



REPÚBLICA DE ANGOLA
MINISTÉRIO DO INTERIOR
SERVIÇO DE MIGRAÇÃO E ESTRANGEIROS

Executive Decree No. 13/10 of February 10 -
application of recruitment, integration, training
and Angolan personal development and the hiring
of foreign personnel for the execution of oil
operations in Angola



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Considering Executive Decree No. 17/09 of 26 February defines the rules and procedures to be observed in the recruitment, integration, training and Angolan personal development and the hiring of foreign personnel for the execution of oil operations in Angola;

Such procedures must be regulated;

Under the combined provisions of paragraph 3 of Article 114 thereof, the Constitution, and Article 22 Decree-Law No. 17/09 of June 26, I determine:

CHAPTER I

General Provisions

ARTICLE 1.

Object

This Executive Order has as object the regulation of the application of the provisions in Decree-Law No. 17/09 of 26 June relating to recruitment, integration, training and development of Angolan personnel and the hiring of foreign personnel to implement oil operations in Angola.

ARTICLE 2.

Definitions

Without prejudice to Article 2 Decree-Law No. 09/17 of 26 June and except as otherwise expressly provided in the text, the words and expressions used in this law have the following meanings, and definitions in the singular apply equally in the plural and vice versa:

- a) Oil - crude oil, natural gas and all other hydrocarbon substances which can be found and extracted, or otherwise obtained and collected from the oil concession area, as defined in Law No. 10 / 04, Nov. 12;
- b) Career Plan - the succession / promotion of categories or posts for a specific function that is occupied by the employee over the course of his professional activity;



REPÚBLICA DE ANGOLA
MINISTÉRIO DO INTERIOR
SERVIÇO DE MIGRAÇÃO E ESTRANGEIROS

- c) Career - the route by the succession of levels of evolution, in which the work performance of holding a job is considered basic training for the performance of functions of the next higher level, this progression is usually associated with increased compensation;
- d) Decree-Law, the Decree-Law No. 17/09 of 26 June.

ARTICLE 3.

Scope of application

1. Are covered in this diploma the following companies:

- a) all foreign and Angolan firms, whose capital is owned by majority by foreign natural or legal persons, engaged in nationwide activities of prospecting, exploration, evaluation, development and production of crude oil and natural gas as well as refining and processing of crude oil and natural gas storage, transmission, distribution and marketing of products, their derivatives;
- b) all companies of foreign law and under Angolan law, whose capital is mostly owned by foreign natural or legal persons, that in carrying out its activities in the country, providing services to companies mentioned in the previous paragraph for a period equal to or greater than a years, consecutive or interspersed, regardless of the block, the concession area or business segment where the service is performed.

2. Are not covered as provided in this diploma, the following companies:

- a) companies based abroad that provide materials, equipment and other products to the operating companies or blocks of concession areas;
- b) companies providing services and construction companies or similar structures that perform all or most of the work, outside Angola;
- c) companies whose social object does not report directly to the oil activity.

3. Oil companies not operators, which have financial participation in a particular block or financial concession area as well as subcontractors to provide services, are only subject to the obligation to pay the money they compete in terms of Article 12. and 13. of the decree-law.



REPÚBLICA DE ANGOLA
MINISTÉRIO DO INTERIOR
SERVIÇO DE MIGRAÇÃO E ESTRANGEIROS

ARTICLE 4.

Equal rights

Equality of rights under Article 5. of Decree - Law No. 09/17 of 26 June, must be understood as the principle of equal treatment to workers who hold the same professional category and in companies engaged in similar functions covered by this statute, giving the Angolan legal protection against discrimination in employment and working conditions, salary, allowances and social benefits, embodied in perks and benefits granted by companies as an additional increment to the salary and of medical care, medication and others.

CHAPTER II

Human Resources

ARTICLE 5.

Recruiting and integration of Angolan personnel

Having the Angolanization of the national oil sector, the companies covered must fill the personnel lists, in all categories and functions, with Angolan citizens duly qualified.

ARTICLE 6.

Contract program

1. The contract program, referred to in Article 6 of the decree-law is celebrated between the Ministry of Petroleum and each one of the operating companies which is part in the oil contracts of the consortium, share of production and service with risk, as well as companies holders of prospection license and the thereof in article 3 of this diploma.

2. Without prejudice to paragraph 2 of Article 6 of the decree, the Ministry of Petroleum should conclude with companies already operating in the oil sector, the respective program contract



REPÚBLICA DE ANGOLA
MINISTÉRIO DO INTERIOR
SERVIÇO DE MIGRAÇÃO E ESTRANGEIROS

within 90 days from the date of publication of this law, proposing to that end the paradigm of the contract to be concluded.

3. The contract program, referred to in previous numbers must obey the template annexed to this diploma.

ARTICLE 7.

Professional career plan

1. The career plan should be designed so as to be fully achieved the goals set out in the contract program to be concluded with each of the companies covered by this statute, having in sight the Angolanisation the national oil sector.

2. For the purposes of the preceding paragraph, the career plan of Angolan personnel should take into account the following:

a) the number of Angolan workers within the firms' personnel, the level of technicians management and leadership charts;

b) the number of foreign workers in the personnel of existing firms, the level of technicians and management and leadership charts, to be progressively replaced upon scientific, technical and professional training of workers in Angola;

c) the rules, principles and regulatory guidelines and systematic development of scientific and technical and professional training of Angolan workers, according to the profiles of each position or function, as well as for proper evaluation of their conduct towards the work, attendance and performance embodied in the disciplined tasks inherent to the position or function engaged, in view of the rise / promotion of the company's staff.

ARTICLE 8.

Hiring of foreign personnel

1. The hiring of foreign personnel in accordance with the decree, can only be done with prior authorization from the Ministry of Petroleum at the request of the interested company.

2. For the purposes of the preceding paragraph, the application must be accompanied by supporting elements that in the domestic market, there are not sufficient and available Angolan



REPÚBLICA DE ANGOLA
MINISTÉRIO DO INTERIOR
SERVIÇO DE MIGRAÇÃO E ESTRANGEIROS

citizens with the skills and experience required for the exercise of office or position in question, namely :

a) public announcement about the availability of places in the job description or role to play and indication of academic and technical and professional experience required;
b) declaration to be issued by the Centers for Employment and Vocational Training of the Ministry of Public Administration, Employment and Social Security, on the absence and / or non-availability of Angolan citizens in the national labor market with the required qualifications and experience in public announcements relating to vacancies for the posts or duties to fill in the companies' personnel charts.

3. In assessing the application and accompanying documentation, the Ministry of Petroleum should take into account the degree of compliance with the following instruments:

a) program contract concluded with the applicant, duly updated in accordance with paragraph 6 of Article 6 of the decree-law;
b) the plans of development of human resources of the company, approved by the Ministry of Petroleum.

ARTICLE 9.

Maintenance of employment after training

Workers who receive training and upgrading of technical-professional of high level is bound by agreement with the company, to maintain the employment relationship by the time period stated in the terms and conditions provided by the General Labor Law, Law No. 2 / 00 of February 11.

CHAPTER III



REPÚBLICA DE ANGOLA
MINISTÉRIO DO INTERIOR
SERVIÇO DE MIGRAÇÃO E ESTRANGEIROS

Fina Provisions

ARTICLE 10.

Monitoring

The Ministry of Petroleum, by intermediate of the National Directorate of Human Resources and Monitoring Office, must periodically monitor the companies covered in the sense to check the conformation of its activities with relevant legal provisions.

ARTICLE 11.

Database

The database referred to in Article 21 of the decree-law, must be created and duly operational within 90 days, counting from the date of publication of the present diploma.

ARTICLE 12.

Entry into force

This decree shall enter into force upon its publication.

This Regulation shall be published.

Luanda, 3 February 2010.

The Minister, José Maria Botelho de Vasconcelos.