

Law No. 2 / 07, dated August 31 approved the Legal Regime of Foreigners in the Republic of Angola, entered into force in November 2007.

Applicable to all foreign citizens wishing to come to the Republic of Angola, this law aims to achieve a more effective control of illegal immigration, regulating and enabling the creation of better conditions for the integration of immigrants in the country.

This law defines and regulates the systems of entry, departure, stay and residence in the country, as well as sanctions against its infringement.

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his decree was intended to protect realities that were not protected by law, including the entry into Angola for tourism, study, medical treatment, private investment and

temporary stay  
of foreign nationals.

The new Legal Regime of Foreigners in the Republic of Angola introduced the following innovations: a restriction of the provisions on administrative expulsion, privileging the court; establishment of an adequate criminal penalties to prevent and suppress unlawful acts related to illegal immigration and the exploitation of labor, illegal workers, increase the fines to discourage illegal immigration, the creation of the new is seen as complimentary and territorial extension of the typology of entry visas, creating 5 (five) including new types of tourism, studies, medical treatment, privileged and temporary residence,

adding the  
ability to  
transfer  
visas and  
even  
the definition of infringement  
as well as the  
migratory  
list of  
consequences for  
their action.

## **Legal Diploma**

The current situation of the world, characterized by the convergence of immigration procedures obliges each State to formulate instruments for the prevention, detection and combat of illegal immigration practices, as well as how to assist it.

The current reality of the Country motivates many foreign citizens to want to establish themselves in the Country, which compels the authorities to adopt measures for effective control and to assure that their stay is coordinated within the parameters that motivated their initial entry, so that their social integration is achieved in a regular and coherent manner. Since Law 3/94, of 21 January came into force, wide-ranging legal, economic, political and other changes have occurred and brought with them new forms of migration trends.

This law aims to provide a robust framework for combating and controlling illegal immigration, whilst still being a framework that is flexible enough for the situation of peace, development and opening up of the Republic of Angola to the world.

In view of the foregoing, and under the terms of paragraph b) of Article 88 of the Constitution, the National Assembly passes as follows:

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## LAW ON THE LEGAL REGIME OF FOREIGN CITIZENS IN THE REPUBLIC OF ANGOLA

### CHAPTER I General Provisions

#### ARTICLE 1. (Object)

1. This law regulates the legal status of foreign citizens in Angola.
2. The legal situation of foreign citizens comprises the rules governing entry, departure, stay and residence.

#### ARTICLE 2. (Scope of application)

1. The provisions herein set forth the general legal framework for foreign citizens, without precluding the provisions of special laws, bilateral agreements or international treaties to which the Republic of Angola is a party. 2. Diplomatic and consular agents accredited in the Republic of Angola, equivalent entities, together with their respective families, shall be subject to the rules of International Law, namely the Vienna Conventions on Diplomatic Relations and Consular Relations, of 18 April 1961 and 24 April 1963, respectively.

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### CHAPTER II Rights, Duties and Guarantees

### **ARTICLE 3. (General Principles)**

1. Foreign citizens residing or present in the Republic of Angola enjoy the same rights and guarantees, and are subject to the same duties, as Angolan citizens, except for political rights and other rights and duties that are clearly reserved by law for Angolan citizens. 2. Foreign citizens permitted to enter into national territory as refugees shall comply with the provisions of national law on this issue, in addition to the duties stipulated by International Law.

### **ARTICLE 4. (Public office)**

A foreign citizen, except as otherwise provided by law, agreement or international convention, shall not hold public office that involves the exercise of public authority powers, with the exception of those that relate predominantly to technical, educational or scientific research.

### **ARTICLE 5. (Freedom of movement and residence)**

1. Foreign citizens shall enjoy the right of free movement and of choice of residence, except for the limitations provided by law and those imposed for reasons of public safety.

2. Limitations imposed for reasons of public safety shall be determined by resolution of the Minister of Interior and shall be duly published.

3. The permanence and establishment of a foreign citizen in areas considered strategic by law will be conditional to national interests.

4. Foreign citizens caught in the areas referred to in the foregoing paragraph, without the necessary stay or residence permit, shall have their entry visas or residence permits canceled.

5. Foreign citizens caught in the situation provided for in the above paragraph shall be detained by the relevant authorities until their expulsion from the country.

**ARTICLE 6. (Right of assembly and public demonstration)**

Resident foreign citizens may exercise the right of assembly and public demonstration in accordance with the provisions of relevant laws.

**ARTICLE 7. (Right to education and freedom of education)**

Resident foreign citizens have the right to education, freedom of education, as well as the establishment and management of schools, in accordance with the law.

**ARTICLE 8. (Freedom of membership of trade unions and professional associations)**

1. Resident foreign workers may freely join Angolan trade unions or professional associations on the same terms as Angolan workers in accordance with applicable laws.

2. Foreign citizens shall not head any of the organizations referred to in the foregoing paragraph. □

**ARTICLE 9. (Duties)**

Foreign citizens who wish to remain in the Republic of Angola shall: a) abide by the Constitution and other laws; b) disclose their residence; c) provide the Angolan authorities with full details on their personal status, whenever so required under the terms of law; d) comply with administrative and police directives issued by the relevant authorities.

### **ARTICLE 10. (Political activity)**

Foreign citizens shall not engage in any political activities not authorized by law in Angola, nor shall they be involved directly or indirectly in internal political affairs.

### **ARTICLE 11. (Guarantees)**

1. In the Republic of Angola, foreign citizens shall enjoy the same constitutional and legal guarantees afforded to national citizens, namely: a) make recourse to judicial authorities in acts that violate their rights; b) not to be arrested without charge, nor to be subject to any penalty, except when provided by law; c) peaceful exercise and enjoyment of their property rights, without being subject to any arbitrary or discriminatory measures; d) not to be deported or extradited, except when provided by law.

2. In the event of expulsion, legal absence or death, foreign citizens and their families are guaranteed the recognition and protection of their property rights, property and other legitimate rights and expectations recognized in law.

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## **CHAPTER III**

### **Entry and Departure from National Territory**

#### **SECTION I**

#### **Entry Regulations**

### **ARTICLE 12. (Entry place)**

1. Foreign citizens shall enter National territory through the border posts earmarked for this purpose, without precluding the provisions of agreements on the free movement of people and goods to which the Republic of Angola is party.

2. The border posts earmarked for this purpose are those where the relevant bodies exercise controls.

### **ARTICLE 13. (Entry requirements)**

1. Foreign citizens may enter National territory provided that they meet all the following requirements: a) hold a passport or any other international travel document valid in the Republic of Angola, which validity exceeds six months; b) have a valid entry visa appropriate for the purpose of their visit; c) have means of subsistence as set forth in Article 19 herein; d) hold an International Vaccination Certificate; e) not be banned from entry under the terms of Article 15 herein.

2. A passport shall not be required from foreign citizens bearing an emergency travel certificate or «laissez-passer» issued by the authorities of the State of which they are nationals or where they normally reside, provided that there is an agreement in place to this end, or by international organizations of which the Republic of Angola is a member.

3. Are exempt from the presentation of passport and visa of entrance the foreign citizens who are: a) nationals of countries with whom the Republic of Angola has an agreement that permits them to enter with only their identity card or an equivalent document; b) bearers of pilot's certificates or flight crew licenses, when on duty, in accordance with the Convention on International Civil Aviation; c) bearers of the maritime identification document referred to in Convention 108 of the International Labor Organization, when on duty; d) holders of a frontier residence permit or crossing pass for movement within the limits and periods established by agreements on the movement of people to which the Republic of Angola is party. e) asylum seekers under the terms of the law.

4. In addition to the other cases provided for in law, the following citizens are exempt from seeking an entry visa: a) holders of residence permit, duly updated; b) citizens of countries with whom the Republic of Angola has signed visa exemption agreements; c) cruise ship



passengers.

#### **ARTICLE 14. (Entry by border residents)**

Border residents shall enter the country within the limits and periods established by the agreements on the movement of people to which the Republic of Angola is party.

#### **ARTICLE 15. (Prohibition of entry)**

Foreign citizens included on the national list of persona non grata shall be prohibited from entering national territory, when: a) they have been deported from Angola within the last five years; b) they have been definitively sentenced to an accessory penalty of expulsion; c) there are strong signs that they constitute a threat to internal order or national security.

#### **ARTICLE 16. (Entry of minors)**

1. Foreign minors, when not accompanied by their parents, shall only enter national territory with written authorization signed by their parents or by a person exercising paternal authority as recognized by the relevant authorities.

2. In cases where the person to whose care the minor is entrusted is refused entry to national territory, such refusal shall also extend to the minor, and vice versa.

3. The provisions of the foregoing paragraph shall not apply to cases where the minor is a resident or holds a study visa or temporary stay visa.

#### **ARTICLE 17. (Control of documents)**

1. All foreign citizens wishing to enter or leave national territory are subject to control of documents at border posts. 2. No foreign citizen arriving from abroad shall leave the place where travel documents and boarding/disembarkation passes are inspected and controlled without such documents being registered by the officer of the Immigration Service.

#### **ARTICLE 18. (Entry Visa)**

1. Entry visas entitle the holders to present themselves at any border post earmarked for this purpose and request entry into national territory.

2. A visa is a mere legal expectation, and the holder may be refused entry or barred from remaining in the country due to non-compliance with the requirements established in Article 13 above.

3. Entry visas are stamped on passports or any other equivalent travel document, and shall state the respective validity period, the entry number and stay by the holder in national territory.

#### **ARTICLE 19. (Guarantee of means of subsistence)**

1. For the purposes of entering and remaining in national territory, foreign citizens shall have at their disposal, in per capita means of payment, a sum of USD 200 or an equivalent sum in another convertible hard currency, for each day of their stay in national territory.

2. The amount provided for in the foregoing paragraph may be waived if the person concerned proves, by reliable means, that his board and lodging are assured.

3. The proof referred to in paragraph 2 of this article shall be provided in the form of a declaration signed by the person inviting the foreign citizens, accepting responsibility for their

stay in the country; such host may be an Angolan citizen or a resident foreign citizen, or the highest ranking management officer of the company or institution responsible for such invitation.

#### **ARTICLE 20. (Exceptions)**

1. In exceptional cases, where due grounds exist, the Minister of the Interior or, on his delegation, the Director of the Immigration Service, may authorize the entry into national territory by a foreign citizen who fails to meet the requirements established in Article 13 above.

2. When the foreign citizen is a national of a country with which the Republic of Angola does not have diplomatic or consular relations, the Minister of Foreign Affairs shall be consulted, for the purpose of application of the provisions of the foregoing paragraph.

#### **ARTICLE 21. (Refusal of entry)**

1. Entry may be denied to a foreign citizen who presents a passport or other equivalent travel document which:

a) Is not valid for the Republic of Angola; b) Has expired; c) Has been tampered with or contains signs of forgery; d) Contains an entry visa which was obtained in breach of the provisions herein; e) Contains an entry visa not appropriate to the purpose of his stay in national territory; f) Belongs to someone else.

2. Entry may also be denied to foreign citizens who, having been fined, have departed from National territory without paying the fine within the period established.

3. Entry to National territory may also be denied to non-resident foreign citizens who: a) Fail to present a return ticket to their country of origin; b) Do not possess proven means of subsistence; c) Are minors and are not accompanied by the person exercising paternal authority or without such person's express authorization, save in the cases provided for in article

16.3 herein.

4. Denial of entry for health reasons shall be determined by the health authorities.
5. Foreign citizens denied entry into National territory shall be accommodated at the Temporary Stay Center (CIT) until they are re-embarked.
6. The Temporary Stay Centers shall be set up by the airport operators and shall be run in accordance with specific regulations to be approved by the Ministers of the Interior and of Transport.
7. The competence to deny entry into national territory shall lie with the Director of the Immigration Service or, on his express delegation, with the Provincial Directors.
8. When entry is denied on the grounds of presentation of counterfeit, forged or another person's travel documents, such documents shall be seized and forwarded to the authorities of the respective country, through diplomatic channels.

## **ARTICLE 22. (Liability of carriers)**

1. 1. Without precluding the measures provided for in Article 107 herein, companies which transport undocumented passengers or crew members shall be liable for returning them to their country of origin or the place where they started to use the carrier's means of transport.
2. The same liability shall also lie with individuals who transport undocumented passengers without documentation.
3. Expenses relating to meals, medical care, medicines and others, for the accommodation of

foreign citizens denied entry, shall be borne by the carrier.

4. Whenever the circumstances so require, foreign citizens may be re-embarked under escort from officers of the Immigration Service, the expenses being borne by the carrier.

5. The transport of clandestine passengers may be permitted, if so requested by the carrier, or his agent, which shall accept liability for all expenses deriving from such operation.

6. Carriers shall also be liable for the accommodation and other expenses of passengers in transit or crew members not on board when the means of transport departs, and for removing the same from national territory.

#### **ARTICLE 23. (Competence to ban foreign citizens)**

1. The following organs shall have the powers to ban foreign citizens from entering the country:  
a) The Courts; b) The Office of the Attorney General; c) The Minister of Interior, acting through the Directorate of Criminal Investigation, Directorate of Inspection and Investigation of Economic Activities and the Immigration Service.

2. The Migration and Foreigners Service shall apply entry bans under the terms of articles 15 and 32.2 herein, as well as to adopt preventive measures for up to twenty four hours restricting the departure of persons strongly suspected of having committed an offense.

#### **ARTICLE 24. (Registration and reassessment of prohibitions)**

1. Concerns to the Migration and Foreigners Service the registration of prohibitions to the national list of persona non grata, as well as to propose their reassessment.

2. The document ordering a ban shall identify the foreign citizen, the reason and the duration of the ban.

## **SECTION II**

### **Rules on Departure**

#### **ARTICLE 25. (Departure from National territory))**

1. Foreign citizens may depart from national territory through any border posts earmarked for this purpose, upon display of their passport or other valid travel document.

2. In addition to presenting their passport or other valid travel document, minors departing from national territory are required to present written authorization bearing the notarized signature of their parents or the persons exercising paternal authority.

3. Frontier residents shall depart from national territory under the terms of Article 14 herein.

#### **ARTICLE 26. (Forms of departure)**

1. Foreign citizens may depart from national territory voluntarily or compulsorily.

2. Foreign citizens are deemed to depart voluntarily when they do so on their own volition and in their own interest, and compulsorily when they do so coercively, in the interest of internal order and national security. 3. Compulsory departure may take place through: a) Notification to quit national territory, b) Expulsion.

**ARTICLE 27. (Notification to leave)**

The Migration and Foreigners Service shall notify foreign citizens in an irregular immigration situation to leave national territory within a period of not more than 8 days.

**ARTICLE 28. (Causes of expulsion)**

1. Without precluding agreements or international conventions to which the Republic of Angola is party, foreign citizens may be judicially expelled from national territory when, amongst other things: a) They have used fraudulent means to enter and stay in national territory; b) They undermine national security or internal order; c) They breach the duties established herein, namely in Article 9; d) They seriously or repeatedly breach the laws of Angola; e) They have been sentenced to a major prison term.

2. Resident foreign citizens, and the holders of work permits in a labor dispute with their employer or who have an Angolan spouse or child economically dependent on them shall only be expelled by judicial decision.

3. Foreign citizens may be expelled from national territory by administrative decisions when, amongst other things: a) They have committed acts which, had they been known to the Angolan authorities, would have prevented them from entering the country; b) does not exercise any profession, or has no means of subsistence in the country; c) They hold a work permit and enter an employment contract with a company other than that which contracted them, without the prior authorization of the relevant authority; d) They have been fined and failed to pay the fine within the respective deadline; e) They have been sentenced to the accessory penalty of expulsion and have re- entered the country unlawfully; f) They fail to comply with notification to quit national territory voluntarily.

**ARTICLE 29. (Expulsion)**

1. Foreigners are expelled by returning to their country of origin or normal residence.
  
2. The fact that a foreign citizen has an Angolan spouse or child economically dependent on him shall not constitute an impediment to enforcement of a judicial expulsion order, without precluding the fixing of alimony for those requiring the same in accordance with the law.
  
3. Refugees shall be accorded the most favorable treatment under the law or international agreements to which Angola is party.
  
4. Refugees shall not be expelled to countries where they may be persecuted for political, racial or religious reasons or where they may be in danger of their lives.
  
5. Expulsion from national territory shall not preclude any criminal liability which a foreign citizen may have incurred.

**ARTICLE 30. (Bodies with competence to order expulsion)**

1. Powers to hand down expulsion orders on the grounds provided for in paragraphs 1 and 2 of Article 28 shall lie with the judicial authorities and, on the grounds provided for in paragraph 3 of the same article, with the Migration and Foreigners Service.
  
2. Foreign citizens subject to judicial expulsion orders shall be detained at the Illegal Foreigners Detention Center, until their departure from national territory.

**ARTICLE 31. (Expulsion procedures)**

1. Whenever it is aware of any fact which may constitute grounds for expulsion, the Immigration Service shall organize a file containing a summary of the evidence needed for an expulsion



order.

2. The file shall also contain the offense report describing the facts which constitute grounds for expulsion.

3. When complete, the file organized under the terms of this article shall be forwarded to the relevant judicial authority, within five days, for trial, save in the case of an administrative expulsion under the terms of Article 28, which shall be decided within eight days.

4. After receiving the file, the judge shall set a date for the trial hearing within the subsequent 48 hours, ordering the foreign citizen and the witnesses to be duly notified.

#### **ARTICLE 32. (Expulsion order)**

1. The expulsion order shall set out: a) The grounds for expulsion; b) The time limit for enforcement of the decision, which shall be no greater than fifteen days for resident foreigners and eight days for non-residents; c) A period, of not less than five years, during which the foreign is banned from re- entering national territory; d) The country to which the foreign citizens shall be expelled..

2. Enforcement of an expulsion order shall cause the expelled person to be included in the national list of persona non grata, under the terms of Article 15.

#### **ARTICLE 33. Situation of foreign subject to expulsion order)**

1. A foreigner against whom an expulsion order has been issued shall be held at the Detention Center for Illegal Foreigners until enforcement of the expulsion order under the terms of Article 32.1 b).

2. The Illegal Foreigners Detention Center shall be set up by the Ministry of the Interior and shall be operated in accordance with specific regulations to be approved by the Minister of the Interior.

**ARTICLE 34. (Enforcement of judicial expulsion orders)**

1. The Migration and Foreigners Service shall shall enforce judicial expulsion orders in coordination with the police authorities.

2. The accessory penalty of expulsion may be enforced even if the person sentenced is released on parole.

**ARTICLE 35. (Notification of expulsion)**

The relevant authorities of the country to which the foreign citizen is to be expelled shall be notified of the expulsion order.

**ARTICLE 36. (Procedural formalities)**

1. In all issues not specifically provided for herein, the terms of summary proceedings, as established in the Code of Criminal Procedure, shall be observed.

2. Expulsion proceedings are urgent and have priority over other proceedings.

**ARTICLE 37. (Expulsion expenses)**

1. Whenever a foreign citizen is not able to bear the expenses deriving from his expulsion, such expenses shall be borne by the State.

2. In order to settle the charges resulting from expulsion, provision shall be made for this purpose in the budget of the Ministry of the Interior, without precluding the use of monies from other institutions.

3. Foreign citizens for whom expulsion expenses have been borne by the State and who are authorized to re-enter National territory shall be required to reimburse the State for the amount disbursed.

4. A company which has in its employ a foreign citizen subject to an expulsion order shall be required to meet the expenses of his expulsion, where the foreigner himself lacks the means to do so.

#### **ARTICLE 38. (Appeal)**

1. Appeals may be made in accordance with the law against judicial decisions ordering the expulsion of foreign citizens.

2. Appeals against decisions of the Immigration Service may be brought before the Minister of Interior.

#### **ARTICLE 39. (Prevention of departure)**

1. The relevant authorities may prevent the departure of foreign citizens when: a) There is a judicial decision; b) There is a decision from the policy authority prohibiting departure from national territory; c) There is a breach of customs or excise regulations; d) There is a strong suspicion that an offense has been committed.

2. In the case of sub-paragraphs b), c) and d) above, the representative of the Public Prosecutor's Office attached to the Immigration Service shall be informed within 48 hours.

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## **CHAPTER IV**

### **Entry Visas**

#### **SECTION I**

##### **Types of Entry Visas**

#### **ARTICLE 40. (Types of visas)**

Entry visas fall into the following types: a) diplomatic visa; b) official visa; c) courtesy visa; d) consular visa; e) territorial visa.

#### **ARTICLE 41. (Diplomatic, official and courtesy visas)**

1. Diplomatic, official and courtesy visas are granted by the Ministry of Foreign Affairs, through the Diplomatic or Consular Missions, authorized for this purpose, to the holder of diplomatic, service, special or ordinary passports traveling to Angola on diplomatic, service or official visits.

2. The visas referred to in the foregoing paragraph shall be used within sixty days of the date of issuance, and shall permit the holder to remain in national territory for up to thirty days and shall be valid for entering the country one or two times.

3. In duly justified cases, diplomatic, official and courtesy visas may be granted for multiple entries and a stay of up to ninety days..

4. In the event of national interest, foreign citizens who enter National territory, under the terms of this article, may exceptionally be granted one of the visas provided for in the following article, except for those in sub-paragraphs b) and d) of paragraph 2 of the said article.

#### **ARTICLE 42. (Consular visa)**

1. Consular visas are granted by diplomatic and consular missions under the terms of Article 59 et seq. herein.

2. Consular visas fall into the following categories: a) Transit; b) Tourism; c) Short-term; d) Ordinary; e) Student; f) Medical treatment; g) Privileged; h) Work; i) Temporary stay; f) Residence.

#### **ARTICLE 43. (Transit visas)**

1. Transit visas are granted by Angolan diplomatic and consular missions to foreign citizens who, in order to reach their country of destination have to stop over in National territory.

2. Transit visas shall be used within sixty days of the date of issuance and permit the holder to stay for up to five days, are valid for one or two entries and cannot be renewed.

3. Transit visas may exceptionally be granted at border posts to foreign citizens who interrupt an ongoing journey for the obligatory stop overs by the means of transport used.

#### **ARTICLE 44. (Tourist Visa)**

1. Tourist visas are granted by Angolan diplomatic and consular missions to foreign citizens who wish to enter the Republic of Angola on a visit of a recreational, sporting or cultural nature.
  
2. Tourist visas shall be used within sixty days of the date of issue, are valid for one or more entries, permit the holder to stay in the country for up to thirty days and may be renewed once, for an equal period.
  
3. The Government may unilaterally or through agreement establish a list of countries whose citizens are exempt from entry visas for stays of less than ninety days.
  
4. Tourist visas do not authorize the holder to establish residence in national territory, or to carry on any paid work or trade.

**ARTICLE 45. (Short-term Visa)**

1. Short-term visas are granted by Angolan diplomatic and consular missions to foreign citizens who, for urgent reasons, need to enter national territory.
  
2. Short-term visas shall be used within 72 hours, permit the foreign citizen to stay in national territory for up to seven days and may be extended for an equal period of time.
  
3. Short-term visas may be issued without prior authorization from the Migration and Foreigners Service, which merely needs to be notified of their issuance.
  
4. Short-term visas do not permit their holders to establish residence in national territory, or to carry on any paid work or trade.

**ARTICLE 46. (Ordinary Visas)**

1. Ordinary visas are issued to foreign citizens by Angolan diplomatic and consular missions to permit the holder to enter national territory for family reasons and to look over business opportunities.

2. Ordinary visas shall be used within sixty days of issuance, permit their holders to stay for up to thirty days and may be renewed twice, for an equal period of time.

3. Ordinary visas do not permit their holders to establish residence in national territory, or to carry out any paid work or trade.

#### **ARTICLE 47. (Student Visas)**

1. Study visas are issued to foreign citizens by Angolan diplomatic and consular missions in order to permit the holder to enter national territory to attend a study program at public or private schools, or at vocational training centers, so as to obtain an academic or professional degree, or to take up a training placement in companies or in public or private services.

2. Study visas shall be used within sixty days of issuance, permit the holder to stay one year, which may be extended for an equal period, until the holder completes his studies, and may be used for multiple entries. 3. Study visas do not permit their holders to carry on any paid work or trade or to establish residence in national territory, except for the internship related to the training.

#### **ARTICLE 48. (Visas for Medical Treatment)**

1. Medical treatment visas are granted to foreign citizens by Angolan diplomatic and consular missions and permit the holder to enter national territory, with a view to treatment in a public or private hospital unit.

2. Medical treatment visas shall be used within sixty days of issuance, may be used for multiple entries and permit the holder to stay one hundred and eighty days.

3. In duly justified cases, medical treatment visas may be extended through to the conclusion of the treatment..

4. Medical treatment visas do not permit their holders to carry on any paid work or trade or to establish residence in national territory.

#### **ARTICLE 49. (Privileged Visas)**

1. Privileged visas are granted to foreign citizens who are investors, or the representatives or attorneys of investor countries, by Angolan diplomatic and consular missions, permitting the holder to enter national territory in order to implement and carry out the approved investment proposal, in accordance with the private investment law.

2. Privileged visas shall be used within sixty days of issuance, may be used for multiple entries and permit the holder to stay for up to two years, which may be renewed for equal periods of time.

3. In the event of the application being filed in national territory, the visa shall be issued locally by means of a declaration from the body responsible for approving the investment.

4. Foreigners who are granted privileged visas may apply for a residence permit when they so require.

5. Holders of privileged visas of types A and B may be granted residence permits under the terms of Article 83 herein, and the holders of type C privileged visas shall be granted the residence permit corresponding to Article 82 herein. □



## **ARTICLE 50. (Types of privileged visas)**

1. Privileged visas may fall into any of the following categories:

- a) «privileged visa type A» - is granted to foreign citizens with investment exceeding the equivalent of USD 50 000 000.00 investment or development in Zone C;
- b) «privileged visa type B», - is granted to foreign citizens with investment less than the equivalent of USD 50 000 000.00 and over USD 15 000 000,00;
- c) «privileged visa type C» - is granted to foreign citizens with investment less than the equivalent of USD 15 000 000.00 and above 15 000.00 USD 5 000.000.00;
- d) «privileged visa type D» - is granted to foreign citizens with investment less than the equivalent of 5000 USD 000.00.

2. Potential investors are granted temporary stay visas, as provided for in Article 53 d) herein, depending on their investment intentions.

## **ARTICLE 51. (Work Visas)**

1. Work visas are granted by Angolan diplomatic and consular missions and permit the holders to enter national territory, in order to temporarily carry on professional work in the interest of the State or in the employment of a person or organization.

2. Work visas shall be used within sixty days of issuance, permit multiple entries into the country and permit the holders to stay until the end of their employment contract, the employer being required to notify the relevant authority of any alteration to the duration of the contract for the purposes of the provisions herein.

3. Work visas only permit their holders to carry on the professional work for which they are issued and qualify them exclusively to work in the service of the employer who applied for them.

4. Without precluding the provisions of the foregoing paragraphs, in the event of duly

substantiated manifest public interest, the Minister of Interior, on the basis of a proposal from the Director of the Immigration Service, may authorize the local issuance of work visas, when so recommended by the Ministry of Public Administration, Employment and Social Security and by other bodies participating in the immigration process.

5. Work visas do not allow their holders to establish residence in national territory.

## **ARTICLE 52. (Types of work visas)**

Work visas shall fall into any of the following types:

- a) «work visa type A» - granted for the exercise of professional activity in the service of a public institution or company;
- b) «work visa type B» - granted for the exercise of independent professional activity, in the provision of services, sports or the arts;
- c) «work visa type C» - granted for the exercise of professional activity in the oil, mining and civil construction sectors;
- d) «work visa type D» - granted for the exercise of professional activity in commerce, industry, fisheries, shipping and aeronautic sectors;
- e) «work visa type E» - granted for the exercise of activity under Cooperation Agreements;
- f) «work visa type F» - granted for the exercise of professional activities in any other sector not provided for in the foregoing sub-paragraphs.

## **ARTICLE 53. (Temporary Stay Visa)**

1. Temporary stay visas are granted to foreign citizens by diplomatic and consular missions and permit holders to enter National territory on the following grounds: a) Humanitarian reasons; b) Performance of a mission in favor of a religious institution; c) For scientific research work; d) Family visits to holders of study visas, medical treatment visas, privileged visas or work permits; e) For members of the family of holders of valid residence permits; f) For the spouses of Angolan citizens;

2. Temporary stay visas shall be used within sixty days of issuance, permit multiple entries and permit the holder to stay up to three hundred and sixty five days, which may be extended successively as long as the reason for their issue subsists.

3. The validity of temporary stay visas granted under the terms of paragraph 1 d) of this article shall not exceed the length of stay granted to the holder of the entry visa which forms the underlying reasons for their issuance.

4. Temporary stay visas do not qualify their holders to establish residence in National territory.

#### **ARTICLE 54. (Visas for the establishment of residence)**

1. Visas for the establishment of residence are granted by Angolan diplomatic and consular missions to foreign citizens who wish to establish residence in national territory.

2. Visas for the establishment of residence shall be used within sixty days of issuance and permit their holders to stay in national territory for a period of one hundred and twenty days, which may be renewed for equal periods, until a final decision on their applications for residence permits.

3. Visas for the establishment of residence entitle their holders to carry on paid professional activity.

#### **ARTICLE 55. (Territorial Visas)**

1. Territorial visas are granted by the Immigration Service at border posts, when for justified reasons the foreign citizen is not able to obtain a consular visa.

2. Territorial visas fall into the following categories: a) Border; b) Transshipment.

#### **ARTICLE 56. (Border Visas)**

1. Border visas are granted by the Immigration Service at border posts and permit foreign citizens to enter the country when for unforeseen and duly substantiated reasons they have not been able to apply for the respective visas from the relevant consular bodies.

2. Border visas are valid for one entry and permit the holder to stay in national territory for a period of fifteen days, no renewal being permitted.

3. Powers to issue border visas lie with the Director of the Immigration Service, who may delegate powers to the Provincial Director who may in turn sub-delegate these powers to the Head of the Border Post.

4. Border visas do not permit their holders to establish residence in the country or to carry on any paid work.

#### **ARTICLE 57. (Transshipment Visa)**

1. Transshipment visas are issued by the Immigration Service and permit crews of ships to transfer to another on the high seas.

2. Applications for transshipment visas shall be lodged sixty two hours prior to the transfer operation. The visas shall be valid for a stay of one hundred and eighty days on the ship, which may be extended by an equal period of time.

3. The issuance of transshipment visas shall be done by the Director of Immigration, who may

delegate his authority to the Provincial Director, who may in turn delegate his powers to the head of the border post.

4. The transshipment visa shall not permit its holder to establish residence in the country or carry on any paid work. □

## **SECTION II**

### **General Terms for the Issue of Entry Visas**

#### **ARTICLE 58. (General terms for the issue of visas)**

The following conditions shall be observed when issuing visas for entry into national territory, taking the defense of the national interest into account at all times:

- a) The travel document shall be valid for at least six months;
- b) The passport shall be recognized and valid for national territory;
- c) The passport holder shall be of age, and in the event of a minor, he shall have the express authorization of his two parents, legal representative or person exercising parental authority, save in cases provided for in nr. 3 of article 16 herein;
- d) The persons concerned shall not be included in the national list of persona non grata in Angolan;
- e) The persons concerned shall not pose a threat to public order or the national security interests under the terms of the law;
- f) The passport holder shall have complied with all the health regulations established by the Ministry for Health for entry into national territory.

#### **ARTICLE 59. (Authorization for visa issuance)**

1. The issuance of entry visas by Angolan diplomatic and consular missions requires prior authorization from the Migration and Foreigners Service, save in the cases of the visas provided for in Articles 41, 43 and 45, which may be granted on the sole condition that the Immigration Service is promptly notified.

2. Prior authorization from the Migration and Foreigners Service is required for the issuance of the visas provided for in Articles 46, 47, 48, 49, 51, 53 and 54. □

**ARTICLE 60. (Issuance of transit visas)**

In order to obtain transit visas, in addition to complying with the requirements set out in Article 58, applicants must prove that they hold an entry visa, as well as a travel ticket for their country of destination.

**ARTICLE 61. (Issuance of tourism visa)**

In order to obtain tourist visas, in addition to complying with the requirements set out in Article 58, applicants must prove they have means of subsistence and a return ticket which permits them to enter and depart from national territory.

**ARTICLE 62. (Issuance of short-term visa)**

In order to obtain short-term visas, in addition to complying with the requirements set out in Article 58, applicants must present documentary proof of their reasons for entering national territory.

**ARTICLE 63. (Issuance of ordinary visa)**

In order to obtain ordinary visas, in addition to complying with the requirements set out in Article 58, applicants must present a declaration explaining the reasons for the journey and specifying the length of stay in national territory.

#### **ARTICLE 64. (Issuance of study visa)**

1. In order to obtain a study visa, in addition to complying with the requirements set out in Article 58, the following is also required: a) confirmation of enrollment or training placement in the form of a document duly recognized by the educational establishment, company or institution; b) proof that the person concerned has means of subsistence and accommodation; c) declaration by the person concerned undertaking to comply with Angolan laws; d) submission of a criminal record certificate and medical record certificate, issued by the authorities in the person's country of origin or normal residence; e) submission of term of responsibility issued by the parents, in the case of a minor, in accordance with the law of Angola and of the country of origin.

2. In the event of the foreign citizen having a scholarship covered under an agreement, the provisions of paragraph b) of the foregoing numeral are waived.

#### **ARTICLE 65. (Issuance of medical treatment visa)**

For the purposes of issuance of medical treatment visas, in the event of the foreign citizens not being covered under an agreement between their respective country and the Republic of Angola, in addition to the requirements set out in Article 59, the following is also required: a) Proof of Doctor's appointment, in the form of a document duly recognized by the hospital establishment;

b) Means of subsistence and accommodation arrangements.

#### **ARTICLE 66. (Issuance of privileged visa)**

For the purposes of issuance of investor visas, in addition to the requirements set out in Article 58, the following is also required: a) Proof from the Angolan institution responsible for approving the private investment project; b) Declaration from the person concerned undertaking to respect and comply with Angolan laws. □

## **ARTICLE 67. (Issuance of work visa)**

1. For the purposes of the issuance of work permits, in addition to the requirements set out in Article 58, the following specific requirements shall apply:
  - a) Employment contract or promissory agreement
  - b) Certificate of educational and professional qualifications;
  - c) Curriculum vitae;
  - d) Criminal record certificate issued by the authorities of the country of normal residence;
  - e) Medical record certificate from country of origin;
  - f) Recommendation from the Ministry of Public Administration, Employment and Social Security, in the case of public institutions or companies, or from the ministry responsible for the relevant sector, in the case of private institutions and companies.
  
2. The recommendation referred to in f) of the foregoing paragraph shall be requested in advance from the Ministry of Public Administration, Employment and Social Security or from the ministry responsible for the relevant sector by the employer or party hiring the worker.
  
3. The ministry responsible for the relevant sector referred to in paragraph f) of number 1 of this article shall notify the Ministry of Public Administration, Employment and Social Security of the recommendations it issues.
  
4. The Ministry of Public Administration, Employment and Social Security or the ministry responsible for the relevant sector may issue a negative recommendation in any of the following circumstances:
  - a) Default by the employer on fiscal obligations;
  - b) When there is unemployment in the professional sector in question;
  - c) When no job offer has been made to the person concerned;
  - d) Lack of required legal requirements;
  - e) Lack of medical record certificate from country of origin;
  - Non-compliance by the employer with obligations relating to the hiring of local content.
  
5. A negative recommendation from the Ministry of Public Administration, Employment and Social Security or the ministry responsible for the relevant sector shall require the Immigration Service not to authorize issuance of the visa. □



**ARTICLE 68. (Guarantee of repatriation)**

1. The granting of a work permit is subject to the payment of a caution fee by the employer, as guarantee for the possible repatriation of the foreign, together with his family, where applicable.
  
2. The guarantee referred to in the foregoing paragraph shall consist of a deposit, in convertible hard currency, of a sum of money equal to the price of a ticket for the person concerned and his family, if any, to return to their country of origin or normal residence.
  
3. Companies with more than one hundred foreign workers may provide a combined caution fee with a value of 50 000,00 USD.
  
4. The caution fee shall be deposited in the name of the Immigration Service, at one of the commercial banks.
  
5. The Minister of the Interior may authorize the granting of work permits with exemption from provision of the repatriation caution fee, in the case of workers in the service of public institutions.

**ARTICLE 69. (Return of caution fee)**

1. The caution fee shall be returned under any of the following circumstances: a) When the foreign citizen has effectively departed, as a result of notification from the employer to the Immigration Service to the effect that the employment contract has terminated. b) When the work permit issued under the terms of the contract as per paragraph a) number 1 of Article 67 has been canceled.
  
2. The return of the repatriation caution fee shall be authorized where applied for within 30 days

from date of departure of the foreign citizen from the national territory. □

#### **ARTICLE 70. (Issuance of temporary stay visa)**

1. For the purpose of issuance of temporary stay visas, in addition to the requirements set out in Article 58, the following is required: a) The intended purpose of the stay and the validity of the same; b) Proof that the person concerned has means of subsistence and accommodation arrangements; c) declaration by the person concerned undertaking to comply with Angolan laws; d) Proof of family ties with Angolan citizens or foreign citizens legally resident in the country.

2. Sub-paragraph d) above shall not apply to foreign citizens born in national territory.

#### **ARTICLE 71. (Issuance of residence visa)**

1. For the purpose of issuance of residence visas, in addition to the requirements set out in Article 58, the following is also required:

- a) Declaration from the person concerned, undertaking to respect and comply with Angolan laws;
- b) proof that the person concerned has means of subsistence and accommodation;
- c) Proof of the purpose for which a residence permit is sought;
- d) evidence of the existence of family relationships with foreign citizens or foreign citizens residing legally in the country, upon statement signed by these.
- e) Submission of criminal record certificate issued by the authorities of the person's country of origin or normal residence;
- f) presentation of a medical certificate issued by the sanitary authorities of the origin country;
- g) Submission of a term of responsibility issued by the person's host or proof of ownership or rent of a residence.

2. Additional documents may be required whenever the authorities deem fit.

3. The means of subsistence referred to in paragraph 1 b) of this article shall consist of

submission of a bank statement, showing an account to contain the equivalent of Fifteen Thousand United States Dollars, except in the case of a minor or the foreign spouse of an Angolan citizen.

4. The provisions of subparagraph d) of paragraph 1 shall not apply to foreign citizens born in the country.

### **SECTION III**

#### **Forms of Grant of Entry Visas**

#### **ARTICLE 72. (Forms of granting)**

1. Entry visas are granted individually, save for transit, short stay, tourist and ordinary visas, which may be issued for groups. 2. Entry visas are issued individually when stamped in individual passports and for groups when stamped in passports or on another type of collective travel document, such group shall comprise not less than 5 and not more than 50 people.

#### **ARTICLE 73. (Conversion of entry visas)**

1. Whenever circumstances so warrant, and for duly justified reasons, foreign citizens who hold ordinary or tourist visas may apply for conversion to a medical treatment visa, provided legally justified circumstances occur.

2. The situation described in paragraph 1 of this article may also extend to the conversion of study visas into work permits and temporary stay visas.

3. The director of Migration and Foreigners Service shall have powers to authorize conversion of the types of entry visas provided for in paragraphs 1 and 2 of this article.

**ARTICLE 74. (Refusal of residence permit visa)**

1. A diplomatic or consular mission that rejects any application for an entry visa shall notify the Immigration Services of the identification details of the applicant, together with the reasons for rejection.

2. Applications which fail to meet the requirements set forth herein or which lack sufficient grounds shall be rejected.

**ARTICLE 75. (Time limit for issuance of recommendation)**

1. Any organ that has been requested to issue a recommendation on a given immigration act shall issue the same within seventy two hours, short of which it will be presumed that it issued a positive recommendation.

2. For work, residence and temporary stay visas, such recommendations shall be issued within a period of 15 days.

**SECTION IV**

**Extension of Period of Stay**

**ARTICLE 76. (Grounds for extension)**

An extension of the duration of stay in national territory shall only be authorized in duly justified cases, where the reasons underlying the granting of the entry visa still subsist.

**ARTICLE 77. (Competence)**

The competence to extend the duration of stay for an entry visa shall lie with the Director of the Migration and Foreigners Service, who may delegate such powers. □

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## **CHAPTER V Residence permits**

### **ARTICLE 78. (Concept)**

Residence permits are deemed to be the act whereby a foreign citizen is qualified to reside in the Republic of Angola, by issuing a document in accordance with Article 85 herein.

### **ARTICLE 79. (Application for residence permit)**

1. Authorization to reside in the Republic of Angola shall be requested by the person concerned from the Migration and Foreigners Service.

2. Applications may include the applicant's spouse, as well as underage or invalid children legally in the applicant's charge.

3. Holders of temporary stay visas, obtained under the terms of sub-paragraphs e) and f) of Article 53 may apply for residence permits.

### **ARTICLE 80. (Application assessment criteria)**

1. When assessing applications for residence permits, as referred to in the foregoing paragraph,

the Immigration Service shall consider whether all the following requirements are met: a) The applicant is present in national territory; b) The applicant has a valid visa for the establishment of residence; c) The applicant has not committed acts which, had they been known to the Angolan authorities, would have prevented his entry into the country; d) The applicant has not been sentenced in national territory to a major prison term; e) The applicant proves that he possesses means of subsistence and accommodation arrangements; f) There is national interest in the issuance of the residence permit.

2. The provisions of sub-paragraph b) of this article do not apply to the situations provided for in paragraph 3 of the foregoing article.

### **ARTICLE 81. (Residence permits)**

Residence permits are of three types: a) Temporary Type A b) Temporary Type B; c) Permanent.

### **ARTICLE 82. (Temporary residence permits type A)**

Temporary Type A residence card are issued to foreign citizens with authorization to reside in the country, are valid for one year from the date of issuance and are renewable for an equal period of time.

### **ARTICLE 83. (Temporary residence permits type B)**

Temporary Type B residence permits are issued to foreign citizens resident in the country for more than five consecutive years, are valid for three years from the date of issuance and are renewable for an equal period of time.

### **ARTICLE 84. (Permanent residence permits)**

Permanent residence permits are issued to foreign citizens resident in the country for more than ten consecutive years, are valid for five years from the date of issuance and are renewable for an equal period of time.

#### **ARTICLE 85. (Identification)**

1. Foreign citizens granted permission to reside in Angola are issued with a residence permit the purpose of identification.
2. The model of the permits referred to in Article 81 shall be approved by the Minister of the Interior.

#### **ARTICLE 86. (Renewal of the residence permits)**

Foreign residents shall apply in Angola for renewal of their residence permits not less than thirty days prior to their expiry date, renewal being subject to the criteria established in Article 80 herein.

#### **ARTICLE 87. (Reissuance of residence permits)**

1. Resident foreigners permits shall be re-issued in the event of their being lost, stolen, misplaced or destroyed.
2. For purposes of the foregoing paragraph, the holder shall notify the Migration and Foreigners Service of such occurrence and the related circumstances, through a signed declaration, or the where such service is not available, to the Municipal Administration.

3. Resident foreigner's permits shall also be re-issued whenever an alteration occurs in the holder's physiognomy, address or identification details.

#### **ARTICLE 88. (Change of a address)**

In the event of change of address, the holder of a residence permit shall notify the Migration and Foreigners Service of such fact.

#### **ARTICLE 89. (Cancellation of the residence permit)**

1. A residence permit granted to a foreign citizen shall be canceled whenever: a) He remains outside national territory for a period of more than six months; b) He fails to comply with the requirements for staying in national territory; c) He fails to carry on any type of proven useful activity d) He undermines internal order or national security; e) He has been subject to an expulsion order from national territory; f) He has committed acts which, had they been known to the Angolan authorities, would have prevented the permit from being granted.

2. The person concerned shall be notified of cancellation of his residence permit, indicating the grounds for the decision; the residence permit shall be seized and the foreign citizen notified to quit the country under the terms herein.

3. If a resident foreign citizen is absent from the country for reasons of study or health, he shall notify the Migration and Foreigners Service for record purposes.

#### **ARTICLE 90. (Exceptional rules)**

In cases of acknowledged public interest, the Minister of the Interior may exceptionally authorize the issue of a residence permit for a foreign citizen who does not meet all the requirements established herein.



### **ARTICLE 91. (Family reunification)**

1. Foreign citizens who belong to the family of a resident citizen in the Republic of Angola, who have lived with him in another country, or who depend on him, have the right to re-constitute their household in national territory.

2. For the purpose of the reunification of families, the household of a resident foreign citizen in the Republic of Angola is deemed to comprise the following individuals: a) Spouse; b) Underage children; c) Parents, children of age who are economically dependent on the holder, invalid children and minors legally under his charge.

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## **CHAPTER VI Registration**

### **ARTICLE 92. (Registration of residence)**

Foreign citizens who hold residence visas are required to register with the municipal authorities in their area of residence, within eight days of entering national territory.

### **ARTICLE 93. (Registration of data)**

1. The Central Registry of Births, Marriages and Deaths shall forward to the Immigration Service copies of the records of marriages and deaths of foreign citizens, together with those for acquisition or loss of Angolan nationality.

2. The courts shall also forward to the Migration and Foreigners Service certificates of criminal

convictions of foreign citizens.

3. Minors whose parents are foreign residents in national territory and who are born in such national territory shall be registered within ninety days with the Migration and Foreigners Service.

#### **ARTICLE 94. (Registration of guests)**

1. The owners and managers of hotels, guest houses, inns, tourist developments or similar establishments, and all those who accommodate non-resident foreign citizens, are required to declare such fact within 24 hours to the Migration and Foreigners Service and, in areas where this service is not represented, the National Police.

2. The persons and organizations referred to in the foregoing paragraph shall complete the accommodation report form, in order to render the declaration effective.

3. Notice of accommodation provided over the weekend and on public holidays shall be given on the next business day.

#### **ARTICLE 95. (Accommodation report form)**

1. Accommodation report forms are for the monitoring of non-resident foreign citizens sojourning in national territory.

2. The accommodation report form is that contained in Executive Decree 27/03, of 06 June, of the Minister of the Interior.

3. The Immigration Service shall be responsible for inspecting the establishments referred to in

Article 94 above in respect of compliance with the duty to report accommodation.

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## **CHAPTER VII**

### **Travel Documents to be Issued to Foreign Citizens**

#### **ARTICLE 96. (Travel documents)**

Foreign citizens may be issued with the following travel documents by the Angolan authorities:

a) Foreign citizens' passport; b) Emergency travel certificate; c) Other documents provided by law or international conventions to which the Republic of Angola is party.

#### **ARTICLE 97. (Foreign citizens' passport)**

1. Foreign citizens legally resident in Angola who demonstrate that they are unable to obtain a travel document from their country of origin, for the purposes of traveling abroad, may be issued with a passport.

2. Passports are issued to foreign citizens in accordance with the law.

#### **ARTICLE 98. (Emergency Travel Certificate)**

1. An undocumented foreign citizen may be granted an emergency travel certificate for the sole purpose of his compulsory departure from national territory.

2. Powers to issue emergency travel certificates shall lie with the Ministry of the Interior, through the Immigration Service, and with the Ministry of External Affairs, through the

Directorate-General of Legal Consular Affairs.

3. The form for emergency travel certificates shall be approved by joint executive decree of the Ministers of the Interior and of External Affairs.

### **ARTICLE 99. (Travel document for refugees)**

Foreign citizens considered as refugees may be issued with travel documents, in accordance with the law.

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## **CHAPTER VII Offenses**

### **SECTION I Immigration Offenses**

#### **ARTICLE 100. (Immigration offense)**

Acts or omissions on the part of Angolan or foreign citizens in breach of the provisions herein constitute immigration offenses.

#### **ARTICLE 101. (Illegal stay)**

1. Foreign citizens who without justification outstay their visa shall be subject to a daily fine, in Kwanzas, equivalent to USD 150,00.

2. The same fine shall apply when the transgression provided for in the foregoing paragraph is detected on departure from national territory at the border post.
  
3. Foreign citizens who fail to comply with the prohibitions contained in Articles 44.4, 46.3, 47.3, 48.4, 53.4 and 56.4 shall be subject to a fine, in Kwanzas, equivalent to USD 500,00..
  
4. Foreign citizens who without justification are booked for an offense as per number 1 above shall be subject to the measure provided for in Article 27 herein, in addition to the fine.

#### **ARTICLE 102. (Lack of work visa)**

1. Foreign citizens who carry on any kind of work, as employee or as self-employed, without being authorized to do so, shall be subject to payment of a fine, in Kwanzas, equivalent to USD 1000,00.
  
2. Foreign citizens who are booked for an offense whilst in the situation described in the foregoing paragraph, either because they have a work permit and are working in a different area or because they are in the employment of a person or organization other than that which applied for the respective visa, shall be subject, in addition to the fine, to expulsion under the terms of Article 28.3 c) and d) herein.
  
3. An employer who has a foreign worker in his service in the situation described in the foregoing paragraph shall be subject to payment of a fine, in Kwanzas, equivalent to Five USD 5000,00, and shall bear all the expenses of the offender's departure from national territory, without precluding the consequences provided for in the labor law.

#### **ARTICLE 103. (Lack of work visa)**

1. Failure to report accommodation shall attract a fine, in Kwanzas, equivalent to USD 50,00, for each guest registration report not filed.

2. The same fine shall apply to foreign citizens found to be in the situation provided for in Articles 21 (2) and 93 (3) herein.

**ARTICLE 104. (Undocumented foreign citizen)**

1. All foreign citizens who are undocumented in national territory shall be subject to payment of a fine, in Kwanzas, equivalent to USD 100.00.

2. In the event of it being proven that in addition to being undocumented, the foreign citizen is present illegally in national territory, he shall be subject to a fine, in Kwanzas, equivalent to USD 1500.00.

3. Foreign citizens found to be in the situation described in the foregoing paragraph shall be held at an Illegal Foreigners Detention Center, until their expulsion. □

**ARTICLE 105. (Failure to renew the residence permit)**

1. Foreign citizens who have been granted a residence permit and fail to renew it within the legal time limit shall be subject to payment of a daily fine, in Kwanzas, equivalent to USD 100, 00, up to thirty days after expiry of their permit.

2. A residence permit shall not be revalidated after the period referred to in the foregoing paragraph has elapsed, and shall be immediately canceled and the holder notified to quit national territory.

**ARTICLE 106. (Failure to update the residence permit)**

Foreign citizens who hold residence permits and fail to apply for re-issuance of such permits within thirty days of the date of change of their identification details or physiognomy shall be subject to payment of a fine, in Kwanzas, equivalent to one hundred United States dollars per day.

**ARTICLE 107. (Undocumented passengers or crew members)**

Shipping companies and agents, together with individuals who transport undocumented passengers or crew members, or such persons without entry visas, into national territory shall be subject to payment of a fine, in Kwanzas, equivalent to USD 100, 00, for each passenger or crew member, and shall be required to re-embark such persons.

**ARTICLE 108. (Failure to notify of change of address)**

1. Foreign citizens holding residence permits who fail to give notice of change of address shall be subject to payment of a fine, in Kwanzas, equivalent to USD 50, 00.

2. The same fine shall apply to all foreign citizens who fail to comply with the provisions of Articles 92 and 93 (3) herein.

**ARTICLE 109. (Competence)**

Competence to apply and collect the fines provided for in this law shall lie with the Director of the Immigration Service, who may delegate these powers to the Provincial Directors.

**ARTICLE 110. (Failure of voluntary payment of fines)**

1. The fines provided for in this law shall be paid within ten days, as from the date of the decision ordering same.

2. A foreign citizen to whom a fine has been applied and who has failed to pay the same shall only be permitted to enter national territory on payment of the fine.

3. Failure to pay fines voluntarily, within the time limit established, shall cause an offense report to be drawn up and forwarded to the court.

#### **ARTICLE 111. (Review of value of fine)**

1. The value of fines shall be reviewed in line with the financial, monetary and foreign exchange policies of the Republic of Angola.

2. The value of fines shall be reviewed by joint Executive Decree of the Ministers of Finance and the Interior.

#### **ARTICLE 112. (Proceeds of fines)**

The proceeds of fines applied under this law shall be distributed in accordance with the law. □

### **SECTION II Illegal Immigration**

#### **ARTICLE 113. (Promoting and aiding illegal entry)**



1. Any person who, with a view to earn profit, promotes or in any other way assists foreign citizens to enter national territory unlawfully shall be sentenced to a prison term of 2 to 8 years and a fine of up to 2 years.
  
2. A prison sentence and the corresponding fine shall be applied to: a) Any person who, without a view to earn profit, promotes or in any way assists foreign citizens to enter national territory unlawfully; b) Any person who accommodates or in any way conceals the stay of an illegal alien.
  
3. Attempts under the terms of this article shall be punishable.
  
4. For purposes of the foregoing paragraphs, the involvement of any person with the status of a member of defense forces, security and internal order shall attract further sanctions.

#### **ARTICLE 114. (Use of illegal manpower)**

1. Any persons who, with a view to unlawful self-enrichment or enrichment of others, seek to attract or brings on to the Angolan labor market foreign citizens who fail to meet the respective requirements shall be subject to a prison sentence and a fine corresponding to twenty times the minimum wage in force in the respective company.
  
2. Any persons who repeatedly commit the acts provided for in the foregoing paragraph shall be punished by a major prison sentence of 2 to 8 years and the corresponding fine.

#### **ARTICLE 115. (Employment of illegal foreigners)**

Employers who permit Illegal Aliens to carry out paid work shall be subject to a fine corresponding to twenty times the minimum wage in force in the respective institution.

**ARTICLE 116. (Punishment of co-offenders)**

1. Angolan citizens who use fraudulent means to assist or collaborate with any persons for the purpose of illegal immigration shall be subject to a prison sentence and fine up to six months.

2. Foreign citizens who use fraudulent means to assist or collaborate with anyone for the purpose of illegal immigration by foreigners shall be subject to a prison sentence and corresponding fine.

3. When illegal immigration assistance to foreigners is provided by more than two persons, associations or organizations, the parties involved shall be punished by a major prison sentence of 2 to 8 years and the corresponding fine, the accessory penalty of expulsion being applied.

4. The fines provided for in this article are not convertible into prison terms.

**ARTICLE 117. (Investigation and proceedings)**

The Migration and Foreigners Service shall investigate and draw up the proceedings relating to the offenses provided for in this law, under the supervision of the Public Prosecutor's Office, through a representative appointed for this purpose.

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**CHAPTER IX Charges**

**ARTICLE 118. (Charges)**

1. The charges for the acts provided for this law shall be fixed by Joint Executive Decree of the Ministers of Finance and the Interior.

2. Under the terms of the foregoing paragraph, the table of charges is approved as an annex to the Joint Executive Decree which fixes the amount to revert to the Migration and Foreigners Service at seventy per cent.

3. Abroad, the charges due shall be those stated in the list of consular fees.

#### **ARTICLE 119. (Exemption from payment of charges)**

Citizens of countries with which the Republic of Angola has concluded agreements to such effect shall be exempt from payment of the charges provided for in this law.

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### **CHAPTER X**

#### **Executory and transitory provisions**

#### **ARTICLE 120. (Transitory dispositions)**

1. Investors who hold work permits shall apply to replace their work permit with a privileged visa within sixty days of publication of this law.

2. Holders of stay permits under work permits shall apply to replace such permit with a temporary stay permit within sixty days of publication of this law.

3. Pending the establishment of new models of lodging report forms under the terms of article 94 (2) herein, those provided for in Minister of Interior Executive Decree 27/03 of 6 June shall be applicable.

**ARTICLE 121. (Definitions)**

For the purposes of this law, the definitions set out in the annex hereto, which is an integral part hereof, are hereby adopted.

**ARTICLE 122. (Repeal of legislation)**

Law 3/94, of 21 January, is hereby repealed.

**ARTICLE 123. (Regulation of law)**

Pending the publication of the regulation of this law, the regulatory norms approved by Decree 48/94, of 25 November, shall apply, provided that such do not conflict with the provisions herein.

**ARTICLE 124. (Doubts and omissions)**

All issues and omissions arising from the interpretation and application of this law shall be resolved by the National Assembly.

**ARTICLE 125. (Entrance into force)**

This law shall enter into force 60 days pursuant to its publication. Seen and approved by the

National Assembly in Luanda, on 17 July 2003. The President of the National Assembly, João Manuel Gonçalves Lourenço. Promulgated on June 15, 2007. This Regulation shall be published. The President of the Republic, JOSÉ EDUARDO DOS SANTOS.

□ **Annex referred to in Article 121 herein**

Definitions: For purposes of interpretation and application of this law, the following shall be construed:

1. «Host» – any national or foreign citizen that hosts a foreign citizen.
  
2. «Stateless» – any person not considered as a national by any State under the terms of its law.
  
3. «Authorization of residence» – the act that enables the foreign citizen to reside in Angola.
  
4. «Illegal Foreigners Detention Center» place for the detention of foreign citizens illegally living in Angola, in waiting for expulsion or repatriation.
  
5. «Temporary stay center» – place for the temporary stay of foreign citizens who entry into the national territory was refused, in waiting for their re-embarkment due to lack of flight or any other means of return.
  
6. «Clandestine» foreign citizen not declared by the owner of the means of entry at point of entry.
  
7. «Foreigner» – any person not having Angolan nationality.

8. «Foreign resident» – foreign citizen permitted to live in Angola through a residence permit.
  
9. «Expulsion» – Measure decreed by judicial authorities or Immigration Service against any foreign citizen that does not abide by the conditions established for his stay in the country.
  
10. «Repatriation Guarantee» – amount, equivalent to the price of the travel ticket to the country of origin of the foreigner holding a work permit, deposited in a commercial bank, which could eventually be used for his repatriation.
  
11. «Illegal Immigrant» – foreign citizen that enters and stays illegally into national territory.
  
12. «Immigration offense» – is the conduct of a national or foreign citizen that violates the provisions of immigration laws.
  
13. «Foreign Investor» – non-resident singular entity (foreign), who has an investment proposal approved by the relevant organ.
  
14. «Means of subsistence» – proof that the foreign citizen must provide to support his stay in national territory.
  
15. «Undocumented Passenger» – Foreign citizen that does not have a passport, entry visa or any other international travel document valid for Angola.
  
16. «Passport»- international identification and travel document by means of which the competent authority of a given country identifies its citizens.

17. «Illegal Stay» – stay of a foreign citizen in national territory without valid authorization to this effect.
18. «Border post» – place in the national territory earmarked for the entry and departure of people.
19. «Crossing posts» – place of passage of people identified as frontier residents.
20. «Potential foreign investor» non-resident singular entity or representative, who submitted an investment proposal without it being approved by the competent organ.
21. «Promoter» – national or foreign citizen, who through diverse means and ways lure illegal immigration, with or without profit.
22. «Refusal of entry» – border procedure that is applied to any foreign citizen that desires to enter into the country and does not meet the legal requirements.
23. «Refugee» - anybody enjoying the protection of the Republic of Angola and is subject to the 1951 Geneva Convention on Refugee Status and the 1969 OAU Convention that regulates specific aspects related to the problems of refugees in Africa, in consonance with the law on refugee status.
24. «Frontier Resident» – any citizen residing along the border, with residence time equal or above five years in a territorial depth established under the terms of bilateral agreements entered into between the Republic of Angola and a neighboring country.
25. «Asylum Seeker» – any person seeking international protection of the Republic of Angola and is subject to the 1951 Geneva Convention on refugee status and to the 1969 OAU Convention regulating specific aspects related to the refugee problem in Africa.

26. «Emergency Travel Certificate for foreigners» – an international identification document for departure from Angola issued by the Immigration Service to a foreign citizen who does not have diplomatic representation in the country.

27. «Non-resident foreign worker» – foreign citizen with professional, technical or scientific qualification contracted in a foreign country, for a fixed term, to carry on paid work for another party and is holder of a work permit.

28. «Transshipment – transfer of crew or passengers from one ship to another on high seas.

29. «Transit»- passage of a foreign citizen from his State of origin or other State without entry into National territory with the respective visa, based on which he is permitted to stay in the international transit areas (of border posts).

30. «Visa» – is the State authorization that allows the foreigner to enter and stay in the National territory, pursuant to observance of the limits and pre-conditions set out by law.

The President of the National Assembly, João Manuel Gonçalves Lourenço.  
The President of the Republic, JOSÉ EDUARDO DOS SANTOS.