of coercive** removal by notification of abandonment shall be made in a proper process instructed by the Migratory Authority, and shall be in writing, and the decision shall be reasoned with an indication of the rules violated and the consequences resulting from failure to comply with the decision of abandonment of the country that must be complied with within a period not exceeding eight (8) days.

If the decision is not complied with, according to Article 14 of this Decree, the SME (government institution for foreign migration services) shall proceed with its execution with the mandatory registration of the non-resident foreign citizen in the **Integrated Information System** for the purpose of non-admission.

If the non-resident foreign citizen is sentenced to prison, or if a prison sentence of more than two (2) years is imposed on the resident foreign citizen, an additional penalty of judicial expulsion may be applied. If **the accessory penalty** of expulsion is decreed, the judge shall order its execution as soon as it has been served:

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- Half of the sentence, in cases of sentencing to 5 years imprisonment or less;
- Two-thirds of the sentence, in cases of conviction with a sentence of more than 5 years imprisonment. In this case the judge may, on the basis of a reasoned proposal from the prison service, and with the convict's consent, decide to order the early enforcement of the accessory penalty of expulsion as soon as one third of the sentence has been served, provided that the remaining sentence is served in the country of origin, and the competent authority must notify the Government Institution for Foreign Migration services ("SME"), at least thirty (30) days in advance, of the identification details of the citizens who meet the requirements for early expulsion during the legal period for serving the prison sentence.

Under the terms of Article 15 of this Decree, in conjunction with Article 42 of Law no. 13/19 of May 23, it is the duty of SME to immediately communicate the expulsion measure against the foreign citizen to the competent area of the Ministerial Department responsible for Foreign Affairs, and the latter must **communicate, through diplomatic channels**, to the authorities of the country to which the foreign citizen who has been expelled is sent.

VISAS

Under Law 13/19 of May 23, the following types of visas are established:

- Diplomatic, official and courtesy visas;
- Consular visa; and
- Territorial Visa.

Consular visas take one of the following categories:

- Transit;
- Tourism;
- Short stay;
- Study;
- Medical Treatment;
- Of Investor;
- Work;
- Temporary Stay; and
- For Fixation of Residence;

The territorial visas take the following forms:

- Investor Visa; and
- Border Visas

In accordance with Article 71 of Law 31/19 of May 23, the entry visa is granted on an individual basis, except for transit, short-stay, tourism and ordinary visas which may be granted on a collective basis.

Common provisions on consular visas

➤ **Request**

Visa applications, in accordance with Article 17 of this Decree, shall be submitted at a diplomatic mission or consular post, on a separate sheet signed by the applicant and accompanied by all the necessary documentation depending on the type of visa.

➤ **Elements of the application**

The visa application must, in accordance with Article 18 of the Decree under review, **contain the following elements**:

- Full identification of the applicant and, if he/she holds a family or collective passport, of his/her spouse, dependents or members of the group mentioned therein who wish to benefit from the visa;
- Purpose of the trip;
- The type, number, date and place of issue and validity of the travel document and the identification of the authority which issued it;
- Indication of the period of stay;
- Name of the host person or company and the name of the contact person in the host company, if applicable; and
- Intended place of accommodation, if applicable.

➤ **Documents to be presented**

As determined by Article 19 of this Decree, the visa application must be accompanied by the following documentation:

- Two equal photographs, type pass, in colour and flat background, updated and with good conditions of identification of the applicant;
- Passport or other valid travel document;
- Certificate of criminal record issued by the competent authority of the country of nationality of the applicant or of the country in which he has resided for more than one year, when a visa is required for the establishment of residence, work visa, temporary stay, study visa or visa for medical treatment;
- Evidence of means of subsistence (means deriving from grants, scholarships, contract or promise of work contract);
- Photocopy of the return transport ticket, except when a long-stay visa is required.
- Authorisation (in the case of minors or incapacitated).

Minors under the age of sixteen (16) are exempt from adding criminal record information to the file.

➤ **Livelihoods**

Proof of the existence of **means of subsistence**, in accordance with Article 20 and Article 19, paragraph 1 (d) of this Decree, may be provided by means of a **statement of responsibility** signed by the entity hosting the trainee or contractors/workers.

Proof of possession of means of subsistence may be provided by means of a **letter of sponsorship** signed by an Angolan citizen or a qualified alien guaranteeing food and accommodation to the visa applicant, as well as reimbursement of the costs of expulsion in the event of an irregular stay.

➤ **Rejection of the application**

The diplomatic mission or consular post **shall reject** the visa application without delay if the conditions are not met or if the reasons for the rejection are not given. The refusal of the visa application which has given

rise to the preliminary refusal shall be notified to the Migration Authority together with the grounds for the refusal.

➤ **Counting of the length of stay**

The counting of the length of stay starts uninterruptedly from the date of first entry into national territory until its end. In the case of a tourist visa, the length of stay shall start from the date of the first entry into national territory and shall be interrupted whenever an exit is recorded within the validity of the visa, and the duration of the uninterrupted stay, or the total duration of successive stays, shall not exceed thirty (30) days per one hundred and twenty (120) days from the date of the first crossing by a border post, except in the case of extension under the provisions of Article 51 paragraph 2 of Law No. 13/19 of May 23, being permitted to extend twice for the same period.

➤ **Extension of entry visa**

SME extend the entry visa where there are grounds for doing so.

The foreign national with the **non-extended entry visa** must be notified to leave the country within a period not exceeding eight (8) days, otherwise he/she will be arrested and placed in a Temporary Installation Centre for the purpose of expulsion.

➤ **Cancellation of visas**

Except for the supervening verification in the period immediately after the visa is issued, in which the Diplomatic Missions may cancel the visa, the Director General of SME on national territory shall be responsible for cancelling the visa:

- When granted on the basis of false statements, fraudulent means or invocation of reasons other than those motivating the holder's entry into the country;
- When the respective holder has been subject to an expulsion measure in national territory;
- When the reasons for which the entry visa was granted cease to exist.

SPECIFIC ASPECTS OF EACH TYPE OF VISA

➤ **Diplomatic, official and courtesy visa**

These types of visas shall be issued by the Ministerial Department of Foreign Affairs, through the **diplomatic or consular missions authorised for this purpose**, to holders of diplomatic, service, special or ordinary passports travelling to Angola on diplomatic, official or service visits.

In accordance with Article 26 of this Decree, for the purpose of entry checks SME must be informed of any diplomatic, official or courtesy visa granted within 24 hours.

These visas are valid for sixty (60) days, for one or two entries depending on the type of visa, and allow a stay of up to thirty (30) days.

In duly substantiated cases, they may be granted for multiple entries with a stay of up to ninety (90) days.

➤ **Transit visa**

The transit visa is granted by the Angolan diplomatic and consular missions to foreign citizens who, in order to reach the destination country, **have to stop over in national territory**.

According to Article 27 of this Decree in conjunction with paragraphs a), b), c) and f) of Article 61 and Article 63 of Law no. 13/19 of May 23, its granting is subject to the following conditions:

- You must have a travel document valid for a period of at least six months;
- It must be a recognised travel document valid for Angolan territory;
- To be of legal age or, if they are minors, to have the express authorisation of their parents, legal representative or person exercising parental authority, except in cases where the minor is a resident or a holder of a study or temporary stay visa;
- Have complied with all health provisions established for entry into national territory; and
- Proof of means of subsistence and a return ticket to the country of origin or another destination.

The transit visa **shall be issued** within two working days from the date of application.

The transit visa is valid for sixty (60) days, for one or two entries, and allows a stay of up to five (5) days. **This visa cannot be extended.**

Exceptionally, and subject to the payment of a specific fee, the transit visa shall be issued at the border post to foreign nationals who, on a continuous journey, interrupt it for the compulsory stopovers of the means of transport used.

➤ **Tourist visa**

The tourism visa is granted by the Angolan diplomatic and consular missions to foreign citizens who wish to enter Angola, **for family reasons, for business prospecting, to participate in scientific and technological activities, or for recreational, sports or cultural visits.**

The regulations for the granting of a tourist visa are enshrined in Article 28 of this Decree with reference to paragraphs a), b), c) and f) of Article 61 and Article 64 of Law No. 13/19 of May 23, its granting is subject to the following conditions:

- They must have travel documents valid for a period of at least six months;
- They must have a travel document recognised and valid for Angolan territory;
- To be of legal age or a minor, to have the express authorisation of the parents, legal representative, or anyone exercising the parental authority, except in cases where the minor is a resident or the holder of a study or temporary stay visa;
- Have complied with all health provisions established for entry into national territory; and
- Proof of means of subsistence and a return ticket to the country of origin or another destination.

Tourist visa shall be **granted within five (5) working** days from the date of application.

The tourist visa is valid for one hundred and twenty (120) days, for multiple entries, and allows a stay of up to thirty (30) days, extendable twice, for the same period.

Its **extension** is the responsibility of SME and the respective provincial offices.

The **application** is made in a proper form, accompanied by a passport photo, in colour and flat background, with good identification conditions, as well as the proof of payment of the respective fee. The extension should occur **within two (2) working days** from the date of receipt of the application.

The holder of the tourist visa is **not allowed to establish residence in national territory, nor the exercise of any paid activity**.

➤ **Short-stay visa**

As regulated by Articles 30 and 31 of this Decree, in conjunction with paragraphs a), b), c) and f) of Article 61 and Article 65 of Law No. 13/19 of May 23, the **application** for a short-stay visa must be accompanied by a duly completed form and accompanied by the elements attesting to compliance with the following requirements:

- Travel documents valid for at least six months;
- Possession of a recognised travel document valid for the Angolan territory;
- To be of legal age or a minor, to have the express consent of the parents, legal representative, or anyone exercising parental authority, except in cases where the minor is a resident or a holder of a study or temporary stay visa;
- Have complied with all health provisions established for entry into national territory; and
- To present a document proving the objectives of the entry in national territory.

Short-stay visa shall be **granted within two (2) working days** from the date of application.

This visa is **valid for seventy-two (72) hours** and allows a stay in national territory of up to **ten (10) days**, which may be extended **once** for an equal period.

Its **extension** is under the competence of the SME and the respective provincial offices and the application is formulated in a proper form signed by the applicant or his legal representative, and must be accompanied by the proof of payment of the respective fee. The extension must occur within two (2) working days from the date of receipt of the application.

The granting of the short-stay visa **does not require prior authorisation** from the Migration Authority, however, notification of its granting is compulsory.

The holder of the short-stay visa **is not allowed to take up residence** in national territory or to **exercise any paid activity**.

➤ **Study visa**

The study visa is granted by the diplomatic and consular missions and is intended to allow its holder to enter national territory in order to **attend a study programme** in a public or private school, as well as in a vocational training centre or **to carry out traineeships** in companies and public or private services.

As regulated by articles 32 and 33 of the Decree under analysis, in conjunction with Article 53 and paragraphs a), b), c) and f) of Article 61 and Article 66 all of Law no. 13/19 of May 23, the **application** for a study visa complies with the following conditions:

- Possession of travel documents valid for a period of at least 6 months;
- Possession of a recognised travel document valid for the Angolan territory;
- To be of legal age or a minor, to have the express authorisation of the parents, legal representative, or anyone exercising the parental authority, except in cases where the minor is a resident or the holder of a study or temporary stay visa;
- Have complied with all health provisions established for entry into national territory;
- Confirmation of enrolment or internship through a document issued by the respective educational establishment, company or institution;
- Proof of existence of means of subsistence and accommodation conditions;
- Presentation of the certificate of criminal record and medical certificate issued by the authorities of the country of origin or country of habitual residence; and
- Presentation of a statement of responsibility drawn up by the parents, or by the guardian in the case of minors, under the terms of Angolan law and the law of the country of origin.

The **concession period** shall be thirty (30) working days from the date of receipt of the application.

Foreign nationals who are beneficiaries of a scholarship or are under an agreement between an Angolan institution and a foreign institution shall be **exempt** from the requirement to provide proof of means of subsistence and accommodation.

The **extension of the study** visa is a matter for SME and its provincial offices, and the application must be made on a separate sheet accompanied by the following documents:

- Documents issued by the officially recognised educational or vocational training establishment attesting to the continuity of studies.
- Company documents proving the continuity of the internship or voluntary work;
- Letter from the entity or person responsible for the citizen's stay in the country, if applicable;
- Proof of payment of the respective fee.

The extension shall be granted **within ten (10) working** days from the date of the request.

The holder of the study visa **is not allowed to establish residence** in national territory, nor the **exercise of any remunerated activity**, except for the traineeship related to training.

➤ **Medical treatment visa**

The medical treatment visa is granted to the foreign citizen by the Angolan diplomatic and consular missions and is intended to allow the holder to enter Angola in order to carry out treatment in a public or private hospital unit.

The medical treatment visa is regulated by Articles 34 and 35 of this Decree in conjunction with Articles 54 paragraph a), b), c) and f) of Article 61 and 67 of Law No. 13/19 of May 23, its granting is subject to the following conditions:

- Possession of travel documents valid for a period of at least 6 months;
- Possession of a recognised travel document valid for the Angolan territory;
- To be of legal age or a minor, to have the express authorisation of the parents, legal representative, or anyone exercising the parental authority, except in cases where the minor is a resident or the holder of a study or temporary stay visa;
- Have complied with all health provisions established for entry into national territory; and
- If he/she is not the beneficiary of an agreement between the respective country and the Republic of Angola, to have proof of medical consultation by means of a document issued by a hospital unit and to prove the existence of means of subsistence and accommodation conditions.

The period of concession is thirty (30) working days from the date of the request.

The medical treatment visa allows **multiple entries** and allows a **stay of up to 180 days** on national territory.

The extension of the medical treatment visa is a matter for SME and its provincial offices, the application shall be made on a separate sheet accompanied by the following documents:

- Proof issued by the official health establishment or officially recognized that the applicant has ensured the internment or ambulatory treatment;
- Evidence of payment of the respective fee.

The period of extension of the medical treatment visa must be **within ten (10) working days** from the date of application.

The holder of the medical treatment visa **is not allowed to establish residence** in national territory, nor to **exercise any work activity**.

➤ **Work visa**

The work visa is issued by the diplomatic missions of consular offices and is intended to allow its holder to enter Angolan territory in order to carry out the remunerated professional activity there. The application shall be submitted on a duly completed form, accompanied by the necessary documentation and shall only allow its holder to carry out the **professional activity** that justified its granting and entitle him/her to devote himself/herself **exclusively** to the service of the employer who requested it.

The work visa has its regulation foreseen in Article 36 to 41 of the present Decree combined with Article 55, a), b), c) and f) of Article 61 and paragraph 1 of Article 68 of Law no. 13/19 of May 23, the **application** for a work visa obeys the verification of the following conditions:

- Possession of travel documents valid for a period of at least 6 months;
- Possession of a recognised travel document valid for the Angolan territory;
- To be of legal age or a minor, to have the express authorisation of the parents, legal representative, or anyone exercising the parental authority, except in cases where the minor is a resident or the holder of a study or temporary stay visa;
- Have complied with all health provisions established for entry into national territory;
- To have a work contract or a promise of work contract;
- Possession of a certificate of educational and professional qualifications, authenticated at the diplomatic mission or consular post where the application for a work visa is made;
- Have a curriculum vitae;

- Possess a certificate of criminal record issued by the authorities of the country of habitual residence;
- Possession of proof of deposit of a repatriation security;
- Possess a medical certificate from the country of origin;
- Have a favourable **opinion**² from the Ministerial Department that oversees the sector of activity in which it will perform the work, proving that the contracting entity has respected the limit of hiring foreign nationals, provided for in the Legal Regime for the Hiring of Non-Resident Foreign Workers³.

Each job vacancy that falls within the **limits of hiring non-resident foreign workers**³ shall be **announced** through publication in the newspaper with the highest circulation aimed at the candidacy of Angolan citizens and, if there have been no candidates or they do not meet the requirements to fill the job vacancy, inform the Ministerial Department that oversees the activity sector that the job vacancy has not been filled by an Angolan citizen.

The body overseeing the sector of activity shall issue a **negative opinion** whenever one of the following situations occurs:

- Failure by the employer to comply with tax obligations;
- Existence of qualified national labour available for this purpose;
- Lack of public notice in the newspaper with the highest circulation on labour supply
- Lack of public announcement in the longest-running newspaper about job offers to national citizens;

The work visa allows **multiple entries** and **stays** of up to three hundred and sixty-five (365) days, being **renewable, for the same period of time**, until the end of the employment contract underlying it.

In **exceptional** situations, upon proposal of the Migration Authority, in **case of public** interest, the head of the Ministerial Department in charge of the Interior, after consulting the SME, or delegating to the Director General of the SME, **may grant a work visa in national territory**. In this context, the literary or professional qualification certificate may be authenticated and recognized by the competent authorities in

² Under the terms of Article 74 of Law No. 13/19 of May 23, any institutional body that has been asked for an opinion on a particular migratory act **must issue it within five (5) working days, or it will be legally presumed to have issued a favourable opinion**, with the exception of a work, residence and temporary stay visa, the period of which is 15 working days under penalty of the same legal presumption.

³ Presidential Decree no. 43/17 of March 6, as amended by Presidential Decree no. 79/17 of April 24.

the national territory, although the instruction of the application contains the documentation related to paragraph 1 of Article 68 of Law No. 13/19 of May 23.

Regarding **priority sectors** for the development of the national economy, in particular the **productive sector**, the work visa for areas of specialty without a proven supply of national labour, **shall be granted in national territory**, upon the opinion of the Ministerial Department that oversees the area of activity, applying the procedure referred to in the preceding paragraph.

The work visa is granted within **thirty (30) working days** from the date of application.

The contracting entity **must notify the Migratory Authority of any change in the duration of the work contract** for the purposes of the Decree.

The **repatriation guarantee** provided for in Article 39 of this Decree, with reference to paragraph e) of Article 68 of Law No. 13/19 of May 23, shall be made by means of a bank **deposit** of guarantee in a **commercial bank** at the order of the SME, this must correspond to the monetary value equivalent to the price of the ticket for return to the country of origin or habitual residence of the non-resident foreign worker if applicable.

All **the costs** resulting from the deposit of the guarantee are the responsibility of the entity applying for the work visa.

If **repatriation** is at the SME expenses it confers on SME the right to get reimbursed, which must be carried out before the foreign national may re-enter national territory.

The repatriation guarantee must be **satisfied after the work visa** has been granted and the foreign citizen has entered national territory, but not before the visa has been extended.

The State Direct Administration Bodies, Companies and Public Institutes are **exempt from the deposit of repatriation** guarantee.

The **return of the repatriation** guarantee must be requested within thirty (30) days from the date of departure of the foreign citizen from the national territory, whenever one of the following circumstances occurs:

- The foreign citizen's departure from the national territory is consummated as a result of the employer's communication to the SME, due to the termination of the employment relationship with the employer;

- Cancellation of the work visa before the termination of the employment contract.

The request for return must be submitted by the employer or its legal representative after the foreign citizen's departure from the national territory **has been confirmed**, and all expenses resulting from the return, are the responsibility of the depositing entity.

SME must, with the authorisation of the **General Director**, return the deposit within ten (10) working days from the date of the request.

Amounts not requested to be returned within the time limit shall be considered lost to SME.

The **extension** of the work visa is SME's competence and their respective provincial offices. The provincial directorates of SME should only extend the work visa of foreign workers who are carrying out the activity.

The application shall be formulated in a proper form signed by the applicant, or by his legal representative, together with the following documents:

- Photocopy of the work contract duly registered at the Employment Centre;
- Application from the employer;
- Proof of the employer's compliance with the tax **obligation**⁴; and
- Proof of payment of the corresponding fee.

The **extension period** shall be granted **within five (5) working days** from the date of the request.

The holder of the work visa **shall not be allowed to take up residence** on national territory.

➤ **Temporary stay visa**

The temporary stay visa is granted, except in the cases mentioned below, by diplomatic and consular missions and is intended for the entry of foreign nationals into national territory in the following cases:

⁴ This regulation clarified the doubt arising from the wording of no. 6 of Article 55 of Law no. 13/19 of May 23 regarding the fulfilment of the obligations of employers towards the INSS with regard to foreign workers, which made the extension of the work visa conditional upon proof of the fulfilment of this type of obligations now as it is known, given the existing regulations on this matter, non-resident foreign workers are ineligible for the Legal Regime of Binding and Compulsory Social Protection Contribution approved by Presidential Decree no. 227/18 of September 27.

- Fulfilling a mission in a religious institution, or non-governmental organisation;
- Carrying out scientific research, mobility and university extension work;
- Accompanying family members of the holder of the study, medical treatment, investor or work visa;
- Being a family member of the holder of a valid residence permit; and
- To be the spouse of a national citizen.

The temporary stay visa has its regulation foreseen in articles 42 and 43 of this Decree combined with articles 56, paragraph a), b), c) and f) of Article 61 and Article 69 of Law no. 13/19 of May 23. The application shall be made on a duly completed form and accompanied by the documents attesting to compliance with the following requirements:

- Possession of travel documents valid for a period of at least 6 months;
- Possess travel document recognized and valid for the Angolan territory;
- To be of legal age or a minor, to have the express consent of the parents, legal representative, or anyone exercising parental authority, except in cases where the minor is a resident or a holder of a study or temporary stay visa;
- Have complied with all the health provisions laid down for entry into national territory;
- To prove the intended purpose with the stay;
- Have a certificate of criminal record issued by the authorities of the country of habitual residence; and
- To prove the existence of means of subsistence and housing conditions.

Temporary stay visas presented to foreign citizens with the status **of minister of worship, members of an institution of consecrated life or professionally engaged in religious activity**, as well as foreign citizens who are **active in a non-governmental organisation**, must, in addition to the above requirements, present a **positive opinion** from the Ministerial Departments that oversee the respective activities, namely Cultural, Tourism and Environment and Social, Family and Women's Promotion.

The temporary stay visas presented to foreign citizens with the purpose of carrying out **scientific research, mobility and university extension work**, must, in addition to the above-mentioned requirements, present the documents proving their admission in a research centre, higher education institution or entity for that purpose.

Temporary stay visas presented to foreign citizens **for accompanying** family members of the holder of a study visa, medical treatment, investor or work visa, or according to and **being family** members of the

holder of a valid residence permit or **spouse of a national citizen**, must, in addition to the above-mentioned requirements, present the relevant documentation proving the ties of kinship that justify the accompanying.

The temporary stay visa may **exceptionally** be granted as a **subsidiary protection measure for humanitarian reasons** when there are situations in which the provisions of the Law governing the **Right to Asylum** are not applicable, and in the case of victims of criminal or transgressive offences in the area of work, **upon confirmation** by the competent judicial authority or the General Labour Inspectorate, provided that the victim demonstrates a clear will to cooperate with the authorities in the investigation and repression of the phenomenon⁵. The authorities concerned shall inform the SME of the possibility of a temporary residence visa. The temporary stay visa issued in these cases shall have a duration of **six (6) months** renewable until the conclusion of the respective process and shall be **granted on national territory** with the authorisation of the head of the Migration Authority.

The temporary stay visa may also be granted exceptionally to foreign nationals in a **labour situation** and conflict, subject to confirmation by the court in which the respective proceedings are taking place, provided that the underlying labour relationship cannot be maintained. The temporary stay visa issued in these cases shall have a duration of six (6) months renewable until the conclusion of the respective process and shall be **granted in national territory** upon authorization of the head of the Migration Authority.

The temporary stay visa, exceptionally, may be **granted in national territory** to the companion of a study visa, medical treatment visa, investor visa, work visa, holder of a residence permit or spouse of a national citizen.

Temporary stay visa shall be granted **within is thirty (30) working days**, from the date of application.

The temporary stay visa allows multiple entries and is valid for **three hundred and sixty-five (365) days**, extendable for the same period of time until the end of the reasons that determined its concession.

The extension of the temporary stay visa is SME's competence and their respective provincial offices, and the application shall be formulated in a proper form signed by the applicant or his/her legal representative, accompanied by the following documents depending on the specific case:

⁵ Crimes related to human beings trafficking, facilitation of illegal immigration and relevant situations in terms of labour offences. Subsidiary protection is granted only if it is considered that there are strong indications and that the willingness to cooperate is not fraudulent or that the victim's complaint is unfounded.

- A positive opinion from the Ministerial Departments that oversee the activities related to the status of minister of worship, members of institutes of consecrated life, professional practice of religious activity or foreign citizens working in a non-governmental organisation; or
- Evidence of continued links with a research centre, higher education institution or qualified entity for that purpose; or
- Evidence issued by the judicial authority, criminal police body, police authority or the General Labour Inspectorate, of the maintenance of the conditions underlying the granting of the temporary stay visa as a subsidiary protection measure;
- Evidence issued by the respective court confirming the maintenance of the dispute without a final decision; and
- Proof of payment of the competent fee.

Temporary stay visa extension must occur within is five (5) working days from the date of application.

The temporary stay visa granted to a foreign citizen for the purpose of carrying out **scientific research, mobility and university extension work**, accompanying a family member of the holder of the **study visa, medical treatment, investor or work**, by virtue of being a family member of the holder of a valid residence permit or being the spouse of a national citizen, in the case of being granted to a foreign citizen in a labour dispute with the employer, allows the **exercise of a paid activity**.

The holder of a temporary stay visa shall not be allowed to **take up residence** on national territory except in the case of family members of the holder of a valid **residence permit** or spouse of a national. However, the application for a residence permit must be submitted within two (2) years of the granting of the temporary stay visa.

➤ **Residence permit visa**

The visa to establish residence is granted by the Angolan diplomatic and consular missions to the foreign citizen who intends to **establish residence** in Angola, has its regulation provided for in Article 44 of this Decree in conjunction with Articles 57 a), b), c) and f) of Article 61 and Article 70 of Law No. 13/19 of May 23, the application must be accompanied by documents certifying compliance with the following requirements:

- Must have travel documents valid for at least six months;
- Possess travel document recognized and valid for the Angolan territory;

- Be of legal age or a minor, have the express authorisation of the parents, legal representative, or person exercising the parental authority, except in cases where the minor is a resident or a holder of a study or temporary stay visa;
- Have complied with all health provisions established for entry into national territory;
- To prove the existence of means of subsistence and accommodation conditions;
- Have a certificate of criminal record issued by the authorities of the country of origin; and
- Have a medical certificate issued by the health authorities of the country of origin.

The **period for granting** is sixty (60) working days from the date of application.

The residence permit visa is issued for **multiple entries** and stays of **ninety (90) days**.

This visa **entitles** the holder to engage in **gainful employment**.

The holder of this visa, pursuant to Article 90 of Law No. 13/19 of May 23, **must register with the local government office of the area of residence** within 15 days of entry into national territory.

VISAS ISSUED ON NATIONAL TERRITORY

➤ **Investor visa**

The investor visa is granted by the Migratory Authority to the investor foreign citizen, his representative or attorney of an investing company for the purpose of **executing an investment proposal** under the Private Investment Law. The investor visa has its regulation foreseen in Article 45 and 46 of this Decree in conjunction with Article 59 of Law no. 13/19 of May 23, the application, submitted in a duly completed form, must be accompanied by the following documentation:

- Criminal Record Certificate from the country of origin or habitual residence;
- Medical certificate from the country of origin;
- Photocopy of the Passport;
- Proof of investment registration issued by the entity responsible for the private investment;
- Power of attorney, if any, in favour of the person representing the investor in Angola; and
- Proof of payment of the respective fee.

The investor visa is only granted to persons in that capacity and to their representatives.

Investor visa shall be granted within thirty (30) working days from the date of the request.

The investor visa allows **multiple entries** and stays of up to two (2) years, extendable for identical periods of time in accordance with the reason that determined its concession.

The extension of the investor visa is the SME's responsibility and their respective provincial offices, and must be presented in a proper form, signed by the applicant or his/her legal representative, together with the following documentation:

- Declaration of execution and implementation of the investment issued by the entity responsible for the private investment;
- Application by the **company**⁶; and
- Proof of payment of the migration fee.

The **extension** of the investor visa must occur within five (5) working days after the request is submitted. The holders of the investor visa are allowed to **obtain a temporary residence permit** as long as they have an uninterrupted stay in national territory for three (3) years under the investor visa, upon prior declaration by the entity responsible for the private investment that the project remains valid. This option is not available to the investor's representative or attorney.

➤ **Border visa**

The border visa shall be issued by the Migration Authority at **border posts** and shall be intended to enable foreign nationals to enter national territory who, for **unforeseen and duly substantiated reasons**, prevent them from applying for a visa at a consular post. This visa is issued to foreign citizens who come to national territory, namely to **assemble equipment, provide after-sales technical assistance or develop similar activity**. The border visa has its regulation provided for in Article 60 of this Decree in conjunction with Article 47 of Law No. 13/19 of May 23, the application, submitted on a duly completed form, must be accompanied by the following documentation:

- Request addressed to the SME duly substantiated with the reason for the request;

⁶ The wording given does not specify whether it is an investment vehicle or an investing company when it assumes that status.

- Photocopy of the Passport;
- Two identical photographs, passport type, in colour and with plain background, updated with good conditions of identification of the visa beneficiary; and
- Proof of payment of the respective fee.

The granting of the border visa must be **preceded by verification** of whether the beneficiary is listed for non-admission in the SME Integrated Information System.

Once the application for a border visa has been authorised, SME issues a **pre-visa** which serves as proof to the authorities of the country of embarkation that it is **authorised to enter the national territory**. On arrival in the national territory, the applicant must present the **original of the entry permit** which, once confirmed, is affixed to the entry **document**⁷.

The border visa is **valid** for one entry and allows the beneficiary to stay in national territory for up to **fifteen (15) days**, which cannot be extended.

The holder of the border visa shall not be allowed to **take up residence** on national territory or engage in **any remunerated activity, except** those related to **assembling equipment, providing after-sales technical assistance or carrying out similar activity**.

TRANSFORMATION OF VISAS

According to the provisions of this Decree, it is up to the General Director of SME to transform the visas listed below.

➤ **Transformation of tourist visa to medical treatment visa**

Foreign citizens who hold a tourist visa, if circumstances so dictate (they have become ill on national territory and are staying there or undergoing out-patient treatment at an official or officially recognised

⁷ SME provides online services and information aimed at pre-approval of this type of visa http://www.sme-angola.com/index.php?option=com_content&view=category&layout=blog&id=43&Itemid=119&lang=pt
#13

health establishment) and provided that there is solid fundament, may request that the visa be converted into a medical treatment visa. The transformation referred to in this paragraph has its regulation provided for in Article 49 of this Decree in conjunction with Article 72 of Law No. 13/19 of May 23, the application, submitted on a form duly completed and signed by the applicant, must be accompanied by the following documentation:

- The applicant's duly substantiated request;
- Evidence issued by the health establishment confirming that the applicant has ensured the internment or ambulatory treatment; and
- Proof of payment of the respective fee.

The **deadline for granting** is fifteen (15) working days from the date of the request.

➤ **Change from study visa to work visa**

The foreign citizen holding a study visa, if circumstances so dictate and if duly substantiated, may apply for its transformation into a work visa. This transformation has its regulation foreseen in Article 50 of this Decree conjugated with Article 72, no. 2 of Law no. 13/19 of May 23, the application, presented in a form duly filled and signed by the applicant, must be accompanied by the following documentation:

- Declaration issued by the employer ensuring that the applicant is employed;
- Employment contract or work commitment contract;
- Opinion of the Ministerial Department supervising the sector of activity carried out by the employer;
- Certificate of criminal record issued by the Angolan authorities;
- Declaration of studies issued by the officially recognised educational or training institution; and
- Proof of payment of the respective fee.

The **deadline for granting** is thirty (30) working days from the date of the request.

➤ **Transformation of Temporary Stay Visa into Residence Permit**

The foreign citizen who holds a temporary stay visa **specifically granted under paragraphs a)⁸ and b)⁹ of Article 56(1) of Law No. 13/19 of 23 May**, wishing to obtain a residence permit, if the circumstances so dictate and provided it is duly substantiated, may request its transformation. This transformation can only be requested after three (3) years have elapsed since the issuance of the temporary stay visa, and has its regulation foreseen in Article 51 of this Decree conjugated with Article 72, paragraph 2 of Law no. 13/19 of May 23, the application, presented in a form duly filled and signed by the applicant, must be accompanied by the following documentation:

- Duly substantiated written request;
- Criminal record certificate issued by the Angolan authorities;
- Evidence of means of subsistence;
- Proof of accommodation; and
- Proof of payment of the respective fee.

The **deadline for granting** is sixty (60) working days from the date of the request.

RESIDENCE PERMIT

The foreign citizen who holds a visa to establish residence must apply for the **residence permit** within thirty (30) days after entering the national territory. The application for a residence permit, or for its renewal, shall be presented in a proper form, signed by the applicant or his legal representative and may be presented at SME or at any of its provincial offices. At the time of submission of the application, the biometric data necessary for the issuance of the residence permit shall be collected and documentary checks and security searches shall be carried out.

The presentation of a document which remains valid and is part of SME's the workflow shall be **dispensed** with. If there is any document missing at the time of application for a residence permit, the applicant shall be immediately notified to submit it, failing which he shall be denied it.

⁸ On the basis of fulfilling a mission in a religious institution or non-governmental organisation.

⁹ To carry out scientific research, mobility and university extension work.

According to Article 78 of Law 13/19 of May 23, although not granted for reasons of national security, they are **general and cumulative** requirements for the granting of a residence permit:

- Presence of the applicant in Angolan territory;
- Possession of a valid residence permit;
- Not to have committed acts that, if known by the Angolan authorities, would have hindered his entry into the country;
- Not to have been sentenced to more than two years in prison in national territory;
- Possession of means of subsistence and housing conditions; and
- Absence of an alert in the Migration Authority's Information System for the purpose of non-admission.

In special situations, listed in Article 79 of Law 13/19 of May 23, the temporary residence permit may be granted without needing to obtain a prior visa if the foreign national is:

- Minor, born in Angolan territory, who have stayed there and are attending any educational establishment, son of a foreign citizen holding a residence permit;
- The child of a holder of a residence permit who is of full age and has habitually stayed in the national territory since the age of 10;
- Major children born in national territory, who have not been absent from it or have stayed there since the age of less than 10 years;
- Minors, who must be subject to guardianship, in accordance with the law; and
- Who have ceased to benefit from the right of asylum in Angola due to the cessation of the reasons on the basis of which they obtained the said status.

➤ **Temporary residence permit**

In addition to verification of the above requirements, foreign nationals wishing to apply for a residence permit must submit the following documents:

- Application signed by the applicant or his/her legal representative;
- Updated certificate of residence;
- Certificate of criminal record issued by the Angolan authorities;
- Evidence of means of subsistence;
- Proof of accommodation;

- Two identical photographs, pass type, in colour and flat background, updated and with good conditions of identification of the beneficiary;
- Passport or other valid travel document, accompanied by the respective photocopy of the identification page and the visa to establish residence;
- Documents proving kinship ties where applicable;
- Proof of payment of the respective fee; and when applicable
- With the necessary documentation to verify the registration with the tax authorities and social security.

The SME's General Director shall be responsible for **authorising** the granting of a temporary residence permit within the above-mentioned period.

➤ **Residence Permit Under the Special Regime**

In the special situations foreseen in Article 79 of Law no. 13/19 of May 23, the application for a temporary residence permit must also be accompanied, in addition to the documents referred to in the previous point, by the following documentation:

- If requested under Article 79 a) of Law no. 13/19 of May 23, the child's birth certificate and a declaration of attendance at a pre-school, primary or secondary education establishment;
- If requested under paragraph b) of Article 79 of Law No. 13/19 of May 23, birth certificate and document proving presence in national territory since the ten (10) years of age and documents proving the activity performed during the stay in national territory, including schooling;
- If requested under paragraph c) of Article 79 of Law no. 13/19 of May 23, birth certificate and documents proving the activity developed during the stay in national territory;
- If requested under paragraph d) of Article 79 of Law no. 13/19 of 23 May, certificate of the decision granting guardianship to the minor; and
- If requested under Article 79 e) of Law No. 13/19 of May 23, a document attesting to the cessation of refugee status on national territory.

It is incumbent upon the SME's General Director, under these terms, to **authorize** the granting of a temporary residence permit within the above-mentioned period.

➤ **Residence permit under the exceptional regime**

In the special situations provided for by Article 87 of Law No. 13/19 of May 23, which provides for the granting by the holder of the Executive Power of authorisation and residence for foreign nationals who do not fulfil the general and cumulative requirements for the granting of residence, the application for a temporary residence permit must also be accompanied, in addition to the documents referred to in relation to the application for temporary residence, by the following documentation:

- Proof of exceptionality attesting that the application is in the national or humanitarian interest;
or
- Evidence of exceptionality attesting to the public interest nature of the relevant scientific, technological, cultural, sporting, economic or social activity applied for.

Under the terms of this Decree, the head of the Ministerial Department of the Interior is **empowered** to grant the residence permit.

➤ **Residence permit for investors**

As previously mentioned, the holders of the investor visa are allowed to **obtain a temporary residence** permit as long as they have an uninterrupted stay in the national territory for three (3) years, for this purpose, the application must be submitted in a proper form together with the following documents:

- Application by the interested party;
- Declaration of the entity responsible for the private investment attesting the effective implementation of the investment;
- Valid passport or travel document;
- Two identical photographs, passport type, in colour and plain background, updated and with good conditions of identification of the beneficiary;

It is up to SME's General Director to authorise the granting of a temporary residence permit to the investor.

➤ **Application for a residence permit for a minor born in Angola**

Article 89 of Law No 13/19 of May 23 provides that minors shall enjoy the same residence status as either parent and the application shall be lodged with the competent authority no later than six (6) months after birth. For this purpose, it is stipulated in Article 58 of this Decree that the application must be submitted with the birth certificate and the concession is made with exemption from the documents provided for in paragraphs b), c), d) and e) of paragraph 1 of article 54 of the Decree under review.

➤ **Application for a residence permit with dispensation from the visa for establishing residence**

If the foreign national is a family member of a valid permit and residence holder or is the spouse of a national, he or she may apply for a residence permit, the application for which, without the prior granting of a visa to establish residence, must be accompanied by a visa:

- Proof of marriage or partnership with a national or foreign citizen holding a residence permit;
- Passport or other valid travel document;
- Certificate of criminal record issued by the Angolan authorities; and
- Two identical photographs, passport type, in colour and flat background, updated and with good identification conditions of the beneficiary;

It is up to the SME's General Director to authorise the granting of the temporary residence permit referred to herein.

➤ **Application for renewal of temporary residence permit**

The application for renewal of the temporary residence permit must be submitted between ninety (90) and thirty (30) days before the expiry of the title, for this purpose the applicant must submit the application in a proper form signed by himself or by his legal representative and must be accompanied by the following documentation:

- Original and photocopy of the residence permit;
- Application of the interested party;
- Photocopy of the Passport;

- Proof of possession of means of **subsistence**¹⁰;
- Proof of compliance with tax and social security obligations;
- Proof of payment of the due fee; and
- Two identical photographs, pass type, in colour and flat background, updated and with good conditions of identification of the beneficiary;

Whenever there is a change of the identification elements registered in it or in case of loss, the residence permit must be renewed.

Residence permit renewal **must be granted** within fifteen (15) working days in the Province of Luanda and thirty (30) working days in the other provinces.

Renewal may be refused on grounds of national security or public order.

As provided for in no. 2 of Article 122 of Law no. 13/19 of May 23, the non-renewal of the temporary residence permit within thirty (30) days of its expiration implies its non-renewal, being immediately cancelled and the holder is notified to voluntarily leave the national territory.

➤ **Cancellation of temporary residence permit**

The residence permit can be cancelled in the following cases:

- The foreign national's residence permit may be cancelled in the following cases:
- Without any justifiable reason, he/she remains outside the national territory for six (6) consecutive months during the period of validity of the permit and residence¹¹;
- Does not comply with the requirements for permanence in national territory;
- Does not carry out any proven useful activity;
- Be against violate internal order or public security;
- Has been subject to a measure of expulsion from national territory;
- Has committed acts that, if known to the Angolan authorities, would have prevented him from being granted;

¹⁰ Proof of means of subsistence may be replaced by a contract of employment, a declaration of service or any other admissible means.

¹¹ The planned absence beyond these limits must be justified and reported to the Migration Authority before leaving the country, where this is not possible and in exceptional cases thereafter.

- Has been granted a residence permit on the basis of false or misleading statements, false or falsified documents or by fraudulent means; and
- The marriage, partnership or adoption was performed for the sole purpose of enabling the person concerned to reside in the country.

The decision and the cancellation shall be given in a separate procedure to be conducted by SME and shall be **notified** to the person concerned with a statement of reasons and shall entail the seizure of the residence permit, the foreign citizen must **leave the country** within a period of time that may not exceed twenty (20) days. This decision may be appealed in accordance with the law.

➤ **Permanent residence permit**

The permanent residence permit may be granted to the holder of a temporary residence permit for at least ten (10) years and shall be formulated on a proper form signed by the applicant or his legal representative and accompanied by the following documents:

- Original and photocopy of the residence permit;
- Photocopy of the Passport;
- Proof of possession of means of **subsistence**¹²;
- Proof of payment of the appropriate fee; and
- Two identical photographs, pass type, in colour and flat background, updated and with good conditions of identification of the beneficiary;

The permanent residence permit **must be granted** within fifteen (15) working days in the Province of Luanda and thirty (30) working days in the other provinces.

The application for **renewal of the permanent residence permit** must be submitted between ninety (90) and thirty (30) days prior to the expiry of the permit and be instructed in the same terms as its initial application. If the renewal of the title is requested after the expiry of its validity, the application must be accompanied by proof of permanence in national territory or justification of absence.

¹² Proof of means of subsistence may be replaced by a contract of employment, a declaration of service or any other admissible means.

➤ **Family reunification**

According to Article 88 of Law 13/19 of May 23, foreign nationals with valid residence have the **right to family reunification** with family members outside national territory, who have lived with them in another country, who depend on them or live with them, namely:

- Spouse or recognised unmarried partner;
- Children who are minors or incapacitated at the expense of the couple or one of the spouses;
- Minors dependent on the spouse or applicant where they are not married by decision of the competent authority of the country of origin, provided that the decision is recognised by Angola;
- The adult dependent children of the couple, who are unmarried and are studying at an educational establishment in Angola; and
- The relatives in the ascending line and in the first degree of the resident or his/her spouse, provided that they are dependants.

The application for family reunification must, according to Article 64 of this Decree, be submitted to the diplomatic mission or consular post in the country of origin or, if the beneficiary of the family reunification has entered national territory in a legal way, to SME. The application may also be submitted by the family member who is legally on national territory and who depends or cohabits with the holder of a valid residence permit.

REGISTRATION

As regulated under Article 70 of the Decree under review, in conjunction with Articles 92 of Law No. 13/19 of May 23, the **registration of guests of tourist establishments and local accommodation, as well as all those hosting non-resident foreign nationals**, is mandatory by using the Bulletin of Accommodation or electronically, this information must be sent within 48 hours to the Migration Authority or the police unit. This obligation is extended to all those who rent property to non-resident foreign citizens, in this case the communication must be made to SME, in writing, indicating the identification of the tenant, duration of the contract as well as photocopy of the travel ticket and the respective visa.

INFRINGEMENTS

The **misdemeanour** is the migratory offence committed by a national or foreign citizen, by action or omission, which is contrary to the provisions of Law No 13/19 of May 23.

Whenever SME detects a situation typified as a misdemeanour, in accordance with Article 71 of the Decree under review in conjunction with Article 98 of Law No 13/19 of May 23, it must initiate the administrative procedure for the imposition of a fine.

➤ **Illegal residence**

It is the act by which the foreign national remains on national territory for longer than authorised. It is a **violation punishable by a fine**¹³ between AOA 16,720.00 to AOA 114,400.00 per day, not to exceed 30 days. Once this period has been checked, the citizen is subject to **expulsion** and, consequently, the ban on entry is conditional upon payment of the fine.

➤ **Unauthorized access to the international area of the port or airport**

It takes the form of entry into the international area of the port or airport by persons not authorised by the Migratory Authority, and also applies to access by persons on board vessels without prior authorisation. It constitutes a **misdemeanour**¹⁴ punishable by a fine between AOA 15,840.00 to AOA 31,680.00. For unauthorised access on board vessels the fine is AOA 44,000.00 to AOA 96,800.00.

➤ **Transport of person with unauthorised entry**

Act by which a carrier or any person (legal or natural) transports to the national territory, a foreign national who does not possess valid travel documents or visa. This act constitutes a **punishable offence**¹⁵ for each foreign national transported by a fine from AOA 149,600.00 to AOA 299,200.00 in the case of legal persons, and a fine from AOA 101,200.00 to AOA 202,400.00 in the case of natural persons.

¹³ Article 72 of the Decree under study in conjunction with Article 113(1) of Law No 13/19 of 23 May;

¹⁴ Article 73 of the Decree under review, in conjunction with Article 114(1) of Law No 13/19 of May 23

¹⁵ Article 74 of the Decree under review, in conjunction with Article 115(1) of Law No 13/19 of May 23

➤ **Lack of data transmission**

It arises in situations where air carriers have not transmitted the information to passengers, to which they are obliged to the Migratory authority, by the end of check-in. This information concerns passengers to be carried into the Angolan territory, either from the initial point of embarkation or from the airport transit point, namely:

- Full name;
- Date of birth;
- Nationality;
- The number, type, date of issue and validity of the travel document;
- The transport code;
- The time of departure and arrival of the aircraft;
- The initial point of embarkation;
- The border crossing point on entry into Angolan territory;
- The total number of passengers to be carried.

In the case of the shipowners or the shipping agents they represent, the captains of fishing and cabotage vessels who have not submitted to the Migration Authority the list of crew and passengers, without erasures, alterations or alterations, including the presence of stowaways on board, 48 hours before arrival and up to one hour before departure of the vessel from a national port.

If the transmission of data has occurred incorrectly, incompletely, falsely or after the deadline, the penalty shall be, for each voyage, a **fine**¹⁶ of AOA 27,280.00 to AOA 642,400.00.

➤ **Unauthorised professional activity**

The exercise of independent professional activity or on behalf of or by a foreign citizen not qualified with the appropriate title, constitutes a **contravention**¹⁷ punishable by a fine of AOA 220,000.00 to AOA 440,000.00, without prejudice to administrative expulsion from national territory.

¹⁶Article 75 of the Decree under review, in conjunction with Articles 116 and 26 of Law No 13/19 of 23 May

¹⁷Article 76(1) of the Decree in question, in conjunction with Article 117(1) and Article 34 paragraph 3 (g) of Law No 13/19 of May23

The **exercise of professional activity** by a foreign citizen in a company other than the one that applied for the respective work visa constitutes a **contravention**¹⁸ punishable by a fine of AOA 220,000.00 to AOA 440,000.00, without prejudice to administrative expulsion from national territory.

An **employer** who allows an alien to engage in unauthorised professional activity is punishable by a **fine**¹⁹ of AOA 1,899,920.00 to AOA 3,799,840.00, without prejudice to liability for other costs arising from the alien's expulsion from national territory.

➤ **Use of the activity of a foreign national in an illegal situation**

Anyone using the activity of a foreign national in an illegal situation is subject to a **fine**²⁰ of AOA 1,899,920.00 to AOA 3,799,840.00 without prejudice to liability:

- Penalties for failure to comply with labour law, where applicable;
- Penalties arising from non-declaration of income subject to discounts for the Tax Administration and Social Security in respect of work done by a foreign worker whose activity was used illegally; and
- For the payment of the expenses necessary for the stay and the expulsion of the foreign citizens involved.

➤ **Lack of registration of a minor**

The lack of registration of a minor born in the national territory for reasons which have to do with the lack of the application for a residence permit which should be submitted by either parent within 6 months after the birth of the minor, constitutes a **contravention**²¹ punishable by a fine of AOA 15,840.00 to AOA 31,680.00.

¹⁸ Article 76(2) of the Decree in question, in conjunction with Article 117(1) and Article 34 paragraph 3 (g) of Law No 13/19 of May 23

¹⁹ ¹⁹ Article 76(2) of the Decree under review, in conjunction with Article 117(2) and Article 34 paragraph 3 (c) of Law No 13/19 of May 23

²⁰ Article 77 of the Decree under review, in conjunction with Article 118(1) and (2) of Law No 13/19 of May 23

²¹ ²¹ Article 78 of the Decree under review, in conjunction with Articles 120 and 89 of Law No 13/19 of May 23

➤ **Lack of communication of accommodation**

Failure to notify constitutes a **misdemeanour**²² punishable by a fine of AOA 17,072.00 to AOA 34,144.00.

➤ **Failure to renew the temporary residence permit**

If the renewal does not take place within the legally stipulated period, a daily **fine**²³ of AOA 19,976.00 to K 39,952.00 may be imposed up to 30 days after the limit of validity of the authorization.

➤ **Failure to update the residence permit**

Failure to update the data relating to the residence permit is **punishable**²⁴ by a fine of AOA 19,976.00 to AOA 33,440.00.

➤ **Failure to communicate a change of domicile**

A resident alien who fails to report the change of domicile shall be **fined**²⁵ AOA 35,992.00 to AOA 105,600.00, the same fine being imposed on those who, within six (6) months of the birth of a citizen of a resident alien's child, fail to submit the respective application for a residence permit as provided for in Article 89 of Law No. 13/19 of May 23.

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²²Article 79 of the Decree under review, in conjunction with Articles 121, 93 and 92 of Law No 13/19 of May 23

²³Article 80 of the Decree under review, in conjunction with Article 122(1) and Article 84(1) of Law No 13/19 of May 23

²⁴ Article 81 of the Decree under review, in conjunction with Articles 123, 84(4), 81 and 82 of Law No 13/19 of May 23

²⁵ Article 82 of the Decree under review, in conjunction with Articles 124(1) and 89 of Law No 13/19 of May 23

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