

Strictly confidential



Toolkit document for business with / in Angola (this toolkit is not exhaustive)

Revised on 3 January 2012

MPLA / JEdS / parliament: 2008 party commitment to “good and transparent governance” / 2009 Presidential commitment to “zero tolerance for corruption” / 2010 adoption of and national commitment to a new constitution / anti-money-laundering and anti-terrorism financing law / Tribunal de Contas Law / “probity law” (promotes Angolan integrity and ‘uprightness’ especially within the cadre of public office-bearers; honesty, disclosure) / anti-property speculation / 2011 new investment law / rapidly strengthening national commitment to the ‘rescue of Angola’s social values and practices’.

Some basic documents:

- 1 EIA on Angolan Energy <http://www.eia.gov/EMEU/cabs/Angola/pdf.pdf>
- 2 Sonangol’s 2010 accounts
https://www.sonangol.co.ao/wps/wcm/connect/814b2480475d05dea6d1ff7c37a37d2d/SEP_relatorioContas2010.pdf?MOD=AJPERES&CACHEID=814b2480475d05dea6d1ff7c37a37d2d
- 3 Doing Business in Angola 2011 <http://www.doingbusiness.org/data/exploreconomies/angola>
- 4 Angola’s public investment programme budget for 2011
http://www.minfin.gv.ao/fsys/RESUMO_DO_PIP_DO_RGO_POR_UNIDADE_ORAMENTAL2011.pdf
- 5 Angola’s economic planning for 2008 - 2013
http://ec.europa.eu/development/icenter/repository/scanned_ao_csp10_en.pdf
- 6 Deloitte’s Angolan banking review 2010 [http://www.deloitte.com/assets/Dcom-Portugal/Local%20Assets/Documents/FSl/pt\(en\)_fsi_bancaanalise2010_20101006.pdf](http://www.deloitte.com/assets/Dcom-Portugal/Local%20Assets/Documents/FSl/pt(en)_fsi_bancaanalise2010_20101006.pdf)
- 7 SmarTraveller on Angola <http://www.smartraveller.gov.au/zw-cgi/view/Advice/Angola>
- 8 US Department of State Background Note on Angola <http://www.state.gov/r/pa/ei/bgn/6619.htm>

Discussion checklist:

- 1 2012 Budget 1 January 2012 to 31 December 2012
<http://www.minfin.gv.ao/docs/dspOrcaCorren.htm>
 - a. USD 75 = 47 billion
- 2 2011 Budget 1 January 2011 to 31 December 2011
 - a. USD 68 = USD 43 billion
 - b. USD 95.35 = additional USD 2 billion – June 2011 prudent?
 - c. Mid-2011 World Bank estimates 5% GDP for 2011 and 8% GDP for Angola in 2012 but Angolan government revises GDP for 2011 downwards to 3% in October 2011
- 3 ≈ 2500 projects worth ≈ USD 8 billion plus another ≈ 500 projects worth ≈ USD 2 billion (June 2011) – capacity to project manage?
- 4 Debt stands at USD 29 billion – mid-2011 ; population estimated at 20.9 million in August 2011
- 5 Reserves recover to end 2008 levels in June 2011 – by end July increased to about USD 22.6 billion or around 22 months of imports (took 36 months to recover from the largely self-inflicted shock of profoundly imprudent fiscal decision-making by BNA / MinFin)
- 6 Budget plus Credit lines (mainly oil-backed with China)
- 7 PPP options / tenders / by negotiation
- 8 Partners / customers:
 - a. That subtract value / toxic / sole agency / secret passive / secret active partner
 - b. That add value / non-toxic:
 - b.i. Expertise / track record
 - b.ii. Status – duty-free / consumption tax free
- 9 Trade:
 - a. Goods / Services – sale and purchase agreement – customs green channel – despachante – intention / capacity of customer to pay duties – pauta aduaneira
<http://www.alfandegas.gv.ao/files/legislacoes/20090519034116.Pauta082008.pdf> to be amended as from 1 January 2012 – accounting for / tracking of items imported free of duty

- b. Technology and associated expertise / IP protection
- c. Public / private / social enterprises / NGOs
- d. Angola may soon implement the SADC free trade arrangements on a selected, 'zonal' / provincial basis e.g. Huila province
- e. Evaluating your trade mission B2B facilitator:
 - e.i. Are you country-specific export ready?
 - e.ii. How healthy is your business judgement regime? Are you ultra-informed? / can you conduct ultra-level due diligence? / can you establish and maintain ultra-level care in any business relationship that may develop?
 - e.iii. Have you protected your IP / Brand in Angola?
 - e.iv. Do they ask for a briefing on your firm?
 - e.v. Specifically do they request a set of documentation that can be used for mutual full disclosure purposes.
 - e.vi. In Portuguese?
 - e.vii. Do they offer a similar set iro the Angolan businesses that they offer to introduce you to – in English?
 - e.viii. Your website?
 - e.ix. Never offer sole agency arrangements.

10 Investment:

- a. Ultra-challenging
- b. Ultra-expensive
- c. Ultra-ROI
- d. Market survey:
 - d.i. Preliminary
 - d.ii. Advanced
- e. Green and advanced / cutting-edge technologies:
 - e.i. Carbon credits
 - e.ii. Slope stabilisation
 - e.iii. Advanced social housing technologies
 - e.iv. Advanced energy technologies – hydro / solar / wind
- f. Law, legal and code compliance:
 - f.i. At home / Anti-corruption Law 2004 / SARS / Company Law 2008 as amended in 2011 / King 111 / Consumer Protection Law / etc
 - f.ii. In-country / Company law 2004 / Commercial Code / T Contas laws (state tenders) / Probity law (theft of state resources / declaration of interests of public office-bearers) / Money laundering law (false / under / over invoicing / transfer pricing) / Foreign Exchange (credit cards) / etc
 - f.iii. Establish and maintain total compliance protocol – on-going compliance audit is critical – see para o ii below
 - f.iv. Civil Law transforming – 2010 - presumption of innocence replaced presumption of guilt
 - f.v. Precedent not a defence
 - f.vi. Inquisitorial not adversarial
 - f.vii. Massive backlog of civil and criminal cases (several years) undermines authorities' claim that "rule of law" exists.
 - f.viii. Reliance on formal contractual arrangements is ultra-high risk policy and must be mitigated from the outset.
- g. JSE:
 - g.i. KING 111 / Audit practice
 - g.i.1. Is your company a JSE listed company?

- g.i.2. Is your Angolan company a subsidiary of and thus accountable to a JSE listed company?
 - g.i.3. Audit including non-financial audit is critical.
- h. US Treasury SDN risk: <http://www.treasury.gov/ofac/downloads/t11sdn.pdf>
 - h.i. Commercial
 - h.ii. Industrial
 - h.iii. Construction
 - h.iv. Supermarkets / Cash n Carry
 - h.v. Distribution
 - h.vi. Food industries
 - h.vii. Paints and coatings
- i. Struggle / political / economic connection risk:
 - i.i. Ultra-risky activity in an
 - i.ii. Ultra-high risk market;
 - i.iii. Beware the potential partner identified by prominent but uninformed foreign personalities / experts
- j. Elite risk
- k. Bureaucracy risk
- l. Productivity risk – the ‘productivity’ principle – “use it or lose it” – hold for 5 years
- m. MRIS and RAAM risks
- n. Succession risk / tone at the top!
- o. Bribery and Corruption risk:
 - o.i. US Foreign Corrupt Practices Act / UK Bribery Act / Russian Corruption Act / Australian Criminal Code (foreign bribery provisions) / German Corruption Act / other anti-corruption laws – watch your hospitality practices:
 - o.i.1. What is excessive?
 - o.i.2. What is not excessive?
 - o.i.3. Disclose commissions paid!
 - o.i.4. Angola-specific:
 - o.i.4.a. Organised
 - o.i.4.b. Extortion
 - o.i.4.c. Influence-peddling
 - o.i.5. Solutions – “say no to bribery and corruption”
 - o.i.6. Bribery charges laid against Australian company – early July 2011
 - o.i.7. Reciprocal gifts of very valuable Chinese and Angolan artifacts / art works.
 - o.ii. Compliant regime protocol – ten ‘to do’ actions:
 - o.ii.1. Applying ultra-care means establishing a ‘compliant operating regime’ very early on in the life of the business and then keeping the regime up to date by conducting a compliance audit more frequently rather than less frequently – ideally the baseline should be established by an independent team containing country-specific legal and audit expertise.
 - o.ii.2. When receiving a visit by law enforcement it is now common practice graciously to welcome the law enforcement visitors, to invite them to identify themselves and to make copies of the IDs of all the visitors. This is entirely in line with Angolan bureaucracy and the associated paper trails – it also inhibits solicitation of bribes.
 - o.ii.3. Always maintain a presence of at least three company officials (senior person plus 1 transferred staff plus 1 local staff) within earshot during interactions

with the visitors – i.e. during interviews and during walkabouts. Practice this ahead of time.

- o.ii.4. Always ask the visitors to give you permission to photograph problems that they may point out – asking is a courtesy – on your premises it is your right to take such photographs. A camera should always be handy for this purpose. One should offer the visitors copies of the photos taken to complete the courtesy.
- o.ii.5. A voice recorder should likewise always be handy to record all voice interaction with the visitors – same logic as above. Copy of the voice recordings offered as well.
- o.ii.6. Avoid all situations that might render one vulnerable, including being alone one-on-one with the senior visitor, weak communication skills, etc.
- o.ii.7. If appropriate, offer non-alcoholic refreshments, repeatedly if warranted.
- o.ii.8. All done whilst manifesting maximum humility and respect e.g. by calling the senior visitor by his / her name and or rank.
- o.ii.9. The senior company official present, not local or junior staff, always sees the visitors in and out.
- o.ii.10. One can never overdo the courteous behaviour.

p. Accountability and responsibility risk:

p.i. Change vs no change

- p.i.1. 1975
- p.i.2. 1992
- p.i.3. 2002
- p.i.4. 2008
- p.i.5. 2010

p.ii. Progress vs no progress

p.iii. Elections vs no elections // accountability shifting from party to people

- p.iii.1. 1992 (parliamentary election completed but not presidential election – war resumed)
- p.iii.2. 2008
- p.iii.3. 2011 (voter registration 29 July 2011 to 16 December 2011 - 406 postos de registo)
- p.iii.4. 2012

p.iv. Elections more frequently rather than less frequently

p.v. Young democracy vs mature democracy

p.vi. Open vs closed democracy

p.vii. Deep vs shallow democracy

p.viii. Fragile vs rugged democracy

p.ix. Electoral democracy or not an electoral democracy

p.x. Democratic institutions:

- p.x.1. CIPE (Electoral Commission)
- p.x.2. Constitutional Court
- p.x.3. Tribunal de Contas
- p.x.4. Nature / Strength

q. Centrally planned vs market driven economy risk

r. Due business judgement and ethics-rich business development strategy for 'good faith' market access; being:

- r.i. Ultra-informed
- r.ii. Ultra-diligence
- r.iii. Ultra-care
- r.iv. Establish and maintain sound ethics / ethics / ethics // integrity / integrity / integrity

- r.v. Support moral values / moral values / moral values // civic values / civic values / civic values
- r.vi. Application of these behaviours is probably your most critical risk mitigation solution.
- s. National Statistics risk:
 - s.i. Last census – pre-independence
 - s.ii. Next census - 16 July 2013 to 18 August 2013
- t. Understanding the Angolan market using:
 - t.i. The Angolan business paradigm and associated conundrums:
 - t.i.1. Assumptions
 - t.i.2. Concepts
 - t.i.3. Values
 - t.i.4. Practices
 - t.i.5. Conundrums (as in logical postulations about Angola that might evade resolution; intricate and difficult Angolan problems) – avoid getting swept into the expat-based whirlpool of self-perpetuating, uninformed urban legends from yesteryear:
 - t.i.5.a. JEdS
 - t.i.5.b. Directors
 - t.i.5.c. Generals
 - t.i.6. Some characteristics of the Angolan business paradigm:
 - t.i.6.a. Dynamic (changing)
 - t.i.6.b. Several severe shocks to the Angolan system between 2002 and 2011
 - t.i.6.c. Diverse (very different compared with other markets)
 - t.i.6.d. Political cynicism vs business pragmatism
 - t.ii. The SWOT / TOWS paradigms:
 - t.ii.1. Strengths
 - t.ii.2. Weaknesses
 - t.ii.3. Opportunities
 - t.ii.4. Threats
 - t.iii. The PESTEL paradigm:
 - t.iii.1. Political
 - t.iii.2. Economic
 - t.iii.3. Social
 - t.iii.4. Technology
 - t.iii.5. Environment
 - t.iii.6. Legal
- u. Bridging the cross cultural business diversity chasm:
 - u.i. Team at home
 - u.ii. Team in-country
 - u.iii. The Angolan business protocol imperatives - “The way we do it in Angola” – Angolan proverbs – language – verbal / non-verbal
- v. Public communication / integration with transparency policy:
 - v.i. At home
 - v.ii. In-country
 - v.iii. Feijo’s image-building project / Queiroz’ transparency initiatives
- w. The new Angola:
 - w.i. Post-2002:

- w.i.1. Peace arrangements signed off within eight weeks of Savimbi's demise in February 2002
- w.i.2. GURN in place
- w.i.3. Integration of UNITA leadership and "militants" into Angolan society at all levels
- w.i.4. Challenge of the "demobilised" from both sides remains
- w.i.5. China's business team knocks on the door
- w.ii. 2003:
 - w.ii.1. Macroeconomics stabilise USD / Kwanza = 75
 - w.ii.2. China – Angola partnerships
 - w.ii.3. South Korea knocks on the door
- w.iii. 2005 – 2008:
 - w.iii.1. GDP ultra-high
 - w.iii.2. Oil price ultra-high
 - w.iii.3. Imprudent fiscal management builds
- w.iv. 2008 election – first 'real' election since 1975:
 - w.iv.1. 8.13 million registered voters
 - w.iv.2. 7.2 million voted ; 6.4 million valid votes
 - w.iv.3. 5.22 million voted for the MPLA
 - w.iv.4. Good and transparent governance
 - w.iv.5. Social spending
 - w.iv.6. GURN falls away
 - w.iv.7. MPLA obtains 191 seats out of 220 parliamentary seats
 - w.iv.8. Oil price plunges
- w.v. 2009:
 - w.v.1. USD liquidity crisis
 - w.v.2. Reserves crisis
 - w.v.3. GDP plunges to below zero
 - w.v.4. Budget spend shut-down
 - w.v.5. Macroeconomics de-stabilise
 - w.v.6. Capital flight / Caso BNA
 - w.v.7. US Treasury SDN list appears containing Angolan entities for the first time
 - w.v.8. IMF intervention invited
 - w.v.9. Bank obligatory reserves lifted step by step
 - w.v.10. Zero tolerance for corruption
- w.vi. 2010:
 - w.vi.1. New Constitution
 - w.vi.2. Probity Act
 - w.vi.3. Money-laundering and Counter Terrorism Act
 - w.vi.4. Shaking of the state and parastatal leadership and management trees
 - w.vi.5. Macroeconomics re-stabilise at USD /Kwanza = 93 / 94
- w.vii. 2011:
 - w.vii.1. MPLA 4th Extraordinary Congress reflects on 2008 to 2012 and prepares for 2012 to 2016
 - w.vii.2. Equitable wealth distribution – pilot project FUTURO – more like it coming.
- w.viii. 2012 – second 'real' election

- w.ix. 2013 - first national census for decades
- w.x. 2016 – target for development objectives – aim exit from LDC group
- w.xi. 2012 - 2030:
 - w.xi.1. Luanda Nova Cidade Kilamba Kiaxi
 - w.xi.2. Luanda Nova Cidade Sassa Bengo
 - w.xi.3. Lubango Nova Cidade EYWA
- x. The silent pro-ethics revolution:
 - x.i. Society-wide movement - “rescue of family / moral and civic values” - <http://www.teachingvalues.com/principlesummary.html> – an acceptable cloak for an anti-corruption campaign of some magnitude (a ‘moral regeneration’ movement): Civic values e.g. Courage / Respect / Consideration / Perseverance / Industry / Responsibility / Justice / Initiative / Moderation / Integrity
 - x.ii. Perpetrators depict anti-corruption pronouncements as anti-establishment - pro-ethics activists argue that those pronouncements are necessary in an morality-lean environment.
 - x.iii. Integrity testing / integrity training
- y. Property:
 - y.i. “Purchase”
 - y.ii. Rent
 - y.iii. Title
 - y.iv. Sectional title – implications for building tax
 - y.v. Land / buildings registers
- z. ANIP options:
 - z.i. New investment law 2011
 - z.ii. Access to incentives – more than USD 1 million
 - z.iii. Incentives excluded – between USD 500000 and USD 1 million
 - z.iv. Give serious attention to declining selected incentives
 - z.v. Reduced bureaucracy – faster approvals!?
 - z.vi. Business plan / contract with the state – content criticality
 - z.vii. Subsidiary option
- aa. GUE options – fast incorporation is now the norm:
 - aa.i. Limitada
 - aa.ii. SARL
 - aa.iii. SA
 - aa.iv. Social enterprise
- ab. Registrations – maintain registrations
- ac. Licenses – maintain currency
- ad. Fees - statutory
- ae. Accountant – Minfin approved accountant to sign off
- af. Taxation
- ag. Pre-shipment inspections – aiming for the green channel.
- ah. Distributors
- ai. Agents
- aj. Despachantes
- ak. Insurance - obligatory
- al. Banking
- am. Audit / tax / advisory:
 - am.i. Audit – non-financial audit aspects increasing in importance
 - am.ii. Tax – EFT now a preferred means of payment

- am.iii. Advisory – ultra high risk factor
- an. HR:
 - an.i. At home
 - an.ii. In-country
 - an.iii. Living and working in Angola as an expat.
 - an.iv. Bridging the cross cultural personal diversity chasm - individual / team
 - an.v. Language:
 - an.v.1. At home
 - an.v.2. Country management
 - an.vi. Beware the extortion / coercion / revenge / retribution / revolutionary tax rackets / bag man methodology – all illegal in terms of the present criminal code (new criminal code coming)
 - an.vii. Integration vs assimilation
 - an.viii. Single status / family status relocation
 - an.ix. Luanda International School / others
 - an.x. Recreation / pastimes / pursuits:
 - an.x.1. Repertory groups
 - an.x.2. Chess
 - an.x.3. Prose / poetry reading sessions
 - an.x.4. Economists gatherings
 - an.x.5. Others
 - an.xi. Sport:
 - an.xi.1. Participant
 - an.xi.2. Spectator
 - an.xii. Caso SME (ex-DEFA)
 - an.xiii. Beware the:
 - an.xiii.1. insurance policy skills and
 - an.xiii.2. threat / retaliation / revenge / enforcement factors
- ao. Legal advice:
 - ao.i. Ad hoc
 - ao.ii. Retainer 24/7/365
 - ao.iii. What qualifies an 'advogado' to be your 'advogado'?
 - ao.iv. Beware the business / contractual conflict resolution (discussion / negotiation / mediation / arbitration / litigation) paradigm.
 - ao.v. Beware the professionals that over-emphasise the "doing business in Angola is difficult" drum!
 - ao.vi. Beware the professionals that over emphasise the "high cost of doing business" drum!
 - ao.vii. Beware the self-professed "connected" professionals!
- ap. Visas and work permits (+50% of cvs submitted are fraudulent):
 - ap.i. Special visas
 - ap.ii. Plan ahead
 - ap.iii. Don't confirm until in-hand
 - ap.iv. 500000 illegals in Angola
 - ap.v. Beware the "wobbly" work permit solutions offered like AMSCO and agents of dubious repute
- aq. Invitation criteria:
 - aq.i. Legal name of inviting party
 - aq.ii. Legal address of inviting party

- aq.iii. “Contribuyente” number (tax payer number)
- aq.iv. Clear assumption of responsibility for you, your stay and your return home.
- aq.v. Itinerary
- aq.vi. Legal entity official seal
- aq.vii. Avoid the “ clone” invitation or be arrested on arrival in Angola
- ar. Access to the necessary, country-specific, independent, (non-executive) expertise at leadership and management level (country-specific experience / knowledge / skills) – do without this support at your peril!

11 Angola is:

- a. neither for the faint-hearted
- b. nor for the arrogant (uninformed)!

12 Some companies with South African connections doing / developing / caring for and maintaining their / business in Angola (this list is not exhaustive):

- a. The Dawn Group / Fibrex / AST
- b. Vitagreen Irrigation Systems
- c. Liebherr
- d. The Rare Group / Rare Angola Energy / Rare Angola Water / Rare Angola Chemical
- e. The Wings Group
- f. NamKwang Angola
- g. The Plessey Group
- h. The Toyota Group / Toyota Angola
- i. The Nissan Group / UD Trucks
- j. The John Deere Group / Jembas Assistência Técnica / Lonagro Equipamentos
- k. The BASF Group
- l. LAL South Africa Language Centres
- m. Joint Aid Management
- n. The Lonrho Group / Fly540 / Lonrho Springs / Lonagro Equipamentos
- o. The Moody International Group
- p. The PG Group
- q. The GSK Group
- r. The Adcock-Ingram Group
- s. The Stefanutti Stocks Group
- t. The EsorFranki Group (civils pipelines geotechnical) / Franki Angola
- u. The Walmart / Massmart Group
- v. The Naspers Group / Multichoice
- w. The Global Alliance Group / GA Seguros
- x. The AIBA insurance brokerage Group
- y. The Bidvest Group / NAMSOV / Paarl Print
- z. The CTM group (tile and bathroom)
- aa. The Famous Brands Group / Wimpy
- ab. The Afrox Linde Group
- ac. The TransHex Group / Somiluana
- ad. The Shoprite Group / Supermarkets / Hungry Lion / Usave / OK Furniture / House and Home
- ae. The de Beers Group
- af. The Pep Group / PEP Africa / Pep Angola
- ag. The Tbwa Group
- ah. The Distell Group

- ai. The Nampak Group / Bevcan / Angolata / Reclatas
- aj. The Merensky Group
- ak. The BarloWorld Group / Caterpillar Angola
- al. The FirstRand Group / Rand Merchant Bank / China Construction Bank
- am. The Standard Bank Group / Industrial and Commercial Bank of China
- an. The SABMiller Group
- ao. Coca-Cola
- ap. The Nedbank Group / The Ecobank Group
- aq. The MICROmega Group
- ar. The Aurecon Group (ex-Africon and Ninham Shand Consulting Engineers)
- as. The Chavda Group
- at. Afrivet / Agromundo
- au. The Angoway Group
- av. The Enviroserve Group
- aw. The Angola Alliance
- ax. The Safal Group (manufacturer of flat and long steel products) / SAFINTRA roofing and steel Angola
- ay. The Hollard / OracleMed Group / Nosso Seguros
- az. The Omnia Group / Omnia Angola (fertilisers) / Protea Chemicals / BME
- ba. The Dimension Data Group
- bb. The Shanduka Group / Seacom
- bc. The PM Group
- bd. The BAT Group
- be. Blue Ocean Oil / Allead Energy Angola Limitada
- bf. The SAP Group
- bg. The South African Airways Group
- bh. Gem Diamonds / Chiri
- bi. The Emirates Group / others
- bj. The Tiger Wheel and Tyre Group
- bk. Moneygram / Western Union
- bl. Visa Card

13 South Africa – Angola Chamber of Commerce – ten years of members doing better business by applying this code of conduct in trade with, and investment in, Angola.

- a. Article 1: Extortion and coercion
No one may, directly or indirectly, demand or accept a bribe.
- b. Article 2: Bribery and "Kickbacks"
 - a.) No Member may, directly or indirectly, offer or give a bribe and any demands for such a bribe must be rejected.
 - b.) Members should not (i) kick back any portion of a contract payment to employees of the other contracting party, or (ii) utilize other techniques, such as subcontracts, purchase orders or consulting agreements, to channel payments to government officials, to employees of the other contracting party, their relatives or business associates.
- c. Article 3: Agents:
Members should take measures reasonably within their power to ensure:
 - a) that any payment made to any agent represents no more than an appropriate remuneration for legitimate services rendered by such agent;
 - b) that no part of any such payment is passed on by the agent as a bribe or otherwise in contravention of these Rules of Conduct; and
 - c) that they maintain a record of the names and terms of employment of all agents who are retained by them in connection with transactions with public bodies or State enterprises. This record should

be available for inspection by auditors and, upon specific request, by appropriate, duly authorized governmental authorities under conditions of confidentiality.

- d. Article 4: Financial Recording and Auditing
 - a) All financial transactions must be properly and fairly recorded in appropriate books of account available for inspection by boards of directors, if applicable, or a corresponding body, as well as auditors.
 - b) There must be no "off the books" or secret accounts, nor may any documents be issued which do not properly and fairly record the transactions to which they relate.
 - c) Members should take all necessary measures to establish independent systems of auditing in order to bring to light any transactions which contravene the present Rules of Conduct. Appropriate corrective action must then be taken.
- e. Article 5: Responsibilities of Members
 - The board of directors or other body with ultimate responsibility for the member should:
 - a) take reasonable steps, including the establishment and maintenance of proper systems of control aimed at preventing any payments being made by or on behalf of the member which contravene these Rules of Conduct;
 - b) periodically review compliance with these Rules of Conduct and establish procedures for obtaining appropriate reports for the purposes of such review; and
 - c) take appropriate action against any director or employee contravening these Rules of Conduct.
- f. Article 6: Political Contributions
 - Contributions to political parties or committees or to individual politicians may only be made in accordance with the applicable law, and all requirements for public disclosure of such contributions shall be fully complied with. All such contributions must be reported to senior corporate management.
- g. Article 7: Company Codes
 - These Rules of Conduct being of a general nature, members should, where appropriate, draw up their own codes consistent with the ICC Rules and apply them to the particular circumstances in which their business is carried out. Such codes may usefully include examples and should enjoin employees or agents who find themselves subjected to any form of extortion or bribery immediately to report the same to senior corporate management. Members should develop clear policies, guidelines, and training programmes for implementing and enforcing the provisions of their codes.

14 With acknowledgement to the ICC <http://www.iccwbo.org/>

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Strictly confidential

Annexure 1 (for discussion only):

Some key business values, categorized by type of value (i.e. physical, organizational, and psychological values).

Physical Values

Accuracy

The precision, exactness, and conforming to fact in details of work.

Cleanliness

--of offices, production and warehouse facilities, equipment, customer service areas, raw material and finished product inventory, closets, bathrooms, and so on

Maximum Utilization of Resources

The desire and ability of the company to improve its performance by full utilization of its current resources (i.e. as time, money, equipment, materials, space, people, etc.).

Orderliness

--in offices, drawers, file cabinets, shelves, paperwork, files, phone numbers, priority of work, daily and weekly planning, etc.

Punctuality and Timeliness

--in arriving on time to work, from breaks, from lunch, to meetings, in replying to letters and phone calls, in paying bills on time, etc. Occurring at the most suitable or opportune time.

Quality of Products and Services

--in terms of presentation, functionality, choice, value, speed, timeliness, suitability, repeatability, reliability, life span, repeatability, courtesy, friendliness, etc.

Regularity

--of meetings, reports, sales calls, performance reviews, and so forth

Reliability

The way system or persons consistently produce the same results, preferably meeting or exceeding its specifications.

Dependability

Responsiveness

The way people, the organization, systems, etc. react to a need coming from within or without.

Safety

--in offices, warehouses, production and research facilities, vehicles, for employees, vendors, customers. etc.

Speed of Operations

The measurement of whether actions occur in the fastest time.

Organizational Values

Accountability

--of individuals, departments and divisions for performance, results, problems, and so on

Communications

--up, down, and sideways within the company, with customers and vendors, in terms of openness, frankness, clarity, frequency, accuracy, timeliness, and brevity

Cooperation (Teamwork)

--among individuals, departments, divisions, branches, and so on

Coordination

--horizontally between departments in terms of plans, activities, and systems

Discipline

--in adherence to company policy, rules, systems, procedures, schedules, standards, ethics, and so on

Freedom for Initiative of Employees

--to make suggestions, develop plans, make decisions, carry out or modify actions, and so on

Integration

--for smooth operation vertically between different levels of the organization in terms of plans, decisions, and priorities

Standardization

--in terms of forms, files, procedures, reports, performance evaluations, equipment, training, recruitment, orientations, communications, and so on

Systemization

--in sales, marketing, customer service, accounting, research, production, engineering, estimating, recruitment, training, promotions, communications, coordination, reporting, and so on

Psychological Values

Continuous Improvement

The desire and ability of the company to develop and incorporate ways to improve itself.

Creativity

--in terms of new products, new ideas, new systems, new production methods, new applications of technology, new methods of financing, new marketing strategies

Customer Delight

The positive emotional response and joy that the customer feels from interaction with our people and our products and services.

Decisiveness

--in solving problems, planning, executing plans, in terms of speed and commitment to decisions once made

Develop People

The desire and ability of the company to improve the lot of its employees, including, ultimately, their personal growth. (Click here to go to an article on perhaps the highest business value, Commitment to People)

Harmony

The overall atmosphere and interaction between people, departments, divisions, systems, activities, rules, and

policies within the company and between these elements and the external environment, customers, vendors, community laws, and so on.

Innovation

The desire and ability of the company to venture into new, breakthrough areas of opportunity. (e.g. in the industry, in emerging trends in society, etc.)

Integrity

Keeping to one's word, promises, agreements, being truthful, non-deceitful etc. with employees, customers, vendors, government, etc.

Loyalty

--to and from suppliers, customers, and employees

Resourcefulness

The ability to deal resourcefully, i.e. creatively, imaginatively, self-reliably with unusual problems, difficult situations, or unanticipated opportunities.

Respect for the Individual

--in establishing rules and policies, design of systems, making decisions, executing instructions, and so on in terms of people's health, safety, self-esteem, feelings, and opinions

Service to Society

Community welfare, environmental protection, development of products and services that meet real physical, social, or psychological needs.

(A Will to) Succeed

--in any aspect of work

Annexure 2 (for discussion only):

List of Family and Moral Values (alphabetical)

Accomplishment	Diversity	Loyalty	Rule of, Respect for Law
Accountability	Duty	Environmental, Concern	Respect for Others
Accuracy	Education (Right to, need of, value in)	for	(individuals, cultures, races)
Act on things	Efficiency	Equal Opportunity	Respect for the Individual
Adventure	Empowerment of Individual	Equality	Respect for Elders
All for One; One for All	Entertainment	Factual	Responsibility, Taking-Responsiveness
Athletics/Sports, Competitive	Essential Services, right to	Faith	Results-oriented
Attitude, Right Authority	Equal Opportunity	Lifestyle, a certain	Right to Bear Arms
Behavior, Proper-Behavior	Excellence	Love (Romance, other forms of)	Romance of Life
Beauty (of environment, art, people, etc.)	Fairness	Knowledge	Ritual
Benefits to All	Family	Majority Rule	Rule of Law, Legality
Calm, Quietude	Family Values-honor parents, Nurture children, etc.	Mannered, Well-Maximum utilization (of time, resources)	Sacrifice
Celebrity-Worship	Fate	Meaning	Safety
Challenge	Fitness	Merit	Safety Net (for elderly, unemployed, etc.)
Change	Flair	Minority Rights	Security
Charity	Flexibility	Money, Wealth	Self-givingness
Chastity, Purity	Force	Nation's Status (in World)	Self-Improvement
Children, Nurturing of	Fraternity	Nutrition	Self-Reliance
Civic Duty	Freedom	Neighborliness	Self-Respect, Self-Worth
Civic Pride	Friendliness	Openness, Open-mindedness	Seriousness
Civil Rights	Friendship	Orderliness	Service (to others, society)
Cleanliness, Orderliness	Fun	Organization, Systemization	Simplicity
Collaboration	Generosity	Outer Directedness	Sincerity
Collective, Needs of the	Genius	Participation (e.g. in democracy, decisions)	Skill
Commitment	Global View	Patriotism, Country	Solitude
Common Purpose	Goodness	Peace, Non-Violence	Speed
Communication	Government Power	Perfection	Spirituality, Spirit
Community	Gratitude	Perseverance ("never give up")	Stability
Compassion	Grievances, Right to express	Personal Growth (human potential)	Status (individual, social, collective, nation's, etc.)
Competence	Happiness, Pursuit of	Philosophy, a certain	Standardization
Competition, Competitiveness	Hard Work	Pioneer Individual	Strength (physical, psychological, power, force)
Concern for Others	Harmony, Unity, Oneness	Pleasure	Subtlety (beyond the seen)
Conformity	Health & Well-Being	Popular Will (deferring	Succeed: A Will to-Success, Achievement
Consensus	Helpfulness		
Consumer Rights	Hero-worship		
Content Over Form			
Continuity (from past)			
Continuous Improvement			

Cooperation	Heroism	to)	Teamwork
Coordination,	Honesty, Truthfulness	Power	Thinking, Thought
Integration	Honor	Practicality	Timeliness
Courage	Hospitality	Preservation	Tolerance
Courtesy	Human Rights	Privacy	Tradition
Creativity	Individuality	Progress, Improvement	Tranquility
Culture (art, etc.)	Inner Directedness	Prosperity	Truth, Seeking the
Decisiveness	Informed, Being-	Protection (of law, etc.)	underlying-
Democracy	Innovation	Public Access	Trust
(representative	Integration of People	Punctuality	Valuing Values
government)	Types	Quality (of work, service	Variety
Determination	Intelligence	etc.)	Wealth
Diplomacy (over	Integrity	Rationality	Wisdom
confrontation)	Justice	Reason	Women's Rights
Direction,	Knowledge	Regularity	World Unity
Purposefulness	Leadership	Regulation & Control	
Discipline	Learning	Religious Life	
Discovery		Resourcefulness	

Annexure 3

Strictly confidential and not for circulation without permission

Angola Business Briefing 2011 – presenting an integrated briefing, tool kit and an executive development programme designed to develop your Angola market-specific insight and to bring home the cross-cultural business and personal diversity gaps between your home base and Angola – bridge the business diversity gaps by applying straightforward, good-practice, business leadership principles such as those contained in KING 111 (see below), interpreted at an ultra-cautious level <http://www.mondaq.com/article.asp?articleid=89812> and with multicultural criticality <http://www.nytimes.com/2010/01/10/business/10mba.html>.

This briefing, tool kit and executive development programme is not exhaustive - consult professionals before you head into meltdown!

Poorly informed, instinctive, shoot-from-the-hip decision-making at head office iro Angola is a recipe for failure. If you have business links with UK firms be alert to the new UK bribery offence of "offer, promise or give a financial advantage or other advantage, to another person to bring about improper performance of a relevant function or an activity, or to reward a person for the improper performance of a relevant function or an activity". This might be an extraterritorial offence in Angola, for example, as from 1 July 2011. Inquire further from PWC.

“Recent studies find that countries with greater public access to information have better governance and higher economic growth.” RWI – see below

Visas – after submitting your application relax and do not confirm any visit arrangements before you have your visa in hand and have checked the visa sticker itself for accuracy - SA-ACC

Links to some upcoming events directly and indirectly relevant to Angola:

<http://www.exhibitionsafrica.com/>
http://www.esi-africa.com/event_calendar
<http://mea.economistconferences.com/events>
<http://www.petro21.com/events/?id=578>
http://www.balink.co.za/Calendar_of_Events2
<http://www.iir.co.za/fullList.php?type=1>
<http://www.iirangola.com/>
<http://www.icid2011.org/>
<http://www.railwaysandharbours.com/>
<http://www.randshow.co.za/>
http://www.grainsa.co.za/nam_show.php
<http://www.afritex.co.za/>
<http://www.specialised.com/calendar11.html>
http://www.chathamhouse.org.uk/research/africa/current_projects/baf/
<http://www.reafrica.co.za/comm.htm>

Bilateral Chambers:

<http://www.sacca.biz/?m=1>
www.italcham.co.za
<http://www.mcli.co.za/>

Translators and interpreters:

Leila Neves	+27 72 122 5869	
Ricardo Branco	+27 82 851 6413	(Simultaneous interpreting)
Marinela Carmo	+27 83 657 0206	(Simultaneous interpreting)
João M. Cabrita	+268 623 5751	(Manuals)

Mari C. da Silva +27 82 774 9263
Patrícia Vieira Machado +351 913 217 031 (English to Portuguese)

Briefing last updated on 28 May 2011

Artenusate now the preferred treatment for severe malaria - <http://www.medicalnewstoday.com/articles/219248.php>

BLSA – Code of Conduct 2011 – <http://www.businessleadership.org.za/cmsfiles/file/FINAL2%20-%20Business%20Leadership%20-%20Code%20of%20Conduct.pdf>

Institute for Life and Peace on Angola – [http://www.reliefweb.int/rw/rwb.nsf/db900sid/EGUA-8E5U5K/\\$File/full_report.pdf](http://www.reliefweb.int/rw/rwb.nsf/db900sid/EGUA-8E5U5K/$File/full_report.pdf)

IMF releases Angola's latest (January 2011) update on financial and economic policies and an overall review of progress with the standby support arrangement to the public –

<http://www.imf.org/External/NP/LOI/2011/AGO/011011.pdf> ; <http://www.imf.org/external/pubs/ft/scr/2011/cr1151.pdf>

GFIP on transnational crime incl Angola and oil theft –

http://www.gfip.org/storage/gfip/documents/reports/transcrime/gfi_transnational_crime_web.pdf

Chatham House on African Oil and China 2011 – http://www.chathamhouse.org.uk/files/14524_r0809_africanoil.pdf

IMF update on assistance to Angola 24 January 2011 - <http://www.imf.org/external/np/sec/pr/2011/pr1118.htm>

WTO Trade Statistics 2010 – http://www.wto.org/english/res_e/statis_e/its2010_e/its2010_e.pdf

USGS Minerals Yearbook 2009 - Angola – <http://minerals.usgs.gov/minerals/pubs/country/2009/myb3-2009-ao.pdf>

Angola's media 'free or not free' in 2010? – <http://www.freedomhouse.org/uploads/pfs/371.pdf>

OTAL Angola Country shipping profile – <http://www.otal.com/angola/index.htm>

UN Global Compact – On doing business in high risk areas –

http://www.unglobalcompact.org/docs/issues_doc/Peace_and_Business/Guidance_RB.pdf

If you have UK business links will your Christmas gift policy in Angola be in line with the UK Bribery Act after 1 July 2011? - <http://www.telegraph.co.uk/finance/yourbusiness/8217356/Christmas-gifts-could-be-illegal-under-Bribery-Act-says-PwC.html> ; http://www.transparency.org/publications/publications/ti_uk_bribery_act_2010_briefing

Corruption – the duty to report – http://www.mondaq.com/article.asp?articleid=116978&email_access=on

Reuters on Angolan risks December 2010 – <http://af.reuters.com/article/angolaNews/idAFRISKAO20101201?sp=true>

How to respect human rights whilst doing business –

http://www.gcnetherlands.nl/docs/how_to_business_with_respect_for_human_rights_gcn_netherlands_june2010.pdf

World Bank / IFC / MIGA on FDI 2009 – see how MIGA's research evaluates Angola –

<http://www.miga.org/documents/flagship09ebook.pdf>

WTO trade profiles 2010 – Angola – http://www.wto.org/english/res_e/booksp_e/anrep_e/trade_profiles10_e.pdf ;

http://www.wto.org/english/thewto_e/countries_e/angola_e.htm ;

<http://stat.wto.org/CountryProfile/WSDBCountryPFView.aspx?Language=E&Country=AO>

World Bank Angola development indicators 2010 – <http://data.worldbank.org/country/angola>

Fride on France in Africa – from paternalism to pragmatism - <http://www.fride.org/publication-newsletter/820/france-in-africa:-from-paternalism-to-pragmatism>

Global Witness on Angola's official oil revenue data December 2010 – <http://www.globalwitness.org/library/gaps-angolas-official-oil-revenue-data-undermine-transparency-new-report-finds> ;

<http://www.globalwitness.org/sites/default/files/library/Oil%20Revenues%20in%20Angola.pdf>

Read Portuguese? – keep up to date with a rapidly changing Angola using this link – <http://www.sapo.ao/>

In 2010 UNCTAD still classifies Angola as a Least Developed Country – see why at

http://www.unctad.org/en/docs/ldc2010_en.pdf

See the Australian view on travel to Angola – updated on 30 November 2010 - <http://www.smartraveller.gov.au/zw-cgi/view/Advice/Angola>

KBR to open operations centre in Luanda - [http://investors.kbr.com/phoenix.zhtml?c=198137&p=irol-](http://investors.kbr.com/phoenix.zhtml?c=198137&p=irol-newsArticle&ID=1500838&highlight=)

[newsArticle&ID=1500838&highlight=](http://investors.kbr.com/phoenix.zhtml?c=198137&p=irol-newsArticle&ID=1500838&highlight=)

See where Angola stands in mine action in 2010 [http://www.reliefweb.int/rw/lib.nsf/db900sid/ASAZ-8BHDRG/\\$file/ICBL_Landmine_Monitor_2010.pdf?openelement](http://www.reliefweb.int/rw/lib.nsf/db900sid/ASAZ-8BHDRG/$file/ICBL_Landmine_Monitor_2010.pdf?openelement)

UN Special Advisor on Africa on Economic Diversification in Africa October 2010 – Angola case study and others <http://www.oecd.org/dataoecd/10/61/46148761.pdf>

PWC on ease of paying taxes 2011 – SA=24 ; Angola =142 ; gap to bridge = 118 places

<http://www.pwc.com/gx/en/paying-taxes/find-country.jhtml>

Corruption is a crime against development - <http://www.polity.org.za/article/corruption-in-africa-a-crime-against-development-2010-11-25>

IMF update on Angola 15 November 2010 – <http://www.imf.org/external/np/sec/pr/2010/pr10436.htm>

Kroll on Fraud – Angola features http://www.kroll.com/library/fraud/FraudReport_English-US_Oct10.pdf

Ramsar on the Angolan wetlands – <http://ramsar.wetlands.org/Portals/15/ANGOLA.pdf>

Werksmans on the King Code http://www.mondaq.com/article.asp?articleid=113790&email_access=on

Werksmans on signals that indicate bribery and corruption [http://www.mondaq.com/article.asp?](http://www.mondaq.com/article.asp?articleid=113786&email_access=on)

[articleid=113786&email_access=on](http://www.mondaq.com/article.asp?articleid=113786&email_access=on)

Read the new Angolan constitution in English – presumption of innocence established – death penalty abolished – international treaties (including SADC treaties and protocols) approved and ratified by Angola become integral to

Angolan law unless otherwise announced <http://www.comissaoconstitucional.ao/pdfs/constituicao-da-republica-de-angola-versao-ingles.pdf> and in the original Portuguese, plus French, German and Spanish here <http://www.comissaoconstitucional.ao/constituicao-da-republica-de-angola.php>

IMF World Economic Outlook 2010 - <http://www.imf.org/external/pubs/ft/weo/2010/02/index.htm> compare the outlook for your home country against the outlook of your target market.

The Revenue Watch Institute “Government Openness in Oil, gas and mining Index 2010” - South Africa 58% and Angola 34.7% both listed in the same “partially open” category <http://www.revenuewatch.org/rwindex2010/index.html?q=rwindex> ; http://www.revenuewatch.org/rwindex2010/pdf/RevenueWatchIndex_2010.pdf and Angola-specific page <http://www.revenuewatch.org/our-work/countries/angola>

Mo Ibrahim on African Governance SA=5 and Angola= 43 gap=38 - <http://www.moibrahimfoundation.org/en/section/the-ibrahim-index/scores-and-ranking>

IMF Angola country report 10/302 September 2010 waivers request - <http://www.imf.org/external/pubs/ft/scr/2010/cr10302.pdf>

Angola and the IMF – full details of loan agreement <http://www.imf.org/External/NP/LOI/2010/ago/082710.pdf>

IMF says reforms beginning to bear fruit - <http://www.imf.org/external/np/sec/pr/2010/pr10358.htm>

Chicoty on Angola and the MDGs http://www.un.org/en/mdg/summit2010/debate/AO_en.pdf

WEF WCR rankings 2010 – 2011 - South Africa = 54 and slipping; Angola=138 and improving - competitiveness gap to be bridged remains wide at 84 places <http://www.weforum.org/en/initiatives/gcp/Global%20Competitiveness%20Report/index.htm>

US Department of State Angola background note September 2010 <http://www.state.gov/r/pa/ei/bgn/6619.htm>

Parasites that affect your business through your people - <http://www.thiswormyworld.org/maps/maps-continent/africa>; <http://www.medicalnewstoday.com/articles/204145.php> and Bilharzia that affects your business through your people - <http://www.medicalnewstoday.com/articles/203659.php>

IMF statement after review mission to Angola August 2010 <http://www.imf.org/external/np/sec/pr/2010/pr10311.htm>

Mercer on the world’s costliest cities <http://www.telegraph.co.uk/expat/expatnews/7918643/Survey-reveals-worlds-costliest-cities.html> ; <http://www.mercer.com/costofliving>

OECD Working Group on Bribery on South Africa and foreign bribery <http://www.oecd.org/dataoecd/8/39/45670609.pdf>

HRW on Transparency and Accountability in Angola http://www.hrw.org/sites/default/files/reports/angola0410webwcover_1.pdf

Advice on Malaria prevention - <http://www.medicalnewstoday.com/articles/194008.php> ; long term effects of cerebral malaria <http://www.medicalnewstoday.com/articles/208316.php>

A corporate fraud checklist <http://www.werksmans.co.za/content/1955/a-corporate-fraud-checklist/>

Good news – Angolan USD reserves rise to USD 15.36 billion in April 2010 <http://af.reuters.com/article/angolaNews/idAFJAT00690020100625>

Good news – Angolan banks reserve requirements drop to 25% <http://af.reuters.com/article/angolaNews/idAFLDE65O12420100625?sp=true>

Good news – brick by brick, doctor by doctor Angola rebuilds its healthcare system <http://www.reliefweb.int/rw/rwb.nsf/db900SID/EGUA-86QRLS?OpenDocument>

Good news - Angola still features in the 2010 annual Foreign Policy / Fund for Peace “failed state” rankings but, year by year, is inexorably moving into happier territory http://www.foreignpolicy.com/articles/2010/06/21/2010_failed_states_index_interactive_map_and_rankings

Good news - Luanda drops to 3rd place in ECA-International COL index <http://www.eca-international.com/showpressrelease.aspx?ArticleID=7180>

Luanda still the most expensive - <http://www.mercer.com/costofliving>

Good news - Fibrex and Protea Chemicals on “phenomenal” Angolan business prospects <http://www.ipad-africa.com/node/17256>

For an English translation of the Angolan Companies Act of 2004 please contact rogerbt@sa-acc.co.za for details of the supplier.

US Embassy Luanda on the Angolan business and investment climate <http://www.howwemadeitinafrica.com/angola-business-and-investment-climate-overview/>

Luanda Jazz 2010 bigger and better than before <http://www.bizcommunity.com/Article/196/40/48713.html>

Good news - Angola (86) beats South Africa (121) hands down in Global Peace Index 2010 <http://www.visionofhumanity.org/wp-content/uploads/PDF/2010/2010%20GPI%20Results%20Report.pdf>

OSAC Angola Crime and Safety Report 2010 <http://www.osac.gov/Reports/report.cfm?contentID=118102>

Angolan biodiversity in Kissama and other places <http://espacokissama.webnode.com/>

US AG Holder on global anti-bribery and corruption partnership with OECD - “one of the great struggles of our time” – Obama - <http://www.justice.gov/ag/speeches/2010/ag-speech-100531.html>

Africa Progress Panel’s Africa Progress Report 2010 – only the elites benefit – not the people http://us-cdn.creamermedia.co.za/assets/articles/attachments/27768_executive_summary_apr2010_english.pdf

OECD / AfDB African Economic Outlook 2010 Angola country profile (GRA says that the 2009 GDP was actually 2.7% and not negative as suggested by the AEO report)

<http://www.africaneconomicoutlook.org/en/countries/southern-africa/angola/>

IMF Review standby arrangement May 2010 request modification performance criteria:

<http://www.imf.org/external/pubs/ft/scr/2010/cr10143.pdf>

Angola's financial and economic policy undertakings to the IMF

<http://www.imf.org/External/NP/LOI/2010/ago/042610.pdf>

People from / visitors to Africa Continue To Bear The Burden Of Malaria

<http://www.medicalnewstoday.com/articles/188538.php>

IMF Angola standby arrangement review dated 10 May 2010 <http://www.imf.org/external/np/sec/pr/2010/pr10190.htm>

Angola climate stats <http://www.climatetemp.info/angola/>

Angola Development Directory 2010 <http://www.devdir.org/files/Angola.PDF>

TAAG orders two more Boeing 777-300s <http://boeing.mediaroom.com/index.php?s=43&item=1187>

Province of Luanda website <http://www.gpl.gv.ao/>

IIED on water for the peri-urban poor in post-conflict Angola <http://www.iied.org/pubs/pdfs/10577IIED.pdf>

European Commission on development cooperation with Angola

http://ec.europa.eu/europeaid/how/evaluation/evaluation_reports/reports/2009/1267_vol1_en.pdf

Civil society and forced removals <http://www.pambazuka.org/en/category/socialmovements/63739>

ACTSA – Angola Monitor issue 2/2010 <http://www.actsa.org/page-1430-Angola%20Monitor.html>

SA Council for Geoscience – mineral map of Angola <http://www.geoscience.org.za/content/maps.htm#angola>

HRW on transparency and accountability in Angola

http://www.hrw.org/sites/default/files/reports/angola0410webwcover_1.pdf

UNCTAD on the Angolan Investment Law <http://zunia.org/post/national-study-the-legal-framework-of-private-investments-in-the-republic-of-angola/>

See what the Australians have to say about travel to Angola at <http://www.smartraveller.gov.au/zw-cgi/view/Advice/Angola>

Having trouble with accommodation in Luanda – try the South African Rouxinol Guesthouse

<http://www.hotelrouxinol.com/>

EIA on Angola and Energy <http://www.eia.doe.gov/emeu/cabs/Angola/Background.html>

US Department of State background note on Angola March 2010 <http://www.state.gov/r/pa/ei/bgn/6619.htm>

FAO country briefs including Angola <http://www.fao.org/giews/countrybrief/index.jsp>

WTO trade stats 2009 including Angola http://www.wto.org/english/res_e/statis_e/its2009_e/its2009_e.pdf

Angolan Presidency website <http://www.pr.ao/>

EIA Country Energy Analysis with Angola 2010 <http://tonto.eia.doe.gov/country/index.cfm>

WTO customs tariffs analysis online http://www.wto.org/english/news_e/news10_e/tar_03feb10_e.htm

Spintelligent events – Angola May 2010 power and infrastructure – <http://www.spintelligent-events.com/ipad-africa/en/index.php>

New government as from 5 February 2010 / 16 March 2010

http://www.portalangop.co.ao/motix/pt_pt/noticias/politica/2010/1/5/Presidente-Republica-nomeia-novo-elenco-governativo.3122a303-8dd6-4674-9d02-dabd40d6e09d.html

Reuters on lay-offs in the construction sector <http://af.reuters.com/article/topNews/idAFJOE6300L320100401?sp=true>

US Embassy Commercial information on Angola

http://angola.usembassy.gov/commercial_information_on_angola.html

- 1 Before you decide to go:
 - a. Research the basics:
 - a.i. At home e.g. South Africa – the basic documents:
 - a.i.1. The Corruption Act 2004
<http://www.oecd.org/dataoecd/4/54/43288805.pdf> - carefully study this statement of acceptable and unacceptable business conduct, especially the extra-territoriality and reporting articles at the end.
 - a.i.2. The Companies Act 2008 <http://www.pmg.org.za/files/bills/090408a71-08.pdf> - carefully study the 20 pages of governance obligations in particular and especially the business judgement rule at article 76/4. Effective as from 1 April 2011.
 - a.i.3. King 111 2009 <http://african.ipapercms.dk/IOD/KINGIII/kingiiiireport/> - carefully study all 149 principles in particular and especially the board composition and “necessary expertise” advice at page 25. Understand the “must / should” and “apply or explain” paradigms.

- a.i.4. See the text of the UK Corruption Act at <http://www.parliament.the-stationery-office.co.uk/pa/ld200607/ldbills/018/2007018.pdf>;
http://www.opsi.gov.uk/acts/acts2010/pdf/ukpga_20100023_en.pdf ;
http://www.opsi.gov.uk/acts/acts2010/en/ukpgaen_20100023_en.pdf
- a.i.5. See the lay-person's guide to the US Foreign Corrupt Practices Act (FCPA) at <http://www.justice.gov/criminal/fraud/docs/dojdocb.html>
- a.ii. Africa:
 - a.ii.1. African views
<http://www.africaneconomicoutlook.org/en/countries/southern-africa/> - compare the profiles of your home country and Angola.
 - a.ii.2. UNECA 2009 <http://www.uneca.org/era2009/> - compare your home country with the African circumstances and outlook.
 - a.ii.3. Non-African views - <http://www.imf.org/external/country/index.htm> - compare the profiles of your home country and Angola – the latest content on Angola at <http://www.imf.org/external/pubs/ft/scr/2009/cr09320.pdf> is of ultra-importance to your business decision-making.
 - a.ii.4. See also descriptions of the SDR-based standby facility that the IMF has provided to assist Angola to cope with the global economic crisis - 23 November 2009 at <http://www.imf.org/external/np/sec/pr/2009/pr09425.htm> and <http://www.imf.org/external/pubs/ft/survey/so/2009/car112309b.htm> ; Angola's policies for 2010 are annexed to this LOI dated 2 November 2009 at <http://www.imf.org/External/NP/LOI/2009/ago/110309.pdf>
 - a.ii.5. Compare the human development of your home country with Angola at <http://hdr.undp.org/en/statistics/>
- a.iii. Angola:
 - a.iii.1. Non-Angolan views <http://www.state.gov/p/af/ci/ao/> -
 - a.iii.2. Angolan views <http://investinangola.com/engDefault.asp>
 - a.iii.3. Angola Press Agency
http://www.portalangop.co.ao/motix/en_us/portal/capa/index.html - in English.
 - a.iii.4. Jornal de Angola <http://jornaldeangola.sapo.ao/> - in Portuguese.
 - a.iii.5. A civil society / activist's view of Angola <http://makaangola.com/?cat=5> <=en-us
 - a.iii.6. Luanda, at the end of 2009 / early in 2010, remains the most expensive city in the world in which to live and work <http://www.eca-international.com/showpressrelease.aspx?ArticleID=7063> – scroll down to Luanda in city list and compare with your nearest home city.
 - a.iii.7. Understand the basics of the civil law system before you go [http://www.fjc.gov/public/pdf.nsf/lookup/CivilLaw.pdf/\\$file/CivilLaw.pdf](http://www.fjc.gov/public/pdf.nsf/lookup/CivilLaw.pdf/$file/CivilLaw.pdf) - presumption of guilt, rather than innocence; precedent / case law irrelevant.
 - a.iii.8. Access an English version of the Angolan Petroleum Law at <http://faolex.fao.org/docs/pdf/ang81903E.pdf> - According to the Petroleum Minister at end 2009 present reserves will last 15 years till 2025 at a pumping rate of 1900000 bls per day <http://www.macauhub.com.mo/en/news.php?ID=8556>
 - a.iii.9. Access an English version of the “Legal Regime of Foreign Citizens” (visas and work permits) and 66 other laws at <http://www.minint.gov.ao/LegislacaoTodos.aspx>
 - a.iii.10. Access the National Directorate of Commerce website in Portuguese at <http://www.dnci.net/apresentacao/#> and comply better with the commercial regulations of the Angolan market.
 - a.iii.11. Budget for your visit / engagement accordingly – do not appear to be a back-packer / skinflint trader / investor if that is not your intention.
 - a.iii.12. Businesses of substance do better business with Angola than businesses “on the edge” with limited resources.

- a.iii.13. See the Bradt Guide to Angola website at <http://bradtangolaupdate.wordpress.com/>
- a.iii.14. Compare your home country trade profile with that of Angola at http://www.wto.org/english/res_e/publications_e/trade_profiles09_e.htm
- a.iii.15. Compare your home country tariff profile with that of Angola at http://www.wto.org/english/res_e/publications_e/world_tariff_profiles09_e.htm
- a.iii.16. See South Africa's trade with Angola according to a variety of criteria at <http://www.thedti.gov.za/econdb/raportt/rapmenu1.html>
- a.iii.17. Angola / Luanda - very detailed mapping of Angola and Greater Luanda street map – set default location as Angola – then use the map tools to zoom in, out and print <http://maps.google.com/>
- a.iii.18. Access and understand the 2009 Angolan budget using the information at <http://www.minfin.gv.ao/docs/dspSinteseGeralOGE2009.htm> bearing in mind that the budget expenditure was drastically pruned by up to 80% in respect of some budget items due to the USD liquidity crisis of 2009.
- a.iii.19. The Santos football club and the FESA <http://www.pambazuka.org/en/category/features/60707>
- a.iii.20. Refriango is the largest soft drink manufacturer in Angola and now expanding further http://www.opais.net/pt/opais/?id=1551&det=7839&utm_medium=email&utm_source=Newsletter&utm_content=781461033&utm_campaign=NewsletterOPas04-12-09OJornaldaNovaAngola+_uihhyk&utm_term=Imprioliquido
- a.iii.21. TAAG is allowed back into European airspace under certain restrictions <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/09/1831&format=HTML&aged=0&language=EN>
- a.iii.22. The Standard Bank “latest research” portal provides access to sound economic research on Angola <http://ws9.standardbank.co.za/sbrp/LatestResearch.do>
- a.iii.23. thedti in South Africa overview – inaccurate and dated <http://www.thedti.gov.za/econdb/raportt/angolaOverview.html>
- a.iii.24. The World Bank - Angola Investment Climate Assessment October 2007 - http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2008/11/26/000333037_20081126224708/Rendered/PDF/443140ESW0P1011BOX0334076B01PUBLIC1.pdf / http://siteresources.worldbank.org/INTAFRISUMAF/TPS/Resources/ANGOLA_ICA_FINAL1.pdf
- a.iii.25. FAO on Angola 2006 <http://www.fao.org/docrep/009/j8081e/j8081e00.htm>
- a.iii.26. The African Lebanese connection – some big wholesalers <http://www.ustreas.gov/press/releases/tg149.htm>
- a.iii.27. Angolan public holidays 2010 http://www.calendars.co.za/holidays/holidays_2010.htm

b. Awareness:

- b.i. Your personal and business conduct as you develop the Angolan market will reflect on all others attempting to do likewise.
- b.ii. Consult widely and especially with the independent, experienced, knowledgeable and skilled consultants with Angola-specific expertise (experience, knowledge, skills and attitude).
- b.iii. The cross cultural business diversity gap <http://www.doingbusiness.org/economyrankings/> - compare the positions and profiles of your home country and Angola.
- b.iv. Risk management <http://info.worldbank.org/governance/wgi/index.asp> - use the web tools to compare the positions and profiles of your home country and Angola.
- b.v. Background notes <http://www.state.gov/r/pa/ei/bgn/index.htm> - compare the facts and stats of your home country and Angola.

- b.vi. Angolan finance <http://www.gfmag.com/> - compare the financial status of your home country with that of Angola.
- b.vii. Nothing that you see or hear is quite what it may appear.
- b.viii. Expect nothing to go according to plan.
- b.ix. Do not plan your itinerary according to what you may be able to fit into the same period at home.
- b.x. Do not assume either that a government will be able to assist you in the event of need or that the information available on the websites listed in this paragraph is either comprehensive or accurate:
 - b.x.1. See the website of the South African Embassy in Luanda at <http://www.sambangola.info/>
 - b.x.2. See the website of the Angolan Embassy in London – no website apparently available for the Angolan Embassy in Pretoria - at <http://www.angola.org.uk/Default.aspx?IDM=1&IDL=1>
 - b.x.3. See the official Angolan websites in Portuguese at <http://www.angola.gov.ao/>

2 The strategic direction to inquire into / enter into / exit from the Angolan market in good faith should derive from ultra-informed consideration by a Board that incorporates the necessary, independent, non-executive, ultra-difficult market directorship expertise.

3 Do not rely on better bilateral political relations or struggle relationships to generate business or to reduce the risk of doing business.

4 All business judgements / decisions must take into consideration the possible effects of those judgements / decisions on all stakeholders including other foreign investors.

5 The Angolan government plans to liberalise the cement and fuels markets during 2010.

6 You could either trade with or invest into Angola or a combination of the two:

a. Trade:

- a.i. Direct – to consumers – request Chamber assistance to identify a range of potential customers.
- a.ii. Piggy-back on the procurement for large projects.
- a.iii. SADC Trade protocol - http://www.satradehub.org/assets/_files/Reports/Business_Guide_to_SADC_Protocol_on_Trade.pdf
- a.iv. Via an agent / procurement office in South Africa:
 - a.iv.1. In South Africa – market your product/s through an agent that procures for Angolan entities and relieves you of much of the export burden.
 - a.iv.2. In Angola – through a local agent / distributor.
 - a.iv.3. Using the internet – ensure that your website appears on the internet in both English and Portuguese and that you have a Portuguese-speaker available to handle inquiries.
- a.v. Contact the two main Angolan business associations direct:
 - a.v.1. Chamber of Commerce and Industry of Angola (CCIA) at <http://www.ccia.ebonet.net/>
 - a.v.2. Angolan Industrial Association (AIA) at <http://aiangola.net/>.
- a.vi. Goods and services exported can include technologies and related expertise.
- a.vii. Financing of this trade can be obtained locally in Angola.
- a.viii. How to conduct a trader survey – general guidance http://documents.wfp.org/stellent/groups/public/documents/manual_guide_proced/wfp210589.pdf

b. Investment:

- b.i. Through an agreed cooperation arrangement with a carefully selected local entrepreneur with a verifiable track record of adding measurable value – at a distance – if required

perhaps via a repayable loan arrangement. The Angolan is the investor in this case and the investor obtains his product and perhaps some financial support through you.

- b.ii. Through the ANIP investment one-stop-shop:
 - b.ii.1. Small investment of between USD 100000 and USD 500000 – fast-tracked by ANIP and operational quickly provided that all bureaucracy is in order.
 - b.ii.2. Big investment over USD 5 million – you may have to wait for Cabinet approval for 12 to 18 months or longer after submission of the proposal and endorsement by ANIP.
- b.iii. The content of the investment contract will define your relationship with the Angolan government for the duration of the business. Make absolutely sure that all contingencies are covered in the business plan / contract including all dimensions necessary for the effective control of your investment. Failure in this area is often the source of one's difficulties later on.
- b.iv. Financing of this investment can be obtained locally in Angola.
- c. Expect the trade or investment goalposts to be moved once or more times after apparently concluding a deal. Minimise this threat by chronicling all meetings in English and Portuguese immediately after each meeting and sharing the records with your interlocutors immediately.
- d. Negotiate consensually rather than adversarially.
- e. Compare Angola's investment climate against your home investment climate at <http://www.state.gov/e/eeb/rls/othr/ics/2009/index.htm> or <http://www.unctad.org/Templates/Webflyer.asp?intItemID=1397&docID=12171>

7

Before you leave:

- a. Plan ahead - apply for your visa / work permit well in advance and, when you have it in hand, check the details entered for accuracy of dates entered and the photograph to confirm that it is your photo that has been pasted into the visa.
- b. Confirm no visit arrangements and incur no financial obligations before you have your visa / work permit in hand. Failure to follow this advice may result in the forfeiture of sometimes substantial deposits made on over-priced accommodation and transport.
- c. For a visa the wait might be several weeks / for a work permit the wait may be several months and you might then be told at the last minute that the Angolan authorities do not like your pattern of visits.
- d. If this pattern of visits does not suit the Angolan authorities you may be limited to as few as two visits annually unless you apply for a work permit.
- e. If you expect to visit Angola frequently you rather need to ensure that the invitation obtained from your host expressly requests that you be issued with a visa valid for multiple entries for the period required – up to 24 months. Your application to the consular authorities of Angola in your country of residence should also make the multiple entries and duration requirement very clear.
- f. The cross cultural **personal** diversity gap <http://wwwnc.cdc.gov/travel/destinations/list.aspx> - compare the health profiles of your home country and Angola. Take all the preventive and protective advice.
- g. There are literally hundreds of recreational and leisure diversions available in Angola.
- h. Prevention is better than cure.
- i. Road accidents are the single greatest threat to your physical security in Angola – you simply must include provision for “medevac” insurance in the cover that you buy with your air ticket.
- j. Baggage – pack everything in a single, regulation, carry-on cabin bag that weighs less than the permitted maximum.
- k. Clothing – hat, tropical weight suit / jacket and tie to meet senior business / political leaders – jeans and T shirt to visit the traditional markets and the musseques – otherwise smart casual. Rain gear during the period October to April.
- l. Valuables – leave anything that you would prefer not to lose at home.
- m. Business promotional materials including business cards – hardcopy and soft copy - in Portuguese if you wish to access the wider Angolan market.
- n. Is your website accessible in Portuguese – with a Portuguese-speaking contact person identified with mobile number?

- o. Plan to stay long enough to complete the envisaged tasks – rule of thumb is multiply the estimated days required at home for the same tasks by 3 to 4. Consider the effects of traffic congestion on your movements within greater Luanda.
 - p. Accommodation – hundreds of more expensive and less expensive accommodation establishments – details from the Chamber.
 - q. Transport – many options – some more expensive; many less expensive.
 - r. No Portuguese? Use your own interpreter that knows your industry and your terminology. If absolutely necessary engage a qualified interpreter in Angola – pay the total daily fee (up to USD 500 per day) plus provision for airtime and transport, up front and make provision for at least 8 hours of preparatory interaction with the interpreter.
 - s. Do not believe any thing said to you about what is and what is not permitted in Angola until you see it in the government gazette – virtually every document that you need for your ongoing due diligence exercise is publicly available in Angola.
 - t. Every attempt at mobilising “influence” must take account of the possible consequences for all stakeholders. Retainers paid to holders of high public office and excessive gratuities and “speed fees” disbursed to holders of lower public office may not only fail to deliver the intended intervention but may also be interpreted as bribes by a court of law. Bribing holders of public office is ultra-high risk behaviour and illegal in both Angolan law and in the laws of most home countries. If you have business relationships with certain other countries their laws may also apply to your dealings with Angola.
 - u. Some Angolans might take an apparently laissez faire, non-compliant approach to the law – foreigners dare not emulate this!
 - v. See President dos Santos’ November 2009 “zero tolerance of corruption” view at <http://news.bbc.co.uk/2/hi/africa/8372735.stm> and http://www.google.com/hostednews/afp/article/ALeqM5jAh5sHwqxRGh4JUIQ_wDd5ZnasOQ - say NO to corruption!
- 8 Travelling to Angola – wide range of air, land and sea routes and airlines now available including from Cape Town.
- 9 Arrival and transfer to accommodation – show your yellow fever inoculation certificate and complete and hand in the H1N1 flu declaration that is available in the arrivals hall – arrange all accommodation and transfers / transport beforehand.
- 10 Declare the import of foreign currency in cash in excess of USD 5000.
- 11 Select all accommodation and transfers / transport in accordance with the image that you wish to / need to convey to the Angolan market. Image of substance or back-packer? Worthy of attention or disdain?
- 12 Communication – switch off your mobile phone data service before connecting to the Angolan service provider.
- 13 Alerting your interlocutors to your arrival – immediately upon arrival inform your Angolan interlocutors by mobile phone that you have arrived and where you are staying so that they can convert the pencil entries in their diaries into confirmed entries.
- 14 Angola does not follow IFRS financial reporting principles.
- 15 Recruit Angolans from the Angolan diaspora for your Angola-related business through:
- a. CA Global Recruitment: <http://www.caglobal.co.za/> ; eugenio@caglobal.co.za
 - b. Global Career Company: http://www.globalcareercompany.com/content/content_651.aspx ; jose.barbosa@globalcc.net ; rose.taljaard@globalcc.net or
 - c. Elite International Careers: <http://www.eliteinternationalcareers.com/> ; miguel.vieira@eliteic.net
 - d. Subject all recruits to integrity testing before appointment using specialist integrity assurance services such as those offered by <http://www.ipacrisk.co.za/> and maintain integrity levels by applying integrity training continuously.
- 16 Meeting your safety / security / protocol obligations:
- a. At home – advise your home DFA .DIRCO and / or DTI of your intention to travel to Angola.
 - b. In Angola – register before you arrive with ROSA or your home country equivalent [https://www.foreign.gov.za/TIBCO%20iProcess%20Client%20\(ASP\)/StaffDFA/Custom/ROSA/start.aspx](https://www.foreign.gov.za/TIBCO%20iProcess%20Client%20(ASP)/StaffDFA/Custom/ROSA/start.aspx) - and advise your country Embassy in Luanda of your presence in country with itinerary and contact details.

- c. Pay your respects early on to the appropriate national / provincial / municipal / commune leadership.
 - d. Remain alert at all times.
 - e. See the US, Canadian, Australian and UK travel advisories at http://travel.state.gov/travel/cis_pa_tw/cis/cis_1765.html , http://canadaonline.about.com/gi/o.htm?zi=1/XJ&zTi=1&sdn=canadaonline&cdn=newsissues&tm=15&f=10&su=p649.3.336.ip_&tt=2&bt=0&bts=0&zu=http://www.voyage.gc.ca/countries_pays/menu-eng.asp <http://www.smartraveller.gov.au/zw-cgi/view/Advice/> and <http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/> and compare your home country with Angola using every one of them.
 - f. See the OSAC report on your home country and compare it with that on Angola at <https://www.osac.gov/Reports/report.cfm?contentID=99431>
- 17 Interacting with:
- a. Locals:
 - a.i. Know your customer – ultra-level knowledge / ultra-level due diligence / ultra-level due care = good faith
 - a.ii. Know your partner – ultra-level knowledge / ultra-level due diligence / ultra-level due care = good faith
 - b. Know your expats – ultra-level knowledge / ultra-level due diligence / ultra-level due care = good faith engagement.
 - c. Apply a mutual full disclosure approach to meet the ultra-transparent risk mitigation imperative.
 - d. See this website for an example of the new Angolan transparency at <http://www.comissaconstitucional.ao/> - the constitutional consultations.
 - e. See another website manifesting the new Angolan transparency at http://angolanainternet.ao/com_mineira/ - the new Mining Code consultations.
- 18 Immediate follow-up – confirm your understanding of the proceedings of your interactions in writing, in Portuguese, immediately after meetings.
- 19 Request copies of all documentation starting with their articles of incorporation from your Angolan business partners and offer the same in return. If they offer the articles of a Sociedade Anónima (or S.A.) request a confidential statement of the full names and addresses with mobile phone numbers of all owners to make an ultra-level due diligence inquiry possible – immediate and unquestioning compliance with this request may suggest that the Angolan party has nothing to hide about the nature and numbers of the ownership. Also invite your interlocutor in writing to keep you up-to-date about any changes that might take place regarding the ownership, for the entire duration of the business relationship.
- 20 Neither a Board nor a Director in Angolan company law can, even remotely, be compared to the Board and Director in most modern corporate governance regimes. Make no assumptions concerning the roles and obligations of Boards and Directors in Angola without trustworthy, external, independent governance advice.
- 21 Transfer back to airport – arrange ahead of time.
- 22 Economy class passengers may purchase access to the business / first class departure lounge in Luanda for USD 20.
- 23 The export of Kwanza notes is not permitted – Kwanza notes may be confiscated upon departure.
- 24 Arrival back in your home country – show your yellow fever inoculation certificate and declare any Angolan phyto-sanitary-related activity engaged in such as visits to agricultural projects or collection or possession of bio-samples. You may be searched for undeclared, prohibited bio-materials.
- 25 Monitor your health for unusual symptoms for several weeks after returning home and, if necessary, tell your Doctor that you have recently visited tropical Africa.
- 26 Some parasitic infections, such as the hook-worm that is common in Angola, require multiple doses of de-worming medication to clear.
- 27 Considered follow-up – follow-up visit within 8 to 12 weeks if you want your interlocutors to remember you and thus not waste the money spent on the present trip. Emails and faxes sent into the ether may never be heard of again! The high impact, person-to-person approach works best in the Angolan market. Road shows and trade missions are not recommended for the Angolan market.

- 28 A good guide to doing business with Angola is the Guia BPI Angola <http://rep.bancobpi.pt/RepMultimedia/getMultimedia.asp?channel=Multimedia%20-%20BBPI%20-%20SegEmpresas%20-%20Oferta&content=BPI%20Angola%20-%20Guia%20BPI%20Angola> – only available in Portuguese however. Not the best for business risk identification or risk management – best risk mitigation practice is to abide by the principles of a best practice corporate governance statement, such as KING 111, and to retain both professional risk management services and good legal services, from the outset.
- 29 Do not expect too many Angolans to understand the ethical dimensions of conflict of interest, anti-competitive, collusive behaviour or insider trading.

To inquire further:

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