

## LEGAL ALERT

### COVID-19: EMERGENCY STATE IN ANGOLA

On 25 March 2020, Presidential Decree no. 81/20 decreed that Angola would enter a State of Emergency as a consequence of the spread of the COVID-19 coronavirus pandemic and the appearance of the first positive cases in the country. The State of Emergency will have a duration of fifteen days, starting at 00h00 on 27 March 2020 and lasting until 23h59 on 11 April 2020, although it may be extended if necessary.

On 26 March 2020, Presidential Decree no. 82/20 was published, which defines the exceptional and temporary measures for the prevention and control of the spread of the COVID-19 pandemic.

Applicable throughout the national territory, several measures were defined with impact on the normal life of citizens and companies located in Angola, namely:

- The movement and permanence of people on public roads was forbidden, except for necessary and urgent displacements for the acquisition of essential goods and services, obtaining health care, assistance to vulnerable people, transportation of goods, the search for banking services, among others;
- Entry into and exit from national and interprovincial territory by any means was prohibited, except for cases of entry and exit of essential goods and services, humanitarian aid and entry and exit of patients;
- Mandatory quarantine has been declared for patients with COVID-19 and those infected with SARS-Cov2 and for citizens for whom the competent health authorities determine an active surveillance situation;
- The “termination of legal-labour relations on grounds of absence of workers from the workplace” has been prohibited;

- It was declared that “citizens dismissed from work during the period of the State of Emergency may be subject to the home working regime”;<sup>1</sup>
- The closure of all “private commercial establishments” has been decreed, with the exception of wholesale and retail food stores, banks and payment services, hotels, takeaway service restaurants, stations and all services forming part of the fuel supply chain, maintenance and repair of motor vehicles and emergency maintenance and other services essential to collective life, following an opinion from the relevant health authorities;
- The closure of “industrial plants”, with the exception of those engaged in the production of food and beverages, of goods essential to health services, of the oil industry and its support services, of the mining industry, of plants producing cardboard, glass and plastic, of plants that work with continuous production cycles, namely those that use high temperature furnaces in their production process, and of others essential to collective life, has been decreed after the opinion of the competent health authorities;
- Political events and activities, meetings and demonstrations involving the concentration of more than 50 people were banned, as well as recreational and leisure activities carried out on the public highway or in public spaces, cults and religious celebrations in their collective dimension in all places of worship;
- Visits to citizens admitted to hospitals and to prisoners or detainees have been prohibited.

Exceptional measures were also introduced that impact on the execution of private contracts, of which we highlight:

- Banking credits – the “interpellations, arrears and any other judicial enforcements arising from the ‘non-performance of obligations” that cannot be performed due to the measures provided for in Presidential Decree no. 82/20 are null and void;

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<sup>1</sup> In accordance with Article 12 of Presidential Decree no. 82/20, citizens who are “particularly vulnerable to infection by COVID-19, namely citizens: a) At the age of 60 or over; b) Carriers of chronic disease considered to be at risk, in accordance with the guidelines of the health authorities, namely immune-compromised, renal patients, hypertensive, diabetics, cardiovascular patients, carriers of chronic respiratory disease and cancer patients; c) Pregnant women and women with children under 12 years in their care. Under the terms of the aforementioned Decree, “it is up to each entity, public or private, to define the modalities of work at home”.

- Lease contracts – there is a prohibition of "evictions of tenants in housing leases". This prohibition does not exempt tenants from paying the rents due.

The Provisional Presidential Legislative Decree no. 1/20, of 18 March, has delegated regulatory powers to the Ministerial Departments for the approval of additional measures to reinforce sanitary, migratory and public order control, and to help control and prevent the pandemic. In this context, it was approved:

- Executive Decree no. 121/2020, of 24 March, issued by the Ministry of Justice and Human Rights, in which it ordered the suspension of the provision of related services to this Ministry;
- Executive Decree no. 122/20, of 24 March, issued by the Ministry of Public Administration, Labour and Social Security, which establishes *inter alia* that all public and private companies or other entities covered by the General Labour Law must prepare and implement contingency.

This document is only intended to highlight the main aspects of the statutes referred above and does not deal exhaustively with their content. We are available to clarify any doubts that may arise.

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