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## SUMMARY

National Assembly

Law No. 13/19:

On the Judicial Regime for Foreign Citizens in the Republic of Angola. - Revoking all terms that conflict with those issued under this Law, namely Law No. 2/07, of the 31st of August.

Law No. 14/19:

On Civil Aviation - Revokes Law No. 1/08, of the 16th of January - Civil Aviation Law, and Law No. 4/15, of the 10th of April - Law Amending the Civil Aviation Law and all legislation that conflicts with this Law.

Law No. 15/19:

On the Organization, Conduct, and Functioning of Activities by Traveling, Fairground, and Market Stall Businesses.

## NATIONAL ASSEMBLY

Law No. 13/19 of the 23rd of May

We are at a time in which the effects of globalisation and migratory flows from one country to another are increasingly visible and are taking on significant importance on a global scale.

Considering that Law No. 2/07, of the 31st of August was in effect for nearly 11 years, and that since its approval, the situation involving the control of entry, exit, stays, residency, as well as the activity of foreign citizens in national territory has changed considerably, while the legal terms have not been updated in order to adapt them to current public policies;

The National Assembly approves, with the mandate of the people, under the terms of Section c) of Article 164 of the Constitution of the Republic of Angola, the following:

# LAW ON THE JUDICIAL REGIME FOR FOREIGN CITIZENS IN THE REPUBLIC OF ANGOLA

## CHAPTER I General Terms

### ARTICLE 1 (Subject)

This Law regulates the judicial regime for entry, exit, stays, and residence of foreign citizens in national territory.

### ARTICLE 2 (Scope of Application)

1. This Law applies to foreign citizens, without prejudice to the terms of special regimes derived from international treaties of which the Republic of Angola is a party, namely, the Vienna Convention on Diplomatic Relations of April 18, 1961, and the Vienna Convention on Consular Relations of April 24, 1963.

ARTICLE 3 (Definitions) For the purposes of the terms of this Law the following are defined as:

- a) "Host," a national or foreign legal person or individual who shelters a foreign citizen;
- b) "Stateless," a person who is not considered a citizen of any state;
- c) "Migratory Authority," Migration and Foreigner Services;
- d) "Authorized Residency," an act which allows a foreign citizen to reside in national territory;
- e) "Temporary Housing Centre," a place for sheltering foreign citizens who find themselves in a situation of illegal residency or whose entry into the country has been refused, awaiting expulsion, repatriation, or return to one's country of origin;
- f) "Clandestine," a foreign citizen who is found to be hiding or is declared as such by the person responsible for the means of transport upon entry into national territory;
- g) "Holding Area for Temporary Housing Centre," a specific area created in airports, ports, and at land borders for holding passengers who are not admitted;
- h) "Foreigner," one who does not have Angolan citizenship;
- i) "Foreign Resident," a foreign citizen who has been granted authorization for residence and who is thus entitled to a residence permit;
- j) "Traveller," a visitor who stays in the country for less than 24 hours;
- k) "Expulsion," measure taken by the judicial authorities or the Migratory Authority against a foreign citizen;
- l) "Repatriation Guarantee," a monetary amount equivalent to the price of a passenger ticket to the country of origin of a foreign citizen with authorization for residence for the purpose of conducting professional activity, which can be used for his eventual repatriation;
- m) "Illegal Immigrant," a foreign citizen who enters or remains in the country illegally;

- n) "Migratory Infraction," conduct of a national or foreign citizen, by action or omission, which conflicts with the terms of the migration law;
- o) "Foreign Investor," a foreign citizen who possesses proof of investment issued by the competent authority of the Public Administration;
- p) "Means of Subsistence," proof of possession of means of payment or equivalent that the foreign citizen must have at his disposal in order to remain in the country;
- q) "Undocumented Passenger," a foreign citizen who does not possess a passport or any other valid document for entry into the country;
- r) "Illegal Residence," state in which a foreign citizen finds himself when he has not been authorized to remain in national territory in accordance with the law which regulates the legal status of foreigners or the law which regulates the right to asylum;
- s) "Border Station," a place within national territory which is selected and permitted by the Angolan authorities for the entry and exit of persons;
- t) "Crossing Station," a place within national territory which is established by the Angolan authorities for the passage of persons identified as border residents;
- u) "Potential Investor," a non-resident foreign citizen or his representative who has submitted a proposal for investment in the final stage of registration with the competent authority of the Public Administration;
- v) "Refugee," a foreign citizen who enjoys the protection of the Angolan State under the Law Regulating the Right to Asylum;
- w) "Border Resident," a citizen who resides along the border for a period equal to or greater than 5 (five) years within a territorial distance agreed upon by a convention established in bilateral or multilateral terms between the Republic of Angola and neighbouring countries;
- x) "Asylum Petitioner," one who requests the international protection of the Angolan State under the Law Regulating the Right to Asylum;
- y) "Seasonal Work," consists of a service provided for a specific and determined period of time, characterized by the predominance of activities within a certain time of year;
- z) "Non-resident Foreign Worker," a non-resident foreign citizen who is granted permission to conduct professional activity in Angola;
- aa) "Carrier," means any individual or legal person whose occupation is to provide passenger transport by air, sea, or land;
- bb) "Tourist," a visitor who stays for at least one night in collective or private lodging in the place visited;

- cc) "Visitor," any person travelling to a place other than that of his usual environment for less than 12 months and whose main purpose of travel is other than the exercise of a remunerated activity at the place visited.

## CHAPTER II Rights, Obligations, and Guarantees

### ARTICLE 4 (General Principle)

The foreign citizen who resides or finds himself in the Angolan territory legally enjoys the same rights, freedom, and guarantees, and is subject to the same obligations as Angolan citizens, with the exception of political rights and other rights and obligations expressly reserved by law for Angolan citizens.

### ARTICLE 5 (Exercise of public functions)

The foreign citizen, in the absence of any legal term, agreement, or international convention to the contrary, can not perform public functions which imply the exercise of power of the public authority, with the exception of those who perform a predominantly technical, teaching, or scientific research function.

### ARTICLE 6 (Freedom of movement and residence)

The foreign citizen has the right to move about freely and to choose where to live, within the limitations set forth in the Constitution of the Republic of Angola, the law, and established for public security reasons.

### ARTICLE 7 (Right to assemble and to demonstrate)

The foreign citizen who resides in the country may exercise his right to assemble and to demonstrate in accordance with applicable legislation.

### ARTICLE 8 (Right to education and freedom of instruction)

The foreign citizen who resides in the country possesses the right to education and to freedom of instruction in accordance with the law.

### ARTICLE 9 (Freedom to join trade unions and professional associations)

1. The foreign worker who resides in the country has the right to join Angolan trade unions and professional associations under the same terms as Angolan workers in accordance with the law.
2. The foreign citizen may not lead any of the organizations mentioned in the preceding item.

### ARTICLE 10 (Obligations)

The foreign citizen who desires to remain in the Republic of Angola must:

- a) Respect the constitution and the law;
- b) Declare his place of residence;

- c) Provide the Angolan authorities with all information related to his personal status whenever so obligated under the law;

Comply with any other administrative and policy directives issued by the competent authorities.

#### ARTICLE 11 (Political activity)

The foreign citizen can not carry out any political activity or be involved directly or indirectly in domestic political matters in Angola.

#### ARTICLE 12 (Rights)

1. The foreign citizen enjoys all the constitutional and legal rights possessed by national citizens of the Republic of Angola, namely:
  - a) To seek judicial remedy for acts that violate his rights;
  - b) To not be subject to any penalty other than as set forth in the law;
  - c) To exercise and peacefully enjoy his property rights and to not be subject to any arbitrary or discriminatory measures.
  - d) To not be deported or extradited, except in accordance with the law.
2. In the case of deportation, legal absence or death, the ownership rights, properties, and other rights and legitimate legal expectations of the foreign citizen and his family members will be respected and protected.

### CHAPTER III (Entry and Exit into and out of national territory)

#### SECTION I (Rules Governing Entry)

#### ARTICLE 13 (Place of entry)

1. The foreign citizen entering national territory must do so at designated border crossings, without prejudice to agreements on the free movement of people and goods to which the Republic of Angola is a party.
2. Designated border crossings are those at which there is control by the appropriate authorities.

#### ARTICLE 14 (General requirements for entry)

1. The foreign citizen can enter national territory provided that he meets all of the following requirements:
  - a) Possesses a passport or any other international travel document valid in the Republic of Angola, provided it will remain valid for over six months;
  - b) Possesses an entry visa that is current and appropriate for the purpose of the travel;
  - c) Be financially self-sufficient in accordance with Article 19 of this Law;

- d) Possesses an international vaccination certificate;
  - e) Not be subject to denial of entry under Article 23 of this Law.
2. The foreign citizen in possession of safe-conduct or laissez-passer documentation issued by the authorities of his or her home country, or by an international organization of which the Republic of Angola is a member, is not obligated to present a passport, provided there is an agreement to that effect.
  3. The foreign citizen in any of the following situations is not obligated to present a passport and visa:
    - a) Nationals from a country with which the Republic of Angola has an agreement only need an identity card or equivalent document in order to enter;
    - b) Bearers in possession of a pilot's license or crew's license, when on duty, subject to the terms of the Convention on International Civil Aviation; 3442
  - c) Those who hold a maritime worker identification document as per Convention 108 of the International Labour Organization, while on duty;
  - d) Those who hold border resident cards or free movement permits, within the limits and time periods established in agreements on the free movement of persons to which the Republic of Angola is a party;
  - e) Asylum seekers, in accordance with the law.
4. Apart from the other cases addressed in the law, the foreign citizen is exempt from the entry visa requirement if he or she:
    - a) Holds a valid residence authorization;
    - b) Is from a country with which the Republic of Angola has signed a visa waiver agreement;
    - c) Is a cruise ship passenger;
    - d) Is on a one-day hike or visit.
  5. The executive authority may unilaterally grant entry visa waivers for stays of less than 90 days per year.
  6. The granting of an entry visa waiver does not imply exemption from border crossing formalities.

#### ARTICLE 15 (Entry of border residents)

The entry of border residents is carried out in accordance with agreements on the movement of persons to which the Republic of Angola is a party.

#### ARTICLE 16 (Entry of minors)

1. When unaccompanied by his parents, the foreign citizen who is a minor must enter national territory using a written authorization signed by the parents or guardian and recognized by the relevant authorities of the country of origin.
2. If the person responsible for the minor is denied entry into national territory, that denial applies equally to the minor, and vice versa.
3. The above provisions do not apply to cases in which the minor is a resident or holds a study visa or temporary stay visa.

#### ARTICLE 17 (Document control)

1. All foreign citizens intending to enter or leave national territory are subject to document control at border crossings.
2. Foreign citizens must not leave the document control and inspection area before being registered by a Migration Authority agent.

#### ARTICLE 18 (Entry visa)

1. An entry visa enables the holder to request entrance into national territory at a border crossing.
2. A visa is merely an expectant right, as entry can be denied due to a failure to meet any of the requirements set forth in Article 14 of this Law.
3. The entry visa is affixed to the passport or any equivalent travel document, and it must state the date of expiration, the number of entries, and the length of authorized stay.

#### ARTICLE 19 (Assurance of financial self-sufficiency)

1. In order to enter and remain in national territory, foreign citizens must have access to sufficient funds to support themselves in accordance with the relevant regulations.
2. The above-mentioned livelihood requirement can be waived for citizens who can demonstrate that they have secured food and housing for their stay.

#### ARTICLE 20 (Exception)

The executive authority may authorize a foreign citizen's entry into national territory even if he does not meet the requirements specified in Article 14 of this Law, in accordance with any provisions in the regulation of this law.

#### ARTICLE 21 (Denial of entry)

1. A foreign citizen who presents a passport or equivalent document may be denied entry into national territory in any of the following cases:
  - a) It is not valid for the Republic of Angola;
  - b) It is expired;

- c) It has been erased or shows evidence of falsification;
  - d) The entry visa was granted without regard to the conditions set forth in this document;
  - e) The entry visa is inadequate for the purposes of his or her stay in national territory;
  - f) He is using another person's passport.
2. Entry into national territory will be refused to foreign citizens who were fined and did not pay the fine, unless they do so at the moment of entry.
  3. The non-resident foreign citizen to whom one of the following conditions apply may have his entry into national territory refused:
    - a) Not presenting a return ticket to the country of origin;
    - b) Not having proven his livelihood;
    - c) Being underage and not being accompanied by a parent or legal guardian, or not having their clear authorization;
    - d) Representing a danger or serious threat to public policy, internal security or public health;
    - e) Being listed for no entry in the Integrated Information System of the Migratory Authority.
  4. Refusal of entry due to public health reasons is done through indication by the health authority, and can only be based on diseases defined in the applicable instruments of the World Health Organization or other infectious or contagious parasitic diseases subject to protective measures inside national territory.
  5. The foreign citizen who has been denied entry into national territory must be placed in a Temporary Accommodation Centre or Similar Space while waiting to re-embark.
  6. Refusal of entry into national territory is an attribution of the Migratory Authority.
  7. When the refusal of entry is based on the presentation of false travel documents or travel documents belonging to others, the document must be seized and sent to the authorities of the foreign country in question through a diplomatic channel.

#### ARTICLE 22 (Entry ban)

The foreign citizen listed in the Integrated Information System of the Migratory Authority has his entry into national territory banned due to:

- a) Having been the target of a deportation from the country in the past 5 years or less;
- b) Having been convicted of an accessory sentence of deportation with a final and unappealable sentence;



- c) Presenting a strong indication of being a threat to the internal order or national security.

#### ARTICLE 23 (Ban jurisdiction)

1. It is for the court and the Migratory Authority to order the entry ban of a foreign citizen into national territory.
2. The document ordering the ban must include the identification data of the foreign citizen as well as the reason and duration of the ban.
3. It is for the Migratory Authority to carry out an entry ban measure on a foreign citizen in the terms provided by the current Law.

#### ARTICLE 24 (Registration and reassessment of banned persons)

The Migratory Authority carries out the registration of banned persons in the Integrated Information System and reassesses or proposes the reassessment of banned persons to the entity which ordered it, whenever the period indicated in the decision to ban has elapsed.

### SECTION II

#### Carrier Obligations

#### ARTICLE 25 (Carrier responsibilities)

1. Without prejudice of the measures provided for in Article 115 of this Law, carriers transporting passengers who do not meet the entry requirements, or undocumented crew members, are responsible for their return to the country of origin or to the point where their transportation started.
2. The same responsibility falls on natural persons transporting passengers who do not meet the entry requirements.
3. Expenses related to food and medical assistance for the maintenance of the foreign citizen subject to refusal of entry shall be borne by the carrier or the natural person referred to in the preceding paragraph, as the case may be.
4. Whenever justified by the situation, the foreign citizen's return can be carried out under escort by officers of the Migratory Authority, with expenses borne by the carrier.
5. Transshipment of a clandestine passenger is permitted if required by the carrier or its agent, who must take responsibility for all expenses resulting from this operation.
6. The carrier is equally liable for the maintenance and other expenses of a passenger in a continuous trip, or of a crew member who is not present due to having left the means of transportation, as well as for their removal from national territory.
7. The carrier is also responsible for the expenses resulting from the refusal of entry of a foreign citizen in transit when:

- a) The carrier which was to take him to his country of destination refuses to take him on board;
- b) The authorities of the country of destination have refused him entry and have sent him back to Angolan territory.

#### ARTICLE 26 (Data transmission)

1. All passenger carriers must transmit to the Migratory Authority by the end of the boarding process the information regarding the passengers being transported into Angolan territory, whether coming from the initial point of boarding or from the airport stopover point.
2. The information referred to in the previous number includes:
  - a) Full name;
  - b) Date of birth;
  - c) Nationality;
  - d) The number, type, issue date and expiration date of the travel document;
  - e) The transportation code;
  - f) The aircraft departure and arrival times;
  - g) The initial point of boarding;
  - h) The point of border crossing and entry into Angolan territory;
  - i) The total number of passengers being transported.
3. The ship owners or the navigation agents representing them, as well as the captains of fishing and coasting vessels, will submit to the Migration Authority the list of crew members and passengers, without erasures, amendments or alterations of the elements recorded therein, and will notify the presence of clandestine passengers on board, forty-eight hours before the arrival and up to one hour before the departure of the vessel from a national port.

#### ARTICLE 27 (Data processing)

1. The data referring to the previous article is used for controlling passengers at the border where they enter national territory, aiming to efficiently control the movement of people entering the country.
2. The data collected by the carriers is sent to the migratory authority electronically or, if this is not possible, through any appropriate means.
3. After passengers have entered, this authority will delete the data within 10 days after transmission, unless said data is needed for the purpose of exercising the statutory

functions of the authority responsible for carrying out border control in accordance with the Personal Data Protection Law.

4. Without prejudice of the provisions of the Personal Data Protection Law, the data to which the previous article refers may be used for the purpose of security and public order in accordance with the law.

#### ARTICLE 28 (Personal data protection guarantee)

1. The personal data referred to in the previous articles is protected from misuse and illegal access, and measures must be taken in order to ensure its security, confidentiality and integrity in accordance with the Personal Data Protection Law.
2. Passengers are guaranteed the right to the information about the purpose of processing their personal data.

#### SECTION III Exit Regime

##### ARTICLE 29 (On exit from national territory)

1. The foreign citizen may leave national territory through any of the border posts authorized for this purpose upon prior presentation of the passport or other valid travel document.
2. Regarding exit, minors must present, in addition to a passport or any other valid travel document, a written authorization signed by the parents or whoever exercises their guardianship, and certified by a notary.
3. The regime provided for in Article 15 of this Law applies to the exit of border residents.

##### ARTICLE 30 (Forms of exit)

1. Departure of the foreign citizen from national territory may be:
  - a) Voluntary;
  - b) Compulsory.
2. A departure is considered voluntary when the foreign citizen leaves willingly in his own interest.
3. A departure is considered compulsory when it is imposed as a coercive measure by the Angolan authorities in the interest of national security and public order.
4. Compulsory departure can be:
  - a) By notification of deportation from national territory;
  - b) By expulsion.

##### ARTICLE 31 (Notification of deportation)

1. The notification of deportation is the act by means of which the Migration Authority notifies the foreign citizen in writing that he must leave the country within a certain period of time.
2. The time period mentioned in the previous section may not be longer than 8 days.

#### ARTICLE 32 (Expulsion)

1. Expulsion is the act by means of which the competent Angolan authorities compulsively force the foreign citizen to return to his native country or to his country of habitual residence.
2. It does not constitute an impediment to the execution of the means of expulsion that is determined by the court, the fact that the citizen may have an Angolan spouse or child who is dependent on him economically, without prejudice to the provision of a food allowance for those in need under the terms of the law.
3. The refugee is always given the most favourable treatment resulting from the law or international agreement to which Angola is a party.
4. A refugee cannot be expelled to a country in which he may be persecuted for political, racial, or religious reasons, or in which his life may be in danger.
5. Expulsion from national territory does not prejudice any criminal responsibility that the foreign citizen may have incurred.
6. Expulsion may result from:
  - a) Additional penalty of judicial expulsion;
  - b) Autonomous expulsion order.

#### ARTICLE 33 (Additional penalty of judicial expulsion)

1. An additional penalty of expulsion can be applied to a foreign citizen residing in Angola who is sentenced to a prison term.
2. The penalty indicated in the previous section may be applied to a foreign citizen residing in Angola who is sentenced to a penalty of more than two years, while the following should be taken into consideration in its application: the severity of the acts committed, their character, eventual re-incidence, level of participation in social life, time of residence in Angola, the age of the person in question, the consequences for the person and his family members, and the eventual absence of ties to his native country.
3. Without prejudice to the terms of the previous sections, the additional penalty of expulsion may be applied to a foreign citizen with permanent residence in Angola when his conduct represents a sufficiently grave threat to national security or public order.
4. When the additional penalty of expulsion is decreed, the judge will order it to be carried out upon completion of:

- a) Half of the prison term, in the case of sentencing to a term equal to or less than 5 years;
  - b) Two thirds of the prison term, in the case of sentencing to a term of more than 5 years.
5. The judge may, upon a substantiated request from the prison service, and with the consent of the condemned, decide to impose the additional sentence of expulsion once a third of the prison term has been served, in the case mentioned in section b) of the preceding, as long as it is assured that the remainder of the sentence will be served in the destination country.

#### ARTICLE 34 (Autonomous expulsion order)

1. Without prejudice to any international agreements or conventions to which the Republic of Angola is a party, a foreign citizen who commits any of the following acts will be expelled by judicial order:
  - a) Acts against national security or public order;
  - b) Abusively interferes with the exercise of the rights of national citizens to participate in politics;
  - c) Seriously or repeatedly disrespects the laws of the Republic of Angola.
2. The resident foreign citizen can only be expelled by court order.
3. The foreign citizen who commits any of the following acts, among others, will be administratively expelled from national territory:
  - a) Any acts which, if known by the Angolan authorities, would have prevented his entry into the country;
  - b) Failure to work or to possess means of subsistence in the country;
  - c) If a holder of a work visa for subordinate work activity works for any company other than the one that sponsored him without prior authorization from the competent authority;
  - d) If he has been expelled and re-entered the country illegally;
  - e) If he does not comply with a voluntary deportation order from national territory.
  - f) If he enters or remains in national territory illegally;
  - g) If he works independently or for another person without sufficient permission.

#### ARTICLE 35 (Entities qualified to impose expulsion)

1. The Angolan judicial authorities are qualified to impose expulsion orders based on the terms stated in Nos. 1 and 2 of Article 34.
2. The head of the Migration Authority is qualified to impose expulsion orders based on the terms stated in No. 3 of Article 34.

#### ARTICLE 36 (Limits on judicial expulsion)

With the exception of the cases described in sections a) and b) of no. 1 of Article 34 of this Law, a foreigner in either of the following circumstances cannot be expelled:

- a) He was born and resides in Angolan territory;
- b) He has been in Angola since an age of less than 10 years and resides here.

#### ARTICLE 37 (Expulsion process)

1. Whenever the Migration Authority has knowledge of any fact which may constitute a basis for expulsion, it will issue a report containing a summary of the evidence needed to make a decision on expulsion.
2. This report must also include issuance of a notice describing the facts on which the expulsion is based.
3. Following its conclusion, the report organized under the terms of this article is submitted to the appropriate judicial authority within a period of 5 days for the decision, unless it is an administrative expulsion as noted in No. 3 of Article 34, in which case it will be decided within 8 days.
4. Once the report is received, the Judge must schedule a hearing within the next 48 hours, notifying the foreign citizen and witnesses for this purpose.

#### ARTICLE 38 (Decision on expulsion)

1. The decision on expulsion must include
  - a) The basis for the expulsion;
  - b) A ban on re-entry into national territory, with indication of the corresponding time period;
  - c) An indication of the country to which the foreign citizen is to be sent.
2. Execution of the expulsion order includes registration of the person expelled in the Integrated Information System of the Migration Authority.
3. The time frame for execution of the expulsion order cannot exceed 15 days for a resident foreign citizen, or 8 days for a non-resident foreign citizen.

ARTICLE 39 (Time frame for ban on re-entry of an expelled person) The foreign citizen who is subject to an expulsion order is prohibited from re-entering national territory for a period of no less than 5 years, and said period may be extended upon verification of the existence of a serious threat to national security or public order.

ARTICLE 40 (Situation of the foreigner subject to an expulsion order) The foreign citizen who has been issued an expulsion order is held at a Temporary Holding Centre or appropriate facility until the execution of the order.

#### Article 41 (Execution of the expulsion order)

1. The Migration Authority is required to execute the expulsion orders issued under the terms of this Law in cooperation with other entities.
2. The accessory penalty of expulsion can be executed even when the person sentenced is on conditional release.

#### ARTICLE 42 (Notification of the expulsion order)

The appropriate authorities in the country where the foreign citizen is to be sent will be notified of the expulsion order and the execution of the order.

#### Article 43 (Procedural steps)

1. For anything that is not particularly specified in this Law, the terms of a summary hearing described in the Penal Procedure Code will be followed.
2. Deportation processes are urgent in nature and have priority over others.

#### ARTICLE 44 (Deportation expenses)

1. Whenever a foreign citizen cannot bear the expenses resulting from the deportation, those will be borne by the State.
2. Funds to pay the expenses resulting from the deportation are indicated in the budget of the Migratory Authority for this purpose.
3. The foreign citizen whose deportation expenses have been borne by the Angolan State and who has been authorized to re-enter national territory is obliged to refund the amount spent on his deportation.

Any company employing a foreign citizen who is subject to deportation is obliged to bear the expenses related to the deportation.

#### ARTICLE 45 (Appeal)

1. The judicial decision ordering the deportation of the foreign citizen can be appealed under the terms of the law.
2. The decision made by the responsible person in the Migratory Authority can be appealed to the responsible person in the Ministry Department handling migratory matters.
3. An appeal of a deportation decision based on the provisions of Article 34 has only a non-staying effect.

#### ARTICLE 46 (Exit prohibition)

The Migratory Authority can prohibit the exit of foreign citizens provided that:

- a) There has been a judicial decision to prohibit them from leaving the Country;

b) There has been a decision by the Public Ministry to prohibit them from leaving the Country.

#### CHAPTER IV Entry Visas

##### SECTION I Types of Entry Visas

ARTICLE 47 (Types of visas) The types of entry visas are as follows:

- a) Diplomatic, official and courtesy visa;
- b) Consular visa;
- c) Territorial visa.

##### ARTICLE 48

(Diplomatic, official and courtesy visa)

1. Diplomatic, official and courtesy visas are granted by the Ministry Department of Foreign Relations through diplomatic or consular missions authorized for that purpose to the holder of a diplomatic service, special or ordinary passport who enters the Republic of Angola on a diplomatic, service or official visit.
2. The visas referred to in the previous number are valid for 60 days for one or two entries, according to the grant, and allow a stay of up to 30 days.
3. In appropriately justified cases, the diplomatic, official and courtesy visas may be granted for multiple entries with a stay of up to 90 days.

##### ARTICLE 49 (Consular visa)

1. The consular visa is granted by diplomatic and consular missions under the terms of Article 50 et seq. of this Law.
2. The consular visa falls into one of the following categories:
  - a) Transit.
  - b) Tourism;
  - c) Short duration;
  - d) Study;
  - e) Medical Treatment;
  - f) Investor;
  - g) Work;
  - h) Temporary stay;
  - i) For establishing a residence.



#### ARTICLE 30 (Transit Visa)

1. The Transit Visa is granted by Angolan diplomatic and consular missions to the foreign citizen who must transit inside national territory to reach his country of destination.
2. The Transit Visa is valid for 60 days, for one or two entries, and allows a stay of up to 5 days.
3. The Transit Visa cannot be extended.
4. The Transit Visa may be granted exceptionally at the border post to the foreign citizen who interrupts the obligatory transits of his means of transportation in a continuous journey.

#### Article 51 (Tourism Visa)

1. The Tourism Visa is granted by the Angolan diplomatic and consular missions to the foreign citizen who intends to enter the Republic of Angola for family reasons, to visit businesses, to participate in scientific or technological activities, or for visits of a recreational, sporting or cultural nature.
2. The Tourism Visa is valid for 120 days for multiple entries, allows a stay of up to 30 days, and can be extended twice for the same duration.
3. The Tourism Visa does not allow its holder to establish a residence in national territory or exercise any paid activity.
4. The Head of the Executive Branch can grant a tourism visa at the border posts under terms to be defined in the regulation.

#### ARTICLE 52 (Short Duration Visa)

1. The Short Duration Visa is granted by the diplomatic and consular missions to the foreign citizen who must enter national territory for urgent reasons.
2. The Short Duration Visa is valid for 72 hours and allows a stay in national territory of up to 10 days.
3. The Short Duration Visa can be extended once for the same duration.
4. Granting a Short Duration Visa does not require prior authorization by the Migratory Authority, it is enough to inform that it has been granted.
5. The Short Duration Visa does not allow its holder to establish a residence in national territory or to exercise any paid activity.

#### ARTICLE 53 (Study Visa)

1. The Study Visa is granted to the foreign citizen by the Angolan diplomatic and consular missions and its purpose is to allow the entry of its holder into national territory in order to attend a study program in public or private schools, as well as in centres for

professional education to obtain an academic or professional degree, or to participate in trainee programs in public or private companies and services.

2. The Study Visa is valid for multiple entries, allows for a stay of up to one year, and can be extended for the same duration until the completion of the studies.
3. The Study Visa does not allow its holder to establish a residence in national territory or to exercise a paid activity, except for a trainee program related to his education.

#### ARTICLE 54 (Medical Treatment Visa)

1. The Medical Treatment Visa is granted to the foreign citizen by the Angolan diplomatic and consular missions, and its purpose is to allow the entry of its holder into national territory in order to receive treatment in a public or private hospital unit.
2. The Medical Treatment Visa allows multiple entries and a stay of up to 180 days.
3. If appropriately justified, the medical treatment visa may be extended until the treatment is concluded.
4. The Medical Treatment Visa does not allow its holder to exercise any type of labour activity or to establish a residence in national territory.

#### ARTICLE 55 (Work Visa)

1. The Work Visa is granted by the diplomatic and consular missions, and its purpose is to allow its holder to enter Angolan territory in order to exercise a paid professional activity.
2. The Work Visa is valid for multiple entries, allows a stay of up to 365 days, and can be extended for the same duration until the end of the contract.
3. The contracting entity must inform the Migratory Authority of any change in the duration of the contract for the purposes of this Law.
4. The Work Visa only allows its holder to exercise the professional activity which justified its grant and enables him to work exclusively at the service of the employer that requested it.
5. Without prejudice to the provisions in the previous numbers, in matters of public interest, the responsible person in the Ministry Department who handles migratory issues, may authorize the grant of a Work Visa in national territory under a proposal by the Migratory Authority.
6. The extension of a Work Visa requires proof of compliance with the fiscal obligations by the employer and with social security regarding the foreign worker in question.
7. The Work Visa does not enable its holder to establish a residence in national territory.

#### ARTICLE 56 (Temporary Stay Visa)

1. The temporary stay visa is granted by the diplomatic and consular missions, and its purpose is to allow entry into national territory based on the following:
  - a) Carrying out a mission in a religious institution or non-governmental organization;
  - b) Performing a scientific investigation, mobility and university extension;
  - c) Accompanying a family member who holds a Study, Medical Treatment, Investor or Work Visa;
  - d) Be a family member of the holder of a valid residence visa;
  - e) Be the spouse of a national citizen.
2. The Temporary Residence visa allows multiple entries and a stay of 365 days, extendable for an equal period of time until the end of the reason for its issuance.
3. The Temporary Residence visa can also be granted as a subsidiary protection measure for humanitarian reasons when it is verified that situations are not applicable to the provisions set forth in the Law governing the Right to Asylum and, in the case of victims of criminal offences in the workplace, through confirmation by a competent legal authority or General Labour Inspection, so long as the victim demonstrates clear intent to collaborate with the authorities in the investigation and persecution of the crime.
4. The Temporary Residence visa can, in exceptional cases, be granted to the foreign citizen in a labour dispute with his employer through confirmation by the court in which the respective case is being processed, as long as the normal continuation of the legal-professional relationship is not possible.
5. The Temporary Residence Visa has legal foundation in what is set forth in numbers \* 3 and 4 and is granted for a period of six months, renewable until the conclusion of the process.
6. A Temporary Residence Visa granted with legal foundation in provisions set forth in b), c), d) and e) of law number 4 of this article allows the recipient to hold gainful employment.
7. The Temporary Residence Visa under provisions number \* 3 and 4 of this article is granted on national territory through authorization by an official of the Immigration Authority.
8. In exceptional cases, a Temporary Residence Visa can be granted in national territory to the companion of the holder of a Student Visa, Medical Treatment Visa, Research Visa, Work Visa, the holder of residency authorization or the spouse of a national citizen.
9. The Temporary Residence Visa does not grant the holder the right to seek permanent residence in national territory, except in cases provided for in sub-paragraphs d) and

e) of no. 1 of this article, requiring that the residency authorization be requested in the two years following the granting of the Temporary Residence Visa.

#### ARTICLE 57 (Permanent Residence Visa)

1. The Permanent Residence Visa is granted by diplomatic missions and consulates in Angola to the foreign citizen that seeks to establish residence in national territory.
2. The Permanent Residence Visa is granted for multiple entries and is valid for a period of 90 days.
3. The Permanent Residence Visa enables the holder to seek gainful employment.

#### ARTICLE 58 (Territorial Visa)

The Territorial Visa is granted on national territory by the Immigration Authority under the provisions of articles 59 and 60 of this Law, and can include:

- a) Investor Visa;
- b) Border Visa.

#### ARTICLE 59 (Investor Visa)

1. The Investor Visa is granted by the Immigration Authority to the foreign citizen that is an investor, representative or attorney of investment companies for the purpose of engaging in investment activities, so long as the company is registered by the competent public administration organization under the terms of the Private Investment Law.
2. The Investor Visa allows multiple entries and a stay of up to two years, extendable for equal periods of time in accordance with the reason for its issuance.
3. Temporary residence can be granted to the investor with three years of continuous stay in national territory with an Investor Visa, by means of a previous declaration of the entity responsible for the private investment certifying that the project remains valid.
4. The condition set forth in the previous number does not apply to the representative or attorney of the investor.

#### ARTICLE 60 (Border Visa)

1. The Border Visa is granted by the Immigration Authority at border stations and is intended to allow entry by the foreign citizen into national territory for unforeseen and well-founded reasons, with the requestor not having submitted a request for a visa at a consular office. The visa is intended to enable the assembly of equipment, to provide technical post-sale assistance or to perform another similar activity.
2. The Border Visa is valid for a single entry and allows the recipient to stay in national territory for a period of 15 days without extension.

3. The Border Visa is granted by the official of the Immigration Authority.
4. The Border Visa does not grant the holder the right to establish residence in the country nor to seek gainful employment, except for the activities set forth in number 1 of this article.

## SECTION II General Conditions for Granting Entry Visas

### ARTICLE 61 (General conditions for granting visas)

The granting of entry visas in national territory must meet to the following conditions:

- a) Have a travel document valid for a period of at least six months;
- b) Have a travel document that is recognized and valid in Angolan territory;
- c) Be of the age of majority or, if a minor, have written authorization from parents, legal representative or legal guardian, except in cases provided for in Number 3 of Article 16 of the current Law;
- d) Not be included in the national list of undesirable individuals for entry into national territory;
- e) Not represent a danger to public order or to national security interests under the terms of the law;
- f) Have met all the medical provision requirements for entry into national territory.

### ARTICLE 62 (Authorization for granting visas)

The granting of entry visas by diplomatic missions and consular offices requires prior authorization by the Immigration Authority except in the cases set forth in article 48.50 and 52, the granting of which requires communication on a timely basis.

### ARTICLE 63.(Granting of a Transit Visa)

To obtain a Transit Visa, the applicant must demonstrate that he holds an entry visa and a travel ticket to the destination country in addition to what is set forth in article 61.

### ARTICLE 64 (Granting of a Tourist Visa)

In addition to the requirements set forth in article 61, the granting of a Tourist Visa requires the applicant to prove means of subsistence and a return ticket to the country of origin or to another destination.

### ARTICLE 65.(Granting of a Short Stay Visa)

In addition to the requirements set forth in article 61, the granting of a Short Stay Visa requires the presentation of documentation that verifies the reason for entry into national territory.

### ARTICLE 66 (Granting of Student Visa)

1. In addition to the requirements set forth in Article 61, the granting of a Student Visa requires the following:
  - a) Confirmation of enrolment or internship through a document issued by the respective educational establishment, company or institution;
  - b) Proof of means of subsistence and accommodation;
  - c) Presentation of criminal background check and medical certificate issued by the authorities of the country of origin or residence;
  - d) For minors, presentation of a consent form authored by parents or legal guardians under the terms of Angolan law and of the country of origin.
2. If the foreign national is the beneficiary of a scholarship or is covered by an agreement between an Angolan institution and a foreign institution, the provision set forth in subparagraph b) of the previous number is waived.

#### ARTICLE 67 (Medical Treatment Visa)

For the granting of a Medical Treatment Visa, if the foreign citizen is not the beneficiary of an agreement between his country of origin and Angola, the following requirements must be met in addition to the provisions set forth in Article 61:

- a) Possess proof of confirmation of the medical consultation by means of a document issued by a hospital unit;
- b) Provide proof of means of subsistence and accommodation;

#### ARTICLE 68 (Issuance of Work Visa)

1. For issuance of a WORK Visa, in addition to the terms of the preceding Article 61, the following specific requirements must be met:
  - a) Possess an employment contract or promise of employment;
  - b) Possess a certificate of literacy and professional skills;
  - c) Possess a Curriculum Vitae;
  - d) Possess a certificate of Criminal Background Check issued by the authorities of the country of residence.
  - e) Possess proof of deposit of repatriation fee;
  - f) Possess a medical certificate from the country of origin;
  - g) Possess a favourable report from the Ministry Department which oversees the sector of activity in which the work is to be performed.
2. The department which oversees the sector of activity must issue a negative report whenever one of the following situations is verified:
  - a) Non-compliance on the part of the sponsoring entity with its tax obligations;

- b) The existence of national citizens who are qualified and available to do the work;
- c) The lack of a published announcement in a newspaper with wide circulation of the offer of work directed toward national citizens.

#### ARTICLE 69 (Issuance of temporary resident visa)

For issuance of a temporary resident visa, in addition to the requirements in Article 6, the following conditions must be met:

- a) Show proof of the intended purpose of the stay;
- b) Possess a certificate of Criminal Background Check issued by the authorities of the country of habitual residence;
- c) Provide proof of means of subsistence and accommodation;

#### ARTICLE 70 (Issuance of Visa for Establishment of Residence)

For issuance of a Visa for Establishment of Residence, in addition to the requirements stated in Article 61, the following conditions must be met: a) Provide proof of means of subsistence and accommodation; b) Possess a certificate of Criminal Background Check issued by the authorities of the country of origin; c) Possess a medical certificate issued by the health authorities of the country of origin.

### SECTION III Entry Visa Issue Types

#### ARTICLE 71 (Issue Types)

1. The entry visa is issued individually except in the case of Transit, Short Duration, Tourism, and Ordinary visas, which may be issued collectively.
2. The entry visa is issued individually when applied for with an individual passport.
3. The entry visa is issued collectively when applied for with a group passport or other travel document for group travel, and the group must have at least five and no more than 50 people.

#### ARTICLE 72 (Change of Entry Visa)

1. When required by circumstances and duly substantiated reasons, the foreign citizen who possesses a Tourist Visa may request that the same be changed to a Visa for Medical Treatment.
2. The situation described in the preceding section also applies to changing a Student Visa to a Work Visa or a Temporary Resident Visa to an authorization for residence.
3. The appropriate officer of the Migration Authority must authorize the change in the types of entry visas described in Nos. 1 and 2 of this Article.

#### ARTICLE 73 (Refusal of a request for an entry visa)

1. The diplomatic and consular mission that rejects any request for an entry visa must communicate the identification data of the requestor to the Migration Authority, as well as the reason for refusal.
2. Requests that do not meet the requirements set by this Law or that are found to be insufficiently substantiated will be denied.

#### ARTICLE 74 (Time frame for issuance of report)

1. Any agency that receives a request for a specific migratory action must respond within a period of 5 business days, or it will be presumed that a favourable report is issued.
2. For Work Visas, Authorizations for Residence, and Temporary Residence Visas, the reports must be issued within a period of 15 business days.

#### SECTION IV Extension of Residence

##### ARTICLE 75 (Basis for extension)

Extension of the time period for residence in the country can only be authorized for duly substantiated cases, as long as the reasons for issuing the entry visa remain valid.

##### ARTICLE 76 (Competence)

The extension of the time period for residence of the entry visa is under the authority of the official from the Migration Authority.

#### CHAPTER V Authorization for Residence

##### ARTICLE 77 (Request for authorization for residence)

1. The request for authorization for residence in the Republic of Angola must be made by the interested party to the Migration Authority.
2. The request may include the spouse, minor children, or disabled persons who are legally under the care of the person making the request.

##### ARTICLE 78 (General conditions for the issuance of authorizations for residence)

1. Without prejudice to the special conditions applicable to the issuance of authorizations for residence, the person making the request must meet the following cumulative requirements:
  - a) Presence in Angolan territory;
  - b) Possession of valid visa for establishment of residence;
  - c) Not have committed acts which, if known by the Angolan authorities, would have prevented his entry into the country;
  - d) Not have been sentenced to a prison term of more than 2 years in national territory;
  - e) Possession of means of subsistence and accommodation;



- f) No indication in the information system of the Migration Authority which would prevent his admission.
2. Without prejudice to the applicable special conditions, issuance of the Authorization for Residence may be denied for reasons of national security or public order.
3. The request for Authorization for Residence must be decided within a period of 30 days from the submission of the same.

#### ARTICLE 79 (Authorization of Residence in special situations)

Foreign citizens who meet the following criteria do not require a visa to obtain authorization for temporary residence:

- a) Minors, born in Angolan territory, who have remained and are enrolled in any educational establishment, children of foreign citizens who have authorization for residence;
- b) Children of persons with authorization for residence who have reached legal majority age and have remained habitually in the country since reaching 10 years of age;
- c) Persons of legal majority age, born in national territory, who have not left the country or have remained there since before reaching 10 years of age;
- d) Minors who are required to attend school under the terms of the law;
- e) Those who no longer benefit from the right to asylum in Angola due to cessation of the reasons based on which they acquired said protection.

#### ARTICLE 80 (Types of Authorization for Residence)

There are two types of residence permits:

- a) Authorization for Temporary Residence;
- b) Authorization for Permanent Residence.

#### ARTICLE 81 (Authorization for Temporary Residence)

The Authorization for Temporary Residence is valid for a period of 2 years, counted from the date of issue and renewable for equal periods of time.

#### Article 82 (Authorization for Permanent Residence)

The Authorization for Permanent Residence does not have a limit on validity, and is issued to a foreign citizen with 10 consecutive years of temporary residence, however, it must be renewed every 5 years.

#### ARTICLE 83.º (Identity document)

1. The residence permit constitutes, for legal purposes, the identification document for the resident foreign citizen.

2. The samples of the residence permits referred to in Article 80 of this law are approved by the Executive Authority.

#### ARTICLE 84 (Renewal of Authorization for Residence)

1. Renewal of the authorization for residence must be requested by the interested party prior to its expiration.
2. The authorization for residence will only be renewed for the foreign citizen who:
  - a) Possesses means of subsistence and lodging;
  - b) Has met his tax and social security obligations.
3. The authorization for residence may not be renewed for reasons of national security or public order.
4. Without prejudice to the terms of Articles 81 and 82, the residence authorization document must be renewed whenever any of the identifying elements contained in it have changed, or in case it is lost or destroyed.
5. In the event of loss or theft, the fact and the circumstances must be reported to the Immigration Authority by means of a police report.

#### ARTICLE 85 (Residency permit renewal in special cases)

1. Residency permits for the foreign citizen serving a prison sentence may only be renewed provided that there has been no deportation order.
2. Applications for renewing expired residency permits for the foreign citizen who has served a prison sentence shall not carry a penalty if submitted up to 30 days after he is released, at the end of which the provisions of Article 122 (2) of this Law will apply.

#### ARTICLE 86 (Revocation of residency permit)

1. Residency permits granted to the foreign citizen must be revoked whenever:
  - a) He remains out of the country for 6 consecutive months without justification during the period of validity of the residency permit;
  - b) Requirements for residence in national territory are not met;
  - c) There is no evidence he is undertaking any type of useful activity;
  - d) He is undermining internal order or national security;
  - e) He has been subject to a deportation order from national territory;
  - f) He has carried out acts which would have prevented it being granted had the Angolan authorities been aware;
  - g) The residency permit was granted on the basis of false or misleading statements, false or falsified documents or by fraudulent means;

- h) The marriage, partnership or adoption took place for the sole purpose of enabling the person concerned to reside in the country.
- 2. Revocation of the residency permit shall be notified to the person concerned, with an indication of the reasons for the decision and entails the confiscation of the relevant document, and the consequent notice of leaving national territory, under this Law.
- 3. Absence beyond the limits set out in a) of No. 1 of this Article must be justified by notification to the Immigration Authority before the resident leaves the country, or after, in exceptional cases.
- 4. The foreign citizen whose residency permit has been revoked is advised by the Immigration Authority to leave the country voluntarily within the prescribed period, which under no circumstances shall exceed 20 days.
- 5. The head of the Immigration Authority is authorised to revoke residency permits.

#### ARTICLE 87 (Exceptions)

- 1. Temporary residency permits may, exceptionally, be granted by the Government to foreign citizens who do not meet the requirements of this Law, on the recommendation of the Immigration Authority or initiated by the head of the Ministerial Department that handles migration matters, when extraordinary situations are identified, in which the provisions in Article 78 do not apply, namely:
  - a) Reasons of national interest;
  - b) Humanitarian reasons;
  - c) Reasons of public interest resulting from relevant activity in the fields of science, technology, culture, sport, economics or society.
- 2. Decisions on residency permits made under the framework for exceptions set out in this Article must be duly substantiated.

#### ARTICLE 88 (Right to family reunification)

- 1. The citizen with a valid residency permit has the right to family reunification with family members located outside Angola with whom he has lived in another country, who depend on him or cohabit with him.
- 2. The right to family reunification is also recognised with family members who have legally entered the country and who depend on or cohabit with the holder of a valid residency permit.
- 3. For the purposes of applying the provisions above, family members are:
  - a) Spouses or duly acknowledged partners;
  - b) Minor children or incapacitated children under the custody of the couple or of one spouse;

- c) Children dependent on the spouse or unmarried applicant, under a decision made by the competent authority in the country of origin, provided that the decision is recognised in Angola;
- d) Children of legal age who are dependent on both parents, provided they are single and studying in an educational establishment in Angola;
- e) Direct first degree ascendants of the resident or his spouse, who are dependent on him.

#### ARTICLE 89 (Children born in Angola)

Children born in Angola have the same residency status as either of their parents, one of whom, for the purposes of issuing a residency permit, must submit the relevant application within 6 months of the birth of the child.

#### CHAPTER VI Data Registration

##### ARTICLE 90 (Residency registration)

The foreign citizen holding visa for establishing residence is required to register with the local government service in the place of residence within 15 days of entering national territory.

##### ARTICLE 91 (Data registration)

1. The civil registration services shall provide to the Immigration Authority copies of marriage, partnership and death registrations of foreign citizens, and acquisition, reacquisition or loss of Angolan nationality within 15 working days of these occurrences.
2. The courts shall provide to the Immigration Authority certifications of guilty verdicts delivered in criminal cases against foreign citizens within the same period as in the previous item.
3. Children of foreign parents resident in Angola, born in Angola, must be registered with the Immigration Authority within 180 days under the provisions of Article 89 of this Law.

##### ARTICLE 92 (Registration of and information on visitors)

1. Tourist and local accommodation establishments, and all those which accommodate non-resident foreign citizens, are required to state such fact to the Immigration Authority or the closest police unit within 48 hours of such accommodation.
2. Those noted in the item above shall send the guest register by any means available to confirm their statement.

##### ARTICLE 93 (Accommodation report)

1. The accommodation report is intended to enable monitoring of the stays of non-resident foreign citizens in national territory.
2. The accommodation report template is defined by regulation.
3. The Immigration Authority is responsible for inspecting the establishments' compliance with the provisions of Article 92.

## CHAPTER VII Travel Document for Issue to Foreign Citizens

### ARTICLE 94 (Travel documents)

The Angolan authorities may issue the following travel documents to foreign citizens:

- a) Alien passport;
- b) Safe conduct,
- c) Other documents defined by law or international conventions to which the Republic of Angola is a party.

### ARTICLE 95 (Alien's passports)

1. The foreign citizen legally resident in Angola may be granted a passport when he can demonstrate that it is impossible for him to obtain travel documents from his country of origin to exit national territory.
2. Passports will be issued to foreign nationals in compliance with the provisions set out in the law.

### ARTICLE 96 (Safe conduct)

1. An undocumented foreign citizen may be granted safe conduct for the sole purpose of allowing one-time entry into national territory.
2. The Immigration Authority and the relevant Ministerial Department that handles Foreign Affairs are responsible for issuing safe conduct.
3. The safe conduct model is defined in its own act, to be determined by the Government.

### ARTICLE 97 (Travel permit for refugees)

The foreign citizen resident in Angola as refugee, in accordance with the law on the Right to Seek Asylum, may obtain a travel permit to be approved under a separate statute.

## CHAPTER VIII Infractions

### SECTION I General Terms

### ARTICLE 98 (Migratory Infraction)

Migratory infraction is conduct engaged in by a national or foreign citizen by action or omission which contradicts the terms of this Law and may constitute a crime or transgression.

#### ARTICLE 99 (Illegal entry and residence)

1. The entry of foreign citizens into Angolan territory is illegal when it is done in violation of the terms of Articles 13, 14 and 18 of this Law.
2. The residence of foreign citizens in Angolan territory is considered illegal when it has not been authorized according to the terms of this Law or the Law Regulating the Right to Asylum.

#### ARTICLE 100 (Criminal and civil responsibility of legal persons)

1. Legal persons are liable for the infractions described in this Law.
2. The entities referred to in the previous section, when implicated, will respond jointly, under the terms of civil law, for the payment of fines and other sanctions which are imposed on the agents of the infractions described in this Law.

#### ARTICLE 101 (Penalty of fine for legal persons)

1. The penalty of fine is set by the number of days, with a minimum of 10 days and a maximum of 360 days.
2. Every day of fine corresponds to an amount that the court sets according to the economic and financial situation of the legal person and its liability to its workers, and when appropriate, the following rules apply:
  - a) The court may authorize the payment of the fine within a period not to exceed one year, or allow the payment in instalments, while the final payment may not be made more than 2 years following the issuance of the sentence in court;
  - b) Within the limits given in the previous section, and when justified by subsequent events, the initially established terms of payment may be altered;
  - c) Failure to pay any of the assigned instalments will cause all to become due.
3. Once the time frame for payment of the fine or any of its instalments has ended without payment being made, the property of the legal person or related entity will be seized.

#### ARTICLE 102 (Penalty of dissolution)

The penalty of dissolution is applied when the legal person or related entity has been created with the exclusive or predominant intention of committing the crimes described in this Law, or when the repeated practice of said crimes demonstrates that the legal person or related entity is being used exclusively or predominantly for this purpose.

#### SECTION II Criminal Provisions

#### ARTICLE 103 (Assisting illegal immigration)

1. Any person who assists a foreign citizen in entering Angolan territory illegally for profit is subject to a prison term of 7 to 12 years.
2. Punishable by a prison term of 3 to 7 years and corresponding fine:
  - a) Any person who assists a foreign citizen in entering Angolan territory illegally without profit;
  - b) Any person who shelters or conceals in any way the presence of a foreign citizen in an illegal situation.
3. An attempt is punishable with the same penalty applicable to the crime itself, with special attenuation.
4. For the effects of the previous sections, the capacity as a public official will constitute an aggravating factor.
5. If the events described in No. 1 were carried out transporting or holding the foreign citizen in inhuman or degrading conditions, putting his life at risk, or causing serious harm to his physical integrity or death, the agent will be punished with a prison sentence of 12 to 15 years.

#### ARTICLE 104 (Organization or assistance to illegal immigration)

1. Any person who creates an association, organization, or group which has the objective of committing the crimes described in the previous article will be punished with a prison term of 12 to 16 years.
2. The same penalty will be applied to those who lead said associations, organizations, or groups, and those who are members of the same.
3. An attempt is punishable with the same penalty applicable to the crime itself, with special attenuation.

#### ARTICLE 105 (Solicitation of illegal labour)

1. Anyone who seeks or solicits, for the purpose of introducing foreign citizens who do not have authorization for residence into the labour market or enables the same to perform a professional function, whether for oneself or a third party, will be subject to a prison term of 5 to 10 years.
2. If the crime described in the previous section is committed by a legal person, the same will be punished with a fine under the terms of this Law.
3. An attempt is punishable with the same penalty applicable to the crime itself, with special attenuation.

#### ARTICLE 106 (Illegal employment of foreigners)

1. Anyone who uses the labour of a foreign citizen who does not have authorization for residence or enables the same to perform a professional function in Angola will be punished with a prison term of 5 to 10 years and a fine of up to 250 days.
2. If the behaviour described in the preceding section occurs under working conditions that are particularly abusive or degrading, the agent will be punished with a prison term of 8 to 12 years, if a more severe punishment is not provided for under another legal statute.
3. The employer or user of the work or services of a foreign citizen in an illegal situation, with knowledge that the same is a victim of crime linked to human trafficking, will be punished with a prison term of 12 to 16 years.
4. If the crimes described in the preceding sections are committed by a legal person, the same will be punished with a fine under the terms of this Law.
5. An attempt is punishable with the same penalty applicable to the crime itself, with special attenuation.

#### ARTICLE 107 (False information and falsification of documents)

1. Anyone who provides false information in order to obtain a visa, travel document, or authorization for residency for himself or another person commits an infraction punishable with a prison term of 3 to 8 years.
2. Anyone who deliberately falsifies a travel document commits an infraction punishable by a prison term of 3 to 5 years.

ARTICLE 108 (Obstruction of act by a migration agent) Anyone who does the following is punishable with a prison term of 1 to 5 years:

- a) By means of violence, threat, or fraud, impedes any authorized migration agent from performing his functions;
- b) Impedes searches or any diligence under the responsibility of the migratory authority;
- c) Impedes the detention of a person or sheltering a person who should be detained or kept in custody;
- d) Hinders or prevents the execution of an inspection.

#### ARTICLE 109 (Usurpation of the functions of a migration agent)

Anyone who improperly uses the name, usurps the functions, title, uniform, or insignia of a migration agent or other person with delegated powers or authority with the intention of committing an illicit act, or who alleges a false order by the Migration Authority, is punishable with a prison term of 1 to 5 years.

#### ARTICLE 110 (Counterfeiting, use of stamps and seals)



1. Anyone who damages, falsifies, or counterfeits the stamps, marks, and seals used by the Migration Authority with the intention of presenting them as authentic or intact is punishable with a prison term of 5 to 8 years.
2. An immigration official who commits any act described in the previous section will be punished with a prison term of 8 to 12 years.

#### ARTICLE 111 (Marriage or domestic partnership of convenience)

1. Anyone who enters into a marriage or lives in a domestic partnership with the sole objective of allowing the partner to obtain a visa, an authorization for residence, or defrauding the current legislation on the acquisition of citizenship will be punished with a prison term of 5 to 10 years.
2. Anyone who organizes, promotes or creates conditions for the practice of acts provided for in the previous number is punishable with imprisonment from 5 to 8 years.
3. An attempt is punishable with the same penalty applicable to the crime itself, with special attenuation.

#### Article 112 (Investigation and stage)

1. Without prejudice of the attributions of other entities, it is for the Migratory Authority to investigate the crimes provided for in this chapter and other crimes connected to it, such as human trafficking and document forgery.
2. The evidentiary stage resulting from the crimes referred to in the previous number is the responsibility of the Migratory Authority under the direction of the competent judicial authority.

#### SECTION III Contravention Provisions

##### ARTICLE 113 (Illegal permanence)

1. The permanence of a foreign citizen in national territory for a duration longer than authorized is a punishable transgression with a fine provided for in the regulation of this law, and its application should not exceed 30 days.
2. After this period, the citizen will be subject to deportation in the terms of Article 36 et seq., followed by a ban of entry, and his return to national territory will be subject to paying a fine.
3. The same fine is applied when the violation provided for in No. 1 is detected when leaving the country.

##### ARTICLE 114 (Non-authorized access to the international zone of a seaport or airport)

1. Access to the international zone of a seaport or airport by a person that is not authorized to do so by the Migratory Authority is a punishable violation with a fine provided for in the regulation of this Law.
2. Boarding access to a vessel by a person that is not authorized to do so by the Migratory Authority is a punishable violation with a fine provided for in the regulation of this Law.

ARTICLE 115 (transportation of a person whose entry into the Country is not authorized)

1. Transporting into national territory a foreign citizen who does not have a valid travel document or visa, by a carrier or any person, is a punishable violation for each foreign citizen transported, with a fine provided for in the regulation of this Law.
2. Without prejudice to the application of the fine provided for in the previous number, the violator is subject to the provisions of Article 25 of this Law.

ARTICLE 116 (Failure to transmit data)

Carriers that have not transmitted the passenger information they are responsible for according to Article 26 of this Law, or that have done so incorrectly, incompletely, falsely or after the due date, are punishable for each trip with a fine provided for in the regulation of this Law.

ARTICLE 117 (Exercise of unauthorized professional activity)

1. The exercise of a professional activity, independently or on behalf of others, by a foreign citizen who does not hold the appropriate title is a punishable violation with a fine provided for in the regulation of this Law, without prejudice of the deportation from national territory in the terms provided for in Item g), Paragraph 3 of Article 34 of this Law.
2. The exercise of a professional activity by a foreign citizen in a different company from the one which requested the respective work visa is a punishable violation with a fine referred to in the previous number, without prejudice of the deportation from national territory in the terms provided for in Item c), Paragraph 3 of Article 34 of this Law.
3. Any employer who allows the exercise of a professional activity by a foreign citizen in the conditions described in the previous number is subject to a fine provided for in this regulation, without prejudice of other obligations resulting from the deportation from national territory of that citizen.
4. The practice of the violations provided for in the previous number may lead to accessory sanctions in the form of a restriction from hiring non-resident foreign employees for a period of 5 years.

ARTICLE 118 (Using the activities performed by an illegal foreign citizen)

1. Whoever uses the activities performed by an illegal foreign citizen is subject to the fine provided for in the regulation of this Law.

2. In addition to the fine provided for in the previous number, the employer or user is responsible for:
  - a) The fines resulting from non-compliance with the labour law when applicable;
  - b) The fines resulting from not declaring income subject to discounts to the Tax Administration and Social Security regarding the provision of labour by the foreign worker whose activity was illegally used;
  - c) The payment of the necessary expenses for the stay and deportation of the foreign citizens involved.
3. The Migratory Authority publishes in its portal and sends information to the competent administrative authority whenever the exercise of activities by the violator lacks administrative permissions such as permits, licences and work authorizations for the purposes of registration and potential cancelling of such permissions.

#### ARTICLE 119 (Inspection)

The Migratory Authority has the jurisdiction to perform regular inspections in order to control the activities of foreign citizens in national territory.

#### ARTICLE 120 (Failure to register a minor)

The lack of a request of the residence authorization referred to in Article 89 is a punishable violation with a fine provided for in the regulation of this Law.

ARTICLE 121 (Failure to communicate accommodation) Not presenting an accommodation report in the terms of Article 93 is a punishable violation with a fine provided for in the regulation of this Law.

#### Article 122 (Failure to renew residence authorization)

1. The foreign citizen who requests his temporary residence to be renewed after the period provided for in Paragraph 1 of Article 84 is subject to a fine provided for in the regulation up to 30 days after the limit of validity of the authorization.
2. The residence authorization will not be renewed after the expiration of the period provided for in the previous number and will be immediately cancelled, and its holder notified to voluntarily leave national territory in the terms provided for in this Law.

#### ARTICLE 123 (Failure to update residence authorization)

The failure to update the residence authorization in the terms provided for in Paragraph 4 of Article 84 of this Law is a punishable violation with a fine provided for in the regulation of this Law.

#### ARTICLE 124 (Failure to communicate change of address)

1. Any resident foreign citizen who does not communicate a change of address is subject to a fine provided for in the regulation of this Law.

2. The same fine is applied to any foreign citizen who does not comply with the provisions of Article 89 of this Law.

#### ARTICLE 125 (Failure to pay a fine)

1. In the cases where the law allows the renewal of a residence authorization or an extension of stay, those cannot be granted if the applicable fine is not paid after the transgression.
2. The fines provided for in this Document must be paid within 15 days counting from the decision which determined them.
3. Failure to voluntarily pay the fines within the established period will lead to forwarding the files to the representative of the Public Ministry with the competent Court in order to carry out the execution of the fine in the terms of the administrative litigation law.

Without prejudice of the provisions of the previous number, in the case of a legal person, failure to pay the fine gives the Migratory Authority the right to proceed with its registration in the Integrated Information System, creating the conditions of the issue of any act in its favour.

#### ARTICLE 126 (Updating the fines)

The fines provided for in this Law must be updated according to the financial, monetary and exchange policies of the Executive Branch.

#### ARTICLE 127 (Destination of the fines)

The product of the fines applied in the terms of this Law are distributed in the terms of the law.

#### ARTICLE 128 (Competence for the application of fines)

The application and collection of the fines provided for in this Law is the competence of the responsible person in the Migratory Authority.

### CHAPTER IX Taxes

#### ARTICLE 129 (Applicable regime)

1. Fees to be paid for consular visas are shown in the table of consular fees, as approved by the Executive Power.
2. Fees and other charges to be paid in Angola for administrative processes foreseen in this Law are approved by the Executive Power.

#### ARTICLE 130 (Exemption from paying fees)

Nationals of countries with which Angola has made agreements on fees are exempt from paying the fees established by this Law.

## CHAPTER X Final Provisions

### ARTICLE 131 (Identification of foreigners)

1. The Immigration Authority may seek means of civil identification provided for in the law, specifically obtaining facial images and fingerprints, and biometrics where possible.
2. Personal data is recorded in an Integrated Information System managed by the Immigration Authority.
3. Collection of data for processing complies with and is necessarily limited to what is strictly necessary for managing the control of the entry, stay and exit of foreign citizens, prevention of specific threats or punishment for a particular criminal offence under their tasks and powers.
4. In addition to the personally identifying information, the data collected for processing may include judicial decisions which, by law, are communicated to the Immigration Authority, participation or evidence of participation in illegal activities and/or the reason for which the person is flagged.
5. The collection, processing, retention, alteration, deletion, addition, destruction or communication of personal data from the Immigration Authority's Integrated Information System complies with the legal provisions on Data Protection.

### ARTICLE 132 (Duty of cooperation)

1. The Government's services and agencies shall certify that the institutions with which they makes administrative agreements do not employ illegally resident foreign citizens.
2. The services and agencies noted above may terminate, with just cause, agreements made if, prior to their award, the private institutions had employed illegally resident foreign citizens.

## CHAPTER XI Transitional Provisions

### ARTICLE 133(Residency permits)

1. Holders of Type A Temporary Residency Cards issued under Article 82 of Law 2/07 of 31 August are deemed holders of Temporary Residency Permits under Article 81 of this Law.
2. Holders of Type B Residency Cards issued under Article 83 of Law 2/07 of 31 August are deemed holders of Permanent Residency Permits under Article 82 of this Law.
4. Holders of Privileged Visas issued under Article 49 of Law 2/07 of 31 August are deemed holders of Investor Visas under Article 59 of this Law. The foreign citizen in any of the situations covered in the points above will benefit, within the term of

validity of his permit or visa, from its replacement under the provisions related to permit or visa renewal established in this Law.

ARTICLE 134 (Regulation) The Executive Power is responsible for regulating this Law.

ARTICLE 135 (Revocation order)

1. All provisions which contradict the provisions of this Law, namely, Law 2/07 of 31 August, are hereby revoked.

ARTICLE 136 (Issues and omissions)

Any issues and omissions arising from the interpretation and application of this Act will be resolved by the National Assembly of Angola.

ARTICLE 137(Entry into force)

This Law enters into force 60 days after the date of its publication.

Reviewed and approved by the National Assembly in Luanda on 23 January 2019.

President of the National Assembly, Fernando da Piedade Dias dos Santos.

Enacted on 13 May 2019.

To be published.

President of the Republic, João Manuel GONÇALVES LOURENÇO.

Law No 14/19 of 23 May

The evolution of civil aviation in all its forms means that Law 1/08 of 16 January - Civil Aviation Law must be revised, with the fundamental objective of adapting it to the current reality and national and international socio-political dynamics.

The new regulatory body of the National Civil Aviation System must be adapted, granting it authority and independence, in order to respond to the requirements of Doc 9374 of the International Civil Aviation Organization, which requires Member States to have an effective monitoring organisation.

Given that the Angolan State is subject to compliance with all obligations deriving from all international agreements on civil aviation with which it is associated;

Insisting on meeting Article 199(3) of the Constitution of the Republic of Angola, which specifies that independent administrative institutions and agencies are created by law;

The National Assembly approves, by popular mandate, under the combined provisions of Article 165(2) and Article 166(2)(d) of the Constitution of the Republic of Angola, as follows:

**CIVIL AVIATION LAW**

**CHAPTER I General Provisions**

## ARTICLE 1 (Object)

This Law sets out the principles and rules to be followed in aviation services, auxiliary services, aviation facilities, certification of aviation equipment and personnel, and an aviation authority organisation and its powers, within civil aviation.

## ARTICLE 2 (Scope of application)

Notwithstanding the provisions of treaties, conventions and other international agreements to which Angola is party, this law governs all the civil aviation activities in Angolan and international air space under Angolan jurisdiction.

## ARTICLE 3 (Airspace sovereignty)

1. The State exercises its sovereignty over the entire Angolan territory, which includes its land, interior waters and territorial sea, and the air space, soil and subsoil, sea floor and corresponding sea-beds.
2. Angolan territory is considered to cover all aircraft with an Angolan aviation registration, wherever they are located.
3. All Angolan civil aircraft are considered territory of the Angolan State when on the open sea or in territory that does not belong to any state, or when flying over these.

ARTICLE 4 (Defence of airspace) The military authorities are responsible for ensuring the protection of Angolan airspace.

## ARTICLE 5 (National jurisdiction)

1. All civil aircraft located within Angolan territory are subject to Angolan national jurisdiction.
2. All acts caused by aircraft which have or come to have effects, or any damages in Angolan territory, are subject to national jurisdiction even if these acts were initiated in foreign territory.
3. Acts caused by aircraft considered Angolan territory fall simultaneously under Angolan and relevant foreign laws, if there are consequences in foreign territory.