

August 30, 2013

mozambique@vda.pt

## Mozambique: Licensing of commercial activity

It has recently been published the Decree nr.º 34/2013, of 2 August, which approves the Regulation of Commercial Activity Licensing ("Regulation") and revokes the previous regulation, without prejudice of the Simplified Licensing Regulations for the Exercise of Economic Activities, approved by Decree n. 5/2012, of 7 March ("Simplified Licensing"), which remains in force.

The Regulation is applicable to the licensing of economic activities in wholesale trading, retail trading and services and the licensing of representation offices, according to the Classification of Economic Activities ("CEA") attached to it, and to the registration of foreign trade operators. It is also applicable to economic activities listed in the CEA that are not covered by special legislation, including commercial activities and agricultural marketing agent, presently covered by the Simplified Licensing.

The most relevant changes are the following:

- > Licensing competence:
  - > Representation offices: Minister overseeing the area of commerce;
  - > Other cases: Single Service Desk ("Balcão único de Atendimento") or, where these do not exist, the District Administrator (in the case of retail trading and services delivered by micro and small enterprises);
- > Formalities: for the purposes of licensing application, copies of documents such as identity card or passport are waived of certification;
- > Processing, Decisions and Deadlines: non-completion of the licensing process, including renewal and endorsement, within the deadlines established – 8 business days, if a previous inspection is not required, and 10 business days, if it is not required – implicates the immediate approval and issuance of the permit, license or card;
- > Validity
  - > Permit for wholesale trading, retail trading and services: indefinitely;
  - > License for representation offices: 1-5 years;
  - > Registration and importer card: 1 year;
  - > Registration and exporter card: 5 years (commercial activities) or for the duration of the respective license, in other cases;

## Mozambique: Licensing of commercial activity

- > Renovation:
  - > Representation offices: at least 10 business days before the expiry of validity of the license to be renewed;
  - > Registration and foreign trade operator's card: at least 7 business days from the date of expiry expressed in the card to be renewed;
- > Fees:
  - > Wholesale trading, retail trading and service's exercise: 1 minimum salary;
  - > Foreign trade representation: 2 minimum salaries for each year requested;
  - > Foreign Trade Operator: 25% of the minimum salary;
  - > Endorsement: 25% of the minimum salary;
  - > Remission of license or permit: 50% of the minimum salary;
  - > Inspection: 50% of the minimum salary.

Licenses, permits, registrations and cards prior to the Regulation remain valid and effective and will only be replaced if changes are required or if there are facts that are subject to registration. Proceedings initiated under the previous regulation, approved by Decree nr. 49/2004, of 17 November, and subsisting at the date of entry into force of the Regulation are governed by such regulation.

The Regulation shall enter into force ninety days as from its publication, that is, 31 October, 2013.

For more information please contact:

**Nuno Castelão** | VdA, Head of International Relations: [nc@vda.pt](mailto:nc@vda.pt)

**João Mayer Moreira** | VdA, Head of Business & Practice Mozambique: [jam@vda.pt](mailto:jam@vda.pt)

**Alexandra Resina da Silva** | VdA, Managing Associate: [ars@vda.pt](mailto:ars@vda.pt)

**Isabel Garcia** | Silva Garcia, Partner: [Isabel.garcia@silvagarcia.co.mz](mailto:Isabel.garcia@silvagarcia.co.mz)

### LISBON

Av. Duarte Pacheco, 26  
1070-110 Lisboa Portugal  
[lisboa@vda.pt](mailto:lisboa@vda.pt)

### OPORTO

Av. da Boavista, 3433 - 8º  
4100-138 Porto Portugal  
[porto@vda.pt](mailto:porto@vda.pt)

### BRAZIL

Pinheiro Neto Advogados  
[brazil@vda.pt](mailto:brazil@vda.pt)

### ANGOLA

Paulo Antunes Advogados  
[angola@vda.pt](mailto:angola@vda.pt)

### MOZAMBIQUE

Silva Garcia Advogados e Consultores  
[mozambique@vda.pt](mailto:mozambique@vda.pt)

This is a limited distribution and should not be considered to constitute any kind of advertising. The reproduction or circulation thereof is prohibited. All information contained herein and all opinions expressed are of a general nature and are not intended to substitute recourse to expert legal advice for the resolution of real cases.