



International
Labour
Organization



ANGOLA - Extract SADC Labour Migration Stocktaking Report

SADC Labour Migration Policies and Governance: Brief summaries of key elements of Labour Migration Policies¹; Specific provisions pertaining to the employment of foreign workers²; and, Applicable requirements and procedures for obtaining work permits³.

¹Available information indicates that only 5 SADC Member States (Eswatini, Lesotho, Namibia, Seychelles and Zimbabwe) have a National Labour Migration Policy, with Mauritius formulating a Migration and Development Policy and Malawi having reached the stage of publishing a Situational Analysis report in preparation for the drafting of its NLMP.

²The authors express their gratitude to Ms Zoe Isaacs for the permission to reproduce the information pertaining to the employment of foreign nationals found in the SADC Labour Law Guide that is maintained by the SADC Private Sector Forum (SPSF) and available at <https://www.sadclabourlawguide.spsf.org/bw/>

³Information regarding requirements and processes for obtaining work permits was primarily sourced from official government websites and from <https://www.globalization-partners.com/globalpedia/> No information was available for Comoros.

Angola	
Type of permit	Work permit
Application requirements	<p>A letter from the applicant addressed to the Embassy,</p> <p>A Photocopy of the applicant's passport, with a validity of at least 18 months</p> <p>Two passport sized photos and following documents:</p> <ul style="list-style-type: none"> • A declaration that the applicant will abide by Angola's laws • Proof that the applicant has no family ties to individuals living in the country • An employment contract • A criminal record from the applicant's country of residence • A certificate showing good health from an official health institution in the country of residence • Copy of yellow fever certificate • Academic and professional certificates • A curriculum vitae • Proof of your company's legal status in Angola
Duration of permit	Initially 12 months and can be extended twice for up to 36 months
Employment of Foreign Nationals	<p>The Presidential Decree sets very strict procedures that must be followed in the hiring of non-resident foreigners. The provisions shall apply to the employment of foreign workforce under a technical workforce agreement. The terms and conditions should be made on equal conditions as those applicable to domestic employees, namely remuneration and working conditions. However, in general terms, companies, either domestic or foreign, are only allowed to employ a quota of 30% of non-resident foreign workforce and the remaining 70% must be filled by Angolan nationals.</p> <p>To employ any non-resident worker, the employee must meet the following main requirements: to be of age under both Angolan Law and the relevant foreign law; to have a technical or scientific qualification, duly approved; to have physical and mental ability as duly attested by a medical certificate issued in the country of employment; not to have any criminal record, as duly attested by document</p>

issued in the worker's country of origin ; and lastly the worker must not have acquired Angolan nationality or citizenship.

The employment agreement must be made in writing and include the following elements: employer's and worker's identification; worker's job classification and occupational; workplace; working hours; amount, terms and period of payment of salary; commitment to return to the country of origin following termination; date of commencement; place and date of execution of agreement; lastly the worker and employer party's signature. The agreement must be registered with the Employment Centre of the company location within 30 days from the date of commencement of employment. The Employment Centre must keep a copy for its files and forward a copy to the applicant with the entry and registration number. The other copy must be forwarded to the services in charge of control of aliens. A 5% fee on the remuneration amount expressed in the agreement is payable for each employment registration.

Generally, the non-resident foreign worker must pay taxes in accordance with the law. In the event of a dismissal of the non-resident foreign worker, employers must settle all accrued or accruing obligations; maintain the housing conditions established in the employment agreement until the Migration and Foreigner services is notified; and provide an airline ticket for return to the country of origin.

Besides other duties, such employees should assure that the Angolan employees with whom they will cooperate can to gather from their activity the greatest possible knowledge and information to other Angolan workers. This type of agreement will have a minimum duration of 3 months and a maximum limit of 36 months, after which the non-resident foreign employee must return to his country of origin. The work visa shall be used by the respective holder within 60 days following its granting and it will grant the employee multiple entries in the country and a stay until the end of the contract. On the date of the signature of the agreement, the non-resident foreign workers shall sign a sworn statement through which the worker undertakes to respect and ensure the respect for the laws of the Angolan Republic. The agreement must be registered at the employment office and be available on the company premises.

Any work visa is granted by the Angolan Diplomatic missions or Consulates and is necessary to allow the entry of any work visa holder in the Angolan territory, with the purpose of performing a professional activity in the country. Any employee

	<p>who is a holder of a work visa is only allowed to perform the professional activity for the company that has applied for that work visa, in an exclusivity regime.</p> <p>The Private Investment law and the legal provisions establish that Angolan companies should adopt an Angolanization policy. This requires that companies should gradually substitute foreign employees with the national workforce. The employment of Angolan workers for management functions and leading positions is considered as a priority. In the oil sector, the employment of foreign personnel is subject to the prior authorization from the Ministry of Petroleum and the grounds for the employment of foreign workers instead of national workers must be justified.</p> <p>The Angolan recruitment policy for the oil industry stipulates that all oil companies must employ Angolans in all categories and posts. The hiring of foreign employees will only be done through the authorization of the Ministry of Petroleum. All companies already operating in Angola must send a name list of foreign staff employed by them and indicate their names, occupations, wages, standards and other social privilege to justify their recruitment to the Ministry of Labour. All employees, whether foreign or Angolan should be paid the same salaries, enjoy the same social benefits and the same working conditions if they work in the same category and posts.</p>
National Labour Migration Policy	No information available
National Labour Market Institutions	<p>The Provincial Courts, through the Chamber of Labour, have jurisdiction to hear and judge all individual labour disputes.</p> <p>The General Labour Inspectorate primarily responsible for all monitoring and compliance within the labour market. They are responsible for all labour inspections which can be initiated by the worker, employer or a judicial authority.</p> <p>The Ministry of Public Administration, Employment, and Social Security is the leading authority for labour issues.</p>