



Republic of Angola

*Law of Delimitation of The Sectors
of Economic Activity: Law No 13/94*

2 September 1994

Law No 10/88, of July 2nd, called "The Law of Economic Activities", denies the private sector access to a certain number of activities while it delimits those areas of the economy which are not adjusted to the larger option of a development geared to a market economy and consequently a reduction in state direct intervention in the economic life of the country.

It is therefore aimed at reformulating what has been called "State reserve", by considerably reducing its field of application and making it more flexible through the adoption of the concepts and regime of "absolute reserve", "controlled reserve" and "relative reserve".

Furthermore, in accordance with the constitutional principles this law establishes clearly the principle of coexistence of the sectors and their equitable, non - discriminatory treatment.

In that sense, and under the terms of paragraph m of article 89 of the Constitution, the National Legislative Assembly approves the following:

- ***Law of Delimitation of The Sectors of Economic Activity Article (Concept)***

For the effects of this law, economic activity is defined as those activities linked to the production and distribution of goods and services in which the exchange of payment is involved and profit oriented.

- ***Article 2 (Sectors of the economy)***

Economic activities are performed in the public, private, cooperative and social spheres.

- ***Article 3 (Coexistence of sectors)***

The State guarantees the coexistence of the different sectors of the economic activity and the different types of property and management systems it encompasses, providing all of them with equal protection and promotion, and no discrimination, under the terms of the constitution.

- ***Article 4 (Public Sector)***

The Public sector encompasses the economic activities pursued by the state and other public entities.

- ***Article 5 (Public sector operation of economic activities)***

In the public sector, economic activities may be conducted in the following ways:

- a) directly by the state
- b) by public corporations
- c) by public institutes and other similar public entities
- d) by commercial corporations with public capital
- e) by commercial corporations and other types of associations where the majority of the capital is public.

- ***Article 6 (Private sector)***

The private sector encompasses the economic activities performed by individual or private corporations

- ***Article 7 (Private sector operation of economic activities)***

In the private sector, economic activities may be conducted in the following manners:

- a) individually, with or without a company
- b) by commercial corporations or other types of associations with capitals held mostly by individuals or private corporations.

- ***Article 8 (Cooperative or social sector)***

The cooperative or social sector encompasses the economic activities conducted by cooperatives, local communities or families.

- ***Article 9 (State reserve)***

1. State reserve is understood to be the group of areas in which economic activities can only be performed with the participation of the state or other entities which under the terms of this law are part of the public sector, either by their ownership or management.
2. State reserve includes absolute reserve, controlled reserve and relative reserve.

- ***Article 10 (Absolute reserve)***

1. Absolute state reserve are the set of areas in which economic activities can be exclusively be conducted by the public sector.
2. The following are areas of absolute state reserve:
 - a) the production, distribution and commercialization of war materiel
 - b) banking activities related to the functions of the central, issuing bank
 - c) port and airport management
 - d) telecommunications in basic national network infrastructure and services.

- **Article 11 (Controlled reserve)**
 1. Controlled state reserve are the areas which will be describe below and which can be operated by corporations created through the association of public sector entities, which must hold the majority of the stock, with other entities:
 2. The following are areas of controlled state reserve:
 - a) air transport of passengers and international cargo
 - b) domestic air transport of passengers
 - c) regular postal services
 - d) long distance maritime transportation.

- **Article 12 (Relative reserve)**
 - 1) The economic activities in the areas described below can be conducted by corporations or entities which are not integrated into the public sector, through temporary concession contracts. basic sanitation
 - a) production, transport and distribution of electric power for public consumption
 - b) collection, treatment and distribution of drinking water through fixed networks
 - c) exploitation or port and airport services
 - d) railway services
 - e) maritime and coastal transport g) collective bus services
 - f) non regular air transport of passengers and cargo (domestic)
 - g) complementary postal and telecommunication services.
 2. The exploitation of natural resources, which under the terms of the Constitution are the property of the state, can only be undertaken through concessions or other regimes that do not involve the transmission of property.

- **Article 13 (Doubts and omissions)**

Any doubts and omissions which may arise in the interpretation and application of this law shall be decided by the National Legislative Assembly.

- **Article 14 (Revocation of legislation)**

Any legislation contrary to the provision of this law, specifically articles 3, 17, 18 of law No 10/88, of 2 July, is hereby revoked.

- **Article 15 (Regulations)**

This regulations applicable to this legislation must be issued by the government within 60 days.

Seen and approved by the National Legislative Assembly.