

B.O. No. 39, I Series of 24 November 2003

COUNCIL OF MINISTERS

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Juridical Regime of the Commerce Sector

The Decree-law 5/99, of February 1, consecrated the profound mutations operated in the country in the domain of trading activity, reflecting a role reserved either to the private sector or to the State in the trading activity.

It happens, however, that the mentioned diploma has never been regulated, from this fact resulting that some of its provisions have never come into force, in practice.

Besides, that legal text was published with many misprints – that even make it difficult to apply some of its precepts – of which some have been corrected opportunely, reason why it urges to make a new publication, without misprints and with the introduction of some innovations, namely, regarding the delegation of powers in the firm-related associations of the sector of trade or geographic area, validity period of the authorization, professional identification and taxes due for the service rendered, as well as the judicial-formal improvements that were imposed.

The present diploma will be followed by the publication of the respective regulation, which will condition its coming into force.

Under these terms,

After consulting the associations representative of the trade sector;

Using the faculty granted by subparagraph a) of point 2, article 203 of the Constitution, the Government decrees the following:

**CHAPTER I
General dispositions**

**Article 1
Object**

The present diploma has as object the definition of the judicial regime of the trading sector, either pertaining to the exercise of the trading activity, or pertaining to the role of the public powers.

Article 2
Scope

1. The present diploma applies to the single persons, to the trading societies, to groups complementary of enterprises and to the public enterprises that exercise some activity or activities mentioned in article 11.

2. The producers are subject to this diploma provided they are exporters, have an establishment or store of sale to the public, or associate to their own products the trade of products from other origins.

3. The present diploma applies also to the managers of the entities mentioned in number 1, to the mandatary of the enterprises and to all those who are legally represent them in those functions and to the partners of the societies of limited responsibility.

4. Managers, for the purposes of the provisions of the previous number, are the managers, associate managers, directors or administrators of the trading societies, as well as the members of the management organs of the public enterprises.

CHAPTER II
Fundamental principles

Article 3
Enumeration

The trading sector follows the following principles:

- a) Free exercise of the trading activities, according to the law;
- b) Honest competition among the trading operators;
- c) Prevention and repression of speculation and restrictive trading practices;
- d) Co-existence of public and private trading operators;
- e) Promotion and defense of consumers;
- f) Safeguard and protection of the environment;
- g) Quality control and protection of public health;
- h) Respect for international agreements.

B.O. No. 39, I Series of 24 November 2003

Article 4

Free exercise the trading activities

1. The right to free exercise the trading activities, under the terms and conditions and within the limits established by law, is recognized to all persons, single or collective.

2. Whenever important reasons of public interest and fundamental for the national economy, particularly the guaranty of supply in essential or public health goods, so require, and that cannot be assured otherwise, The Government may reserve for the public or private sector enterprises, the transitory exploitation of certain trading activities.

Article 5

Free competition

The trading activity will be exercised in regime of free and loyal competition in the market, under the terms and within the limits of the law of competition of prices.

Article 6

Co-existence

1. In the exercise of the trading activity, the private sector and supplementary the private one, will co-exist.

2. For the purposes of the previous number,

- a) the public enterprises and the trading societies of capital exclusively and largely public integrate the public sector;
- b) the individual enterprises, the trading societies with capital entirely or less private, as well as the consumption cooperatives or retailers and the agriculture or industrial production cooperatives which also integrate in their object the activity of acquisition or sale, wholesale or retail, of materials and goods necessary to their operation or of products of their activity, respectively, integrate the private sector.

Article 7

Consumer protection

1. The Government, in the definition of its general trading activity, has as objective the promotion and protection of the consumers' interests, especially in what concerns the security in the supply of essential goods, the formation and fiscalization of the prices and the prevention and campaign against anti-economic infractions and infractions against public health.

2. For the purposes of the previous number provision, the Government supports the creation and the development of associations for the consumers' protection.

B.O. No. 39, I Series of 24 November 2003

Article 8

Quality control

1. The Government's trading policy has the fundamental preoccupation of ensuring a rigorous quality control of the traded products, of national production or imported, either they are destined to the internal consumption or to exports.

2. The inspection and quality control and protection of public health measures, and the forms of obtaining the respective certificates will be regulated by decree-law.

Article 9

Environment protection

In the definition of its general trading policy, the Government will pay particular attention to its consequences at the environment level, according to the principles of the Basic Law on the Environment and complementary legislation, and in particular, in what concerns the protection of national patrimony, fauna and flora.

Article 10

International agreements

The Government's general trading policy regulates itself by the integral respect for the international agreements, treaties and conventions received in the Cape Verdean judicial order.

CHAPTER III

Trading activities

SECTION I

Types of trading activities

Article 11

Trading activities

1. For the purposes of application of the legal provisions relative to the exercise of the trading activity, the wholesale and retail trading activities are taken into consideration.

2. Meanings:

- a) every physical or collective person who, regularly and professionally buys goods in his own name and on his own account and resells them either to wholesalers or to retailers, either to transformers or to professional or great users, exercises the wholesale trading activity;

B.O. No. 39, I Series of 24 November 2003

- b) Every physical or collective person who, regularly and professionally buys goods in his own name and on his own account, and resells them directly to the final consumer, exercises the retail trading activity.

3. The activities of purchase and sale of goods by the public, military, public security, social assistance teaching and public health entities are not considered trading activities when they are destined to the inherent consumption, to respective operation, or for free distribution to people in need or non-lucrative associations.

Article 12

Wholesale trading activity

1. The wholesale trading activity may be exercised by the following agents:

- a) Exporter: the person who sells products, of national origin or nationalized, directly to the foreign markets;
- b) Importer: he who acquires, directly in the foreign markets, products destined to be traded in national territory of for posterior exports;
- c) Wholesaler or Warehouseman: he who acquires in the local market the products of national or foreign origin and trades them, in wholesale or retail, to retailers. In no case he sells to the public.

2. He who, importing directly products, raw materials or equipments, destines them to the laboring of their plants, shops or establishments, as well as to the incorporation into the products of their own production, transformation or fabrication.

3. The activity of wholesale trade, when not exercised in a sedentary way, is regulated by a special diploma.

4. For the purposes of the previous number, sedentary trade is the one in which the presence of the dealer in the sale places is not fixed and permanent.

Article 13

Retail trade

1. The retail trading activity may be exercised by the following agents:

- a) Retailer: the one who exercises retail trading in a sedentary manner, in establishment, stores or installations solidly fixed to the ground in covered markets;
- b) Peddler: he who exercises retail trading in a sedentary manner, in the places of his transit or in areas especially destined to him;

B.O. No. 39, I Series of 24 November 2003

- c) Marketer: he who exercises retail trading in a sedentary manner, in covered markets or in installations not solidly fixed to the ground, in usually designated fairs and markets;
- d) Dealer: he who sells in retail the products of his trade in a regular or irregular manner, without organic structure or adequate trading establishment, and is not comprised in any of the types of the previous activities.

2. The exploitation of automatic selling machines and sale to the final consumer through a catalog, by correspondence or home sale, is considered in the modality of retailer. The existence of a structure adequate to the nature of the respective activity is mandatory.

Article 14
Trading agent

Every fixed or collective person who, not being integrated in any of the categories previously mentioned, but having commercial organization, practices, usually and professionally, trading acts, but doesn't sell directly to the public, is considered as exercising the activity of trading agent.

Article 15
Product classification

The classification of products to be traded by the entities that exercise any of the activities indicated in articles 12, 13 and 14, must be done according to the CEDEAO Nomenclature based on the Harmonized System of Designation and Coding of Goods, included in Table I annexed to this diploma of which it is a component.

Article 16
Foreign Trade Operations

A special law will regulate the foreign trade operations.

SECTION II
Accumulations and prohibitions

Article 17
Accumulation of the types of activities and sections

1. The joint exercise the more than one of the activities comprised within the legal types mentioned in articles 12, 13 and 14 is allowed, provided that they are not prohibited under the terms of the following articles.

B.O. No. 39, I Series of 24 November 2003

2. The trading activities comprised within the types defined in articles 12, 13 and 14 may cover one or more sections of products.

Article 18

Prohibitions and accumulations for the importer

1. The importer is prohibited to accumulate with its activity, the one of marketer, peddler or dealer.

2. The importer accumulates with his own activity, the one of wholesale, by inherence, without the need for a specific authorization.

3. The accumulation of the importer and retailer activities is allowed when there is a net separation of the two activities in accounting and establishment aspects.

Article 19

Prohibitions for the exporter

The exporter is prohibited to accumulate with his own activity, the one of marketer, peddler or dealer.

Article 20

Prohibitions and accumulations for the wholesaler or warehouseman

1. The wholesaler or warehouseman is prohibited to accumulate the activity of marketer, peddler or dealer with his own activity.

2. The provision of Article 18, paragraph 3 applies to the wholesaler or warehouseman, with the necessary adaptations.

Article 21

Prohibitions and accumulations for the retailer

The retailer is prohibited to accumulate the peddler or dealer activity with his own activity.

Article 22

Prohibitions and accumulations for the peddler

1. The peddler is prohibited to accumulate the importer, exporter, wholesaler, retailer or commercial agent activities with his own activity.

2. The accumulation of peddler and marketer activities is regulated in each district, by the municipality.

B.O. No. 39, I Series of 24 November 2003

Article 23

Prohibitions and accumulations for the marketer

1. The marketer is prohibited to accumulate the importer, exporter, wholesaler, retailer or trade agent activities with his own.
2. The accumulation of the marketer activities is regulated, in each district, by the respective municipality.

Article 24

Prohibitions and accumulations for the dealer

1. The dealer is prohibited to accumulate the importer, exporter, wholesaler, retailer or trading agent activity with his own.
2. The dealer is prohibited to trade products included in specific list to be established by decree of the Government member in charge of Trade.

Article 25

Prohibitions and accumulations for the trading agent

The trading agent is prohibited to accumulate the wholesaler or warehouseman, retailer, marketer, peddler or dealer activity with his own.

SECTION II

Places of exercise the trading

Article 26

Places of exercise the trading

1. The places for the exercise the trading are classified in:
 - a) Commercial establishments;
 - b) Markets;
 - c) Sales in the public ways;
 - d) Great commercial surfaces.
2. For the purposes of subparagraph a) of point 1, commercial establishment is every installation of fixed and permanent character, where is exercised, exclusively and mainly, in a regular and professional manner, one or more trading activities, in wholesale or retail, such as they are defined in article 11, point 2, being the

B.O. No. 39, I Series of 24 November 2003

following considered as such, provided that all the legal and regulatory requirements are fulfilled:

- a) Stores, the ensemble of the organized structure for the exercise the retail trading or similar, regardless of the class or classes of products and that integrate simple warehouses;
- b) General warehouses, the ensemble of the organic structure destined exclusively to the wholesale trading, regardless of the class of classes of products;
- c) Malls (Shopping centers), the complex establishments that conglomerate in the same physical and organic structure units of independent stores that practice retail trading by different classes of products.

3. The following are considered markets provided that they fulfill the legal and regulatory requirements:

- a) Municipal markets, the infrastructures destined by the municipal authorities to the gathering of producers or their simple intermediaries, with the purpose of trading products traditionally destined to the supply of the public consumer, namely in foods for fast consumption or others.
- b) Fairs, the places which, according to the regulations, are destined to the periodic or seasonal gathering, of dealers only, or farmers only, or industrialists, or of some and others jointly, with the purpose of expose the offer of the goods of their trade or production.

4. Sales in the public way are considered the places, infrastructured or not by the municipal authorities and destined or indicated by them for the exercise the trading by the peddlers.

5. If the opposite doesn't result from a prior authorization, and safe provision in especial specific legislation of the tourism sector, the restaurants, hotels, bakeries, bars, taverns and similar are compared to stores.

6. Great commercial surfaces are the retail or wholesale trading infrastructures with a useful commercial surface above 1.500 m², considering useful commercial surface the one that is destined to the sale and accessible to the public or to the buyers.

CHAPTER IV
The role of the public powers in the trading activity

SECTION I
General provisions

Article 27
Scope of the intervention

1. The public powers will limit their intervention, within the scope of the trading activity, to the regulation of the market mechanisms tending to ensure free and loyal competition of the economic agents and the safeguard of the diffused interests of single and collective persons.

2. When the interests of the economy so require, the public powers may, exceptionally, intervene, directly or indirectly, in the trading activity, namely, to guarantee the public supply, the fixation of certain prices of basic goods and the performance of certain enterprises of the public sector within the scope of trading, in accordance with the present diploma and its regulations.

Article 28
Intervention entities

1. The intervention of the public powers in the trading sector will be done, mainly, through:

- a) the Government and , in particular, the governmental department in charge of the trading sector and the competent services depending on it;
- b) the local autarchies;
- c) other public entities with direct or indirect responsibility in the sector, in accordance with the very competence of each one, defined by the present diploma and its regulations, in appropriate laws or in the respective organic statutes.

3. The intervention of the business related associations of the respective sector or geographic area in the trading activity, will be defined in protocol homologated by the member of the Government in charge of the trading sector.

SECTION II

Prior authorization for trading activity

Article 29

Prior authorization

1. The exercise the any of the activities indicated in articles 12, 13 and 14 needs prior authorization from the highest responsible person of the governmental department in charge of the trading sector, or the respective city council, depending on wholesale trading activity or trading agent activity, and the retail trading activity respectively.

2. The coordination and planning of all the process pertaining to the granting of prior authorization, mentioned in the previous number, belongs to the Government member in charge of trading and to the President of the City Council of the municipality where the activity is exercised, who emit the respective certificate.

3. Prior authorization is granted, without loss of the rules on accumulations and prohibitions provided for in article 17 and following, for the exercise the one or more activities mentioned in articles 12, 13 and 14, each one specifying the sections of products covered.

4. Besides the limits of the request, the prior authorization is also limited by the provisions regulatory of public reserves and rules on accumulations and prohibitions provided for in article 17 and following.

Article 30

Delegation of competence

1. The highest responsible person of the governmental department in charge of trading may delegate the competence provided for in point 1 of the previous article on the highest responsible person of the regional governmental department, in charge of the trading sector.

2. The highest responsible person of the governmental department in charge of trade may also delegate the competence provided for in point a of the previous article on the business-related association of the respective sector or geographic area, through a protocol homologated by the member of the government in charge of the trading sector and published in the Official Bulletin.

3. Under the hypothesis of the previous number, the business-related association of the respective sector or geographic area will be subject to the general orientations and to the fiscalization of that person in charge, relatively to the mode of exercise of the delegated competences.

4. In the exercise of the competence delegated under the terms of point 2, the business-related association of the respective sector or geographic area will be bound to

B.O. No. 39, I Series of 24 November 2003

the duty of services rendered to all trading agents of its territorial area, regardless of being its associates or not.

Article 31

Application for the exercise of the activity

The application for the exercise of the activity will be presented at the governmental department in charge of the trading sector, or at the respective municipal services, or, in case of delegation of competence under the terms of the previous article, point 2, at the business-related association of the respective sector or geographic area.

Article 32

Validity

1. The authorization mentioned in point 1, article 29 will be valid for one year and will be prolonged for equal period of time, provided its renovation is requested.

2. The application for the renovation mentioned in the previous number will be delivered at the services mentioned in article 31, accompanied by the corresponding certificate and the document proving the fulfillment of the fiscal obligations inherent to the last exercise.

Article 33

General requirements for prior authorization

1. The general requirements for the granting of the prior authorization mentioned in article 29 are:

- a) To have financial capacity under the terms of the trading legislation.
- b) Not be prohibited of exercising trading due to declared bankruptcy or insolvency, as long as the prohibition has not been lifted or rehabilitation doesn't occur.
- c) Not having been condemned, in the last five years, by sentence passing a definite judgment in penalty of effective imprisonment for fraudulent crime against property, safe if there is rehabilitation.
- d) Not having been condemned in the last five years, by sentence passing a definite judgment in penalty of effective imprisonment for fraudulent crime against public health or national economy, safe if there is rehabilitation.
- e) Not having been condemned in the last five years, for the practice of illicit or disloyal competition, safe if there is rehabilitation.

B.O. No. 39, I Series of 24 November 2003

- f) To have as minimal qualifications the 4th year of schooling.
- g) When it's about a collective person, its definite registration or proof that it can be done in the competent organisms.
- h) To have warehouses adapted to the type of activity for which prior authorization is requested.
- i) To have met the fiscal obligations.

2. The requirement mentioned in subparagraph *f)* of the previous number is relieved:

- a) When the request for prior authorization has as object the exercise of retailer, peddler or marketer activities;
- b) In cases where succession occurs, due to death , relatively to the surviving spouse, when the request for prior authorization has as object the activity or activities validly exercised by the deceased.
- c) In cases of conveyance of property, cessation of usufruct, cessation of exploitation of any other form of transmission, free or onerous, of the establishment or warehouse in favor of the workers, when the request for authorization has as object the activity or activities that the transmitter was authorized to exercise.

Article 34

Requisites related to establishments

1. In the cases where the exercise of the activity involves the existence of establishment/store, warehouse or office, these must obey conditionalisms of commercial urbanism existent in the respective urbanistic plans approved for the locality where they are situated, or only the urbanistic plans, in the absence of those conditionalisms.

2. In the absence of urbanistic plans, the city councils and the business-related associations of the respective sector or geographic area will pronounce themselves about the economic-social interest of the unity to be implanted.

3. In the absence of regulation about the conditions of hygiene and salubrity, the city councils, in articulation with the sanitary authorities, will emit an opinion according to the criteria of guarantee of minimal conditions for the protection of public health.

4. In any of the situations provided for in numbers 2 and 3, it is considered that an opinion favorable to the claim of the concerned person, if the city council doesn't

B.O. No. 39, I Series of 24 November 2003

pronounce itself within 30 working days from the date of presentation of the respective application.

5. The opinion may be replaced, in cases of free or onerous transmission of the establishment/store or warehouse, by the reference to the prior authorization of the former title-holder, provided that in the place of implantation the same activity is carried out, without alteration or enlargement.

6. The requirements that must be met by the warehouses destined to the warehousing of food products will be defined by joint decree of the government members in charge of the trading and health areas.

Article 35
Inspection

1. For purposes of granting of the prior authorization provided for in article 29, commercial establishments that are devoted to sale, in wholesale or retail of foodstuff, are inspected by a commission constituted by a representative of the city council, who presides, by a representative of the Health Delegacy, and by a representative of the governmental department in charge of the trading sector, or, in case of delegation of competence according to number 2 of the previous article, of the business-related association of the respective sector or geographic area with competence in the area of localization of the establishment.

2. The inspection is done under the regulatory terms, within 10 working days, maximum, from the date of delivery of the application mentioned in article 31.

3. Whenever it's deemed convenient, the commission mentioned in point 1 may determine the submission of the establishments mentioned in the previous number to inspections according to regulatory terms.

4. Each one of the members of the inspection commission will receive a gift for services rendered of an amount to be fixed by decree of the Government members in charge of the Finances and Trade.

5. The expense mentioned in the previous number, as well as the expenses with the necessary transports are the responsibility of the applicant.

6. The Government member in charge of Trade will regulate by decree the provisions of the present article, after consulting the National Association of the Capeverdean Municipalities.

Article 36
Procedures of dealers done individually

B.O. No. 39, I Series of 24 November 2003

1. The application by a dealer, for prior authorization, done individually, will be addressed to the highest responsible person of the governmental department in charge of Trade, or to the President of the City Council, depending on the cases, or in case of delegation of competence according to point 2 of article 30, to the ruling organ of the business-related association of the respective sector or geographic area, and will contain the following elements:

- a) Identification of the applicant by name, date of birth, residence and number, date and place of issue of the identity card;
- b) Trading activity or activities for which the prior authorization is requested;
- c) Sections of products covered by the request of prior authorization;
- d) Place where the activity is going to be exercised;
- e) Localization and characteristic of the establishments/stores, warehouses or office, in cases where the exercise of the activity implies their existence.

2. The application will be instructed with the following elements:

- a) Declaration by the applicant, with signature recognized by a Notary, of which is reported that he is civilly capable and is not prohibited to exercise trade;
- b) Document proving that he has the minimal mandatory schooling;
- c) Document proving that fiscal obligations have been met;
- d) Certificate of criminal record;
- e) Two passport type photographs for each activity to be exercised;
- f) Opinions mentioned in article 34 or proof that all the conditions provided for in points 4 and 5 of the same article are gathered.

3. When the request for prior authorization has as object of peddler and marketer activities, the document mentioned in subparagraph *b)* of the previous number will be relieved.

4. In every case of co-property, either resulting from substitution in the inscriptions for death of the title holders, or resulting from the will of the concerned persons, these will have, besides the common elements, to prove individually the elements mentioned in point 1 and add the documents included in point 2.

Article 37

Procedures of collective persons

1. Applications by collective persons, for the prior authorization, will be addressed to the highest responsible person of the governmental department in charge of Trade, or to the President of the City Council, according to the cases, or, in case of delegation of competence according to point 2 of article 29, to the ruling organ of the business-related association of the respective sector or geographic area, and will contain the following elements:

- a) Identification of the applicant by the firm or particular denomination, trade-hall and constitution date;
- b) Section of products covered by the request of prior authorization;
- c) Localization and characteristic of the establishments/stores, warehouses or office, in cases in which the exercise of the activity implies their existence.

2. The application of the trading societies and public enterprises must be accompanied by the following documents:

- a) Note of registration or certificate of commercial or cooperative registration of definite matriculation;
- b) Document proving that the fiscal obligations relative to the exercise of the previous year have been met;
- c) Opinions mentioned in article 34 or proof that all the conditions provided for in points 4 and 5 of the same article are gathered.

3. The applications of the managers mentioned in point 4 of article 2 and to associates of unlimited responsibility will be accompanied by the following documents:

- a) Identification by the name, state, profession, residence, number of the identity card;
- b) Certificates of commercial registration or, in case these are negative, also the declaration of the applicant reporting that they are civilly capable and are not prohibited to exercise trading;
- c) Documents proving that they have the minimal mandatory schooling;

B.O. No. 39, I Series of 24 November 2003

- d) Certificate of criminal record;
- e) Two passport type photographs;

5. The application of complementary groups of enterprises must be accompanied by the following documents:

- a) Note of registration or certificate of commercial or cooperative registration of definite matriculation;
- b) Opinions mentioned in article 34 or proof that all the conditions provided for in points 4 and 5 of the same article are gathered.

Article 38

Supervening alterations

1. The application for a previous valid authorization, for the expansion to other activities only needs to be accompanied by a reference to the number of the pre-existing prior authorization and the documents deemed necessary according to the new request.

2. The application for legalization of prior authorization for commercialization of new products, with or without alterations of the ones already granted, needs to be accompanied by the number of the pre-existing prior authorization and the documents deemed necessary according to the request.

Article 39

Deadline for decision

1. The governmental department in charge of the Trade sector, or the city council, or, in case of delegation of competence according to point 2 of article 30, the business-related association of the respective sector or geographic area, must, within 30 days from the reception of the application, make a decision, granting or refusing the prior authorization, or notify the applicant to make up for eventual gaps of the application or annexed documentation.

2. The deadline fixed in the previous number is suspended by the usage of the faculty mentioned in the final part of the same number or by the realization of the inspection provided for in article 35. One recommends the counting of the deadline from the date of reception of the elements requested at the competent service or by the signature of the inspection minutes.

B.O. No. 39, I Series of 24 November 2003

3. The notifications will be made by registered letter to the address included in the application or to the competent entities that have organized the process of prior authorization and are considered done from the third day from the issue.

4. 180 days passed, and the gaps mentioned in the final part of point 1 have not been corrected, the processes will be considered null.

Article 40

Certificate of authorization

1. In case of approval of the application, the competent authority or, in case of delegation of competences according to point 2 of article 30, the business-related association of the respective sector or geographic area will give to the applicant the certificate mentioned in point 2 of article 29.

2. If the decision to grant or refuse the prior authorization is not made within the deadline mentioned in points 1 and 2 of the previous article, one will consider that the concerned person is authorized to exercise the activity, working as certificate, for all purposes, the application duly signed by the service where it has been delivered.

Article 41

Causes for revocation

1. The authorization to exercise the trading activity will be revoked and the certificate will be apprehended:

- a) When the exercise of the activity doesn't start within one year from the granting of the prior authorization, except impediment duly proved;
- b) by death or interdiction that involves impossibility to exercise trading, passed the deadlines mentioned in article 45;
- c) By the dissolution of the collective person;
- d) To the entities mentioned in point 4 of article 2, when they lose that quality;
- e) By the exercise the trading activity, when there is a situation of prohibition due to bankruptcy;
- f) By the voluntary closing of the establishment/store or the warehouse during one year, except impediment duly proved and considered the local characteristics of exercise the trading;

B.O. No. 39, I Series of 24 November 2003

- g) By the transfer or any other form of definite transmission, free or onerous, of the property or usufruct of the establishment/store or warehouse;
- h) By the effective exercise of the trading activity by entity different from the one inscribed in the respective registration;
- i) By the loss of the general requirements mentioned in point 1 of article 33;
- j) By the non-payment of the taxes due according to article 47, for a period of time superior to two years.

2. The revocation mentioned in sub-paragraph j) of the previous number implies the refusal of the prior authorization to exercise the trading activity in the following five years.

Article 42
Causes for suspension

1. The authorization to exercise the trading activity will be suspended until one year, and the certificate will be apprehended, when one of the following situations occurs:

- a) Condemnation in measure of security of interdiction of exercising any of the activities indicated in article 2 for the period of application of that measure;
- b) Temporary cessation of the usufruct;
- c) Or of the exploration of the establishment/store or warehouse for the period of the cessation;
- d) By the non-payment of the fiscal duties inherent to the exercise of the activity;
- e) Exercise of activity different from the one for which one is inscribed, as long as the situation is not settled;
- f) Non-payment of the taxes due under the terms of article 47.

2. The authorize to exercise the trading activity may be suspended until one year upon express and founded request by the concerned person and addressed to the governmental department in charge of trading, or to the city council, depending on he

B.O. No. 39, I Series of 24 November 2003

cases, or, in case of delegation of competence according to point 2 of article 30, to the business-related association of the respective sector or geographic area.

Article 43

Communication in cases of revocation or suspension of the prior authorization

1. Whenever the fiscalization agents take notice of any situation that is cause for revocation or suspension of the prior authorization to exercise the activity, they will communicate the fact to the Governmental department in charge of the trading sector, or to the city council, according to the cases, or, in case of delegation of competences under the terms of point 2 of article 30, to the business-related association of the respective sector or geographic area, within ten days.

2. The General Inspection of Economic Activities and also the competent entities that have organized the process of prior authorization will be informed, within ten days, of all the decisions made by the Governmental department in charge of the trading sector, or city council, depending on the cases, or, in case of delegation of competences according to point 2 of article 30, of the business-related association of the respective sector or geographic area, that determine revocation or suspension of the prior authorization.

3. As soon as the suspension ends, the governmental department in charge of the trading sector, or the city council, depending on the cases, or in case of delegation of competences according to point 2 of article 30, the business-related association of the respective sector or geographic area, will return the card apprehend from its holder, communicating such devolution to the General Inspection of Economic Activities within ten days.

Article 44

Apprehension of the cards

In the cases provided for in articles 41 and 42 it belongs to the General Inspection of Economic Activities, upon request by the governmental department in charge of the trading sector or the city council, or, in case of delegation of competence according to point 2 of article 30, the business-related association of the respective sector or geographic area, to apprehend the cards and send them to the same service.

Article 45

Deadlines for presentation of the new applications

1. When facts inherent to the entities mentioned in article 2, imply any substitutions in the prior authorizations in force, the ninety days deadline is granted, from the date the same acts occurred, for the respective regularization.

B.O. No. 39, I Series of 24 November 2003

2. In case of decease of the individual dealer, the prior authorization may subsist temporarily in his name, during the following periods of time:

- a) 180 days, from the decease confirmed by death certificate, when there is no judicial partition;
- b) 60 days, from the decision of homologation of the judicial partition with transit into a definite judgment in the remaining cases.

3. Once terminated the situations provided for in the previous numbers, it belongs to the substitutes to send the card that designated the prior authorization together with the new application to the respective governmental department in charge of the trading sector, or to the city council, depending on the cases, or, in case of delegation of competence according to point 2 of article 30, to the business-related association of the respective sector or geographic area.

4. The term mentioned in point 1 may be prorogated for an equal period in case of impediment duly proven.

Article 46

Publicity of the authorizations granted

The governmental department in charge of the trading department, or the city council, or in case of delegation of competence according to point 2 of article 30, the business related association of the respective sector or geographic area, will give semi-annual publicity to the authorizations granted to acknowledge the competent organs of the central and municipal administration and the entities representative of the trading sector.

Article 47

Taxes

1. Taxes and emoluments which amount will be established in ministerial ordinance of the governmental members in charge of the trading and financial areas are due for the granting and renovation of the authorization to exercise the trading activity, for the inclusion of a new section or sections of products in the type or types of trading activities covered by the prior authorization and by any other services rendered executed at the concerned persons' request.

2. The taxes provided for in the previous number constitute Public or municipal revenue, depending on the cases, in case of delegation of competence according to point 2 of article 30, revenue of the business-related association of the respective sector or geographic area, and are paid annually.

B.O. No. 39, I Series of 24 November 2003

3. The taxes that are not paid within the legal deadline will be accrued of interests for delayed payment which will be Public or municipal revenue, depending on the case.

Article 48

Officious communications

The courts and other Public Administration services where are practiced acts resulting in refusal of the prior authorization to exercise the activity in any of the situations provided for in articles 41 and 42 will officiously communicate the verification of such situations to the governmental department in charge of the trading sector, or to the city council, or, in case of delegation of competence according to point 2 of article 30, to the business-related association of the respective sector or geographic area.

Article 49

Appeals

The decisions that refuse the authorization to exercise the trading activity and, also, the decision that revoke or suspend that authorization may be appealed in general terms.

Article 50

Confirmation

The decisions of the business-related association of the respective sector or geographic area that refuse authorization to exercise the trading activity and also, the ones that revoke or suspend that authorization will be confirmed by the highest responsible person of the governmental department in charge of the trading sector, within 30 days.

SECTION III

Special requirements for prior authorization

SUBSECTION I

Importer

Article 51

Indication of the requirements

Only the individuals who, besides the general requirements mentioned in article 33, meet the following special requirements may exercise the importer activity:

B.O. No. 39, I Series of 24 November 2003

- a) To have a minimum capital affected to the trading activity which amount will be defined by ordinance of the governmental member in charge of the trading area, after consulting the business-related associations;
- b) To have warehouse adapted to the trading branch and volume of affairs and with the other legal requirements;
- c) To have the accounting organized in accordance with the requirements of the National Plan of Accounting, under the responsibility of an idoneous expert on accounts, with credentials in the Ministry of Finances.

Article 52

Proof of requirements

1. Proof of requirements mentioned in subparagraph *a)* of the previous article is done through the presentation of certificate of matriculation at the trading registration which reports the capital of the dealer, individually or the trading society, or information on his financial capacity rendered by a credit institution, pro banking or another idoneous one which indicates that the applicant can dispose of the minimum capital required.

2. Proof of requirements mentioned in subparagraph *b)* of the previous article is done through presentation of the property title or other right that gives to the applicant the usage and fruition of warehouse for a period longer than two years, without loss of the provision of article 34.

3. Proof of requirements mentioned in subparagraph *c)* of the previous article is done through presentation of:

- a) Plan of accounts to be adopted by the concerned person;
- b) Affidavit for the organization of the cited plan of accounts assumed by the accounting expert with credentials in the Ministry of Finances.

SUBSECTION II

Exporter

Article 53

Proof of requirements

1- Only the individuals who, besides the general requirements mentioned in article 33, meet the following special requirements provided for in subparagraphs *b)* and *c)* of article 51 may exercise the exporter activity:

B.O. No. 39, I Series of 24 November 2003

2- To the proof of requirements established in the previous number apply with the necessary adaptations, the provisions of numbers 2 and 3 of article 52.

SUBSECTION III
Wholesaler or warehouseman

Article 54
Indication and proof of requirements

1. Only the individuals who, besides the general requirements mentioned in article 33, meet the especial requirements provided for in subparagraphs *b)* and *c)* of article 51 may exercise the wholesaler or warehouseman activity.

2. The provisions of numbers 1 and 3 of article 52 apply to the proof of requirements established in the previous number, with the necessary adaptations.

SUBSECTION IV
Retailer

Article 55
Indication and proof of requirements

1. Only the individuals, who, besides the general requirements mentioned in article 33, meet the following special requirements, may exercise the retailer activity:

- a) To have a minimum capital affected to the trading activity which amount will be defined by ordinance of the governmental member in charge of the trading area, after consulting the business-related associations and the City Councils;
- b) To have equal store or establishment adapted to the trading branch and business volume and with the other legal requirements.

2. The provisions of numbers 1 and 3 of article 52 apply to the proof of requirements established in the previous number, with the necessary adaptations.

SUBSECTION V
Moving sale

B.O. No. 39, I Series of 24 November 2003

Article 56
Peddlers

In development of the provisions of subparagraph *b)* of article 13, peddlers are all the individuals who:

- a) Transporting the goods of their trade, by themselves or any adequate means, sell them to the public consumer in the places of their transit;
- b) Outside of the municipal markets in fixed places, demarcated by the city councils, sell the goods they transport, utilizing in the sale their own means or others put at their disposal by the mentioned city councils;
- c) Transporting their goods in vehicles, sell the goods in them, either in the places of their transit or in fixed places, demarcated by the competent city councils outside of the market;
- d) Utilizing automobiles or trailers, in them, in the public way or in fixed places determined by the city councils, cook light meals or other comestibles prepared in a traditional way.

Article 57
Exercise of moving sale

1. The exercise of moving sale is prohibited to the trading societies, to the mandatary and to the people who trade on behalf of another, and may not be practiced by interposed person.

2. Exceptions to the scope of moving sale are:

- a) The domiciliary distribution done on account of the dealer with fixed establishment/store;
- b) The sale of lotteries, newspapers and other periodic publications;
- c) The direct sale to the transient consumer of agriculture products done by the respective farmer in places beside the roads or public ways.

Article 58
Products prohibited to the moving trade

B.O. No. 39, I Series of 24 November 2003

1. The moving trade of the products included on the list to be approved by decree of the government member in charge of the trading sector, is prohibited.

2. The prohibition mentioned in the previous number is not applicable to the dealers of meats, who have fixed installations and are duly authorized to exercise that activity, provided that the moving trade is done in a proper vehicle and in sanitary conditions, and is an extension of the trade already authorized.

Article 59

Interdiction to the peddlers

It is prohibited to the peddlers:

- a) To obstruct or by any form make difficult the traffic in the places destined to the circulation of vehicles and pedestrians;
- b) To obstruct or make difficult the access to the public transportation and to the stops of the respective vehicles;
- c) To obstruct or make difficult the access to monuments and public or private buildings, as well as the access or exposition of the trading establishments or stores of sale to the public;
- d) To through on the floor or sale places, any refuse, scraps, garbage or other materials susceptible of encumbering or soil the public way;
- e) To sell, in a less than 50 meters distance from commercial establishments that trade in identical products.

Article 50

Sanitary Bulletin

1. The participants in the packaging, transportation or sale of foodstuff will be obligatorily carriers of sanitary bulletins, according to the legislation in force.

2. Whenever there are doubts about the state of sanity of the seller or any of the individuals mentioned in the previous number, these will be summoned to present themselves to the competent sanitary authority for inspection.

Article 61

Hygienic-sanitary measures

B.O. No. 39, I Series of 24 November 2003

1. In the transportation, arrangement, exposition and storage of the products it is mandatory to separate the foods according to their nature, as well as among them, separate the ones that in any way, may be affected by the proximity of the others.

2. When they are not exposed for sale, food products should be kept in places adequate to the preservation of their state, and, also, in hygienic-sanitary conditions that protect them from dusts, contaminations or contacts that, in any way, may affect the consumers' health.

3. The seller, whenever it is required, will have to indicate to the entities competent for the fiscalization, the place where he keeps his merchandise, permitting the access to the same.

4. In the packaging or conditioning of food stuffs one may use only paper or other material that has not yet been utilized and that doesn't contain drawings, paintings, or sayings printed or written in the interior.

Article 62

Specific competences of the City Councils

It belongs specifically to the City Councils:

- a) To restrict, condition or prohibit the sale of products, taking into consideration the hygienic-sanitary, and esthetic and commodity aspects for the public;
- b) To interdict zones to the exercise of the moving trade, attending to the transit and security needs of the pedestrians and vehicles, after consulting the competent authorities;
- c) To establish zones and fixed places for the exercise, with their own means or means granted by the City Councils, the peddling activity;
- d) To delimit places or zones to which the vehicles and trailers utilized in the peddling sale will have access;
- e) To establish zones and places especially destined to the peddling trade of certain specific categories;
- f) To emit and renovate the card for the exercise of the peddling sale;
- g) To determine the cases of apprehension of the contravention instruments, movable or immovable, which will guarantee the infractor's responsibility.

B.O. No. 39, I Series of 24 November 2003

Article 63

Localization of the peddler's activities

1. In the localities endowed of markets with proper installations it will only be allowed the activity of paddling of products that are sold in those markets when there aren't vacant for the fixed sale of those products.

2. When there are places in the markets mentioned in the previous number, but in certain areas there is insufficient public supply, the City Councils may determine places or zones, within the same areas, for the exercise of the peddling trade limited in the previous number.

3. The provisions of the previous numbers don't apply to the peddling sale of fish.

Article 64

Peddler's card

1. The peddler must have, for immediate presentation to the competent authorities for fiscalization, the card of peddler duly updated.

2. The peddler's card is valid only in the area of the respective municipality and for the period of one year from the date of issue or renovation.

3. The peddler's card is personal and not transferable.

4. The model of peddler's card will be approved by decree of the Government member in charge of the trading sector.

Article 65

City Council registration

The city Councils must organize a record of the peddlers who are authorized to exercise their activity in the area of the respective municipality. A copy of it will be sent to the General Inspection of Economic Activities and to the Governmental department in charge of the trading sector, as well as the respective updates.

Article 66

Personal production

The peddling of workmanship articles, fruits, horticultural products or any other products of personal fabrication or production is subject to the provisions of this subsection.

SUBSECTION VI
Marketer

Article 67
Authorization

1. Using the respective attributions, it belongs to the City Councils to authorize the realization of fairs and markets, when the interests of the populations so recommend and taking into account the existing trading equipments, after consulting the labor unions, business-related associations and consumers associations.

2. When the circumstances justify it, the governmental department in charge of the trading sector may also be consulted.

Article 68
Prohibition

In the fairs and markets only the holders of a marketer card may exercise the activity:

Article 69
Specific competence of the City Councils

It belongs specifically to the City Councils:

- a) To issue and renovate the card for the exercise of sale in the fair;
- b) To determine the periodicity and schedule of the fairs and markets, the respective place and realization;
- c) To determine the conditions of granting and occupation of sale places, their maximum number and the taxes to be paid.

Article 70
Marketer's card

1. The marketer must have, for immediate presentation to the competent authorities for fiscalization, the card of peddler duly updated.

B.O. No. 39, I Series of 24 November 2003

2. The marketer's card is valid only in the area of the respective municipality and for the period of one year from the date of issue or renovation.

3. The marketer's card is personal and not transferable.

4. The model of marketer's card will be approved by decree of the Government member in charge of the trading sector.

Article 71

City Council registration

The City Councils must organize a record of the marketers who are authorized to exercise their activity in the area of the respective municipality. A copy of it will be sent to the General Inspection of Economic Activities and to the Governmental department in charge of the trading sector, as well as the respective updates.

Article 72

Hygienic-sanitary measures

1. In the transportation, arrangement, exposition and storage of the products it is mandatory to separate the foods according to their nature, as well as among them, separate the ones that in any way, may be affected by the proximity of the others.

2. When they are not exposed for sale, food products should be kept in places adequate to the preservation of their state, and, also, in hygienic-sanitary conditions that protect them from dusts, contaminations or contacts that, in any way, may affect the consumers' health.

3. The seller, whenever it is required, will have to indicate to the entities competent for the fiscalization, the place where he keeps his merchandise, permitting the access to the same.

4. In the packaging or conditioning of food stuffs one may use only paper or other material that has not yet been utilized and that doesn't contain drawings, paintings, or sayings printed or written in the interior.

Article 73

Sanity Bulletin

B.O. No. 39, I Series of 24 November 2003

1. The participants in the packaging, transportation or sale of foodstuff will be obligatorily carriers of sanitary bulletins, according to the legislation in force.

2. Whenever there are doubts about the state of sanity of the seller or any of the individuals mentioned in the previous number, these will be summoned to present themselves to the competent sanitary authority for inspection.

Article 74

Prohibited sale

The sale of all the products whose specific legislation so determines, in fairs and markets, is prohibited.

Article 75

Personal production

The sale of workmanship articles, fruits, horticultural products or any other products of personal fabrication or production is subject to the provisions of this subsection.

SUBSECTION VII

Trading agent

Article 76

Indication of the requirements

1. The activity of trading agent is exercised through contract of agency or representation and, when it is on behalf of a foreign entity, can be exercised only jointly with importers.

2. The activity of trading agent for imported products can be exercised by individual who, besides the general requirements provided for in article 33, meet the following special requirements:

- a) To be single or collective enterprise of capeverdean nationality;
- b) To have domicile in Cape Verde;
- c) To have adequate office to attend the customers;

B.O. No. 39, I Series of 24 November 2003

- d) To have accounting organized in accordance with the requirements of the National Plan of Accounting, under the responsibility of an idoneous expert on accounts.

3. The foreign enterprises may exercise the activity of trading agent in Cape Verde provided that they do it through a branch office, delegation or other form of representation that meets the following requirements:

- a) To be matriculated in the capeverdean trading register;
- b) To have adequate office to attend the customers;
- c) To have accounting organized in accordance with the requirements of the National Plan of Accounting, under the responsibility of an idoneous expert on accounts.

Article 77

Proof of the requirements

1. The proof of requirements mentioned in subparagraphs *a)* and *b)* of point 2 and in subparagraph *a)* of point 3 of the previous article is done through certificates of the competent official entities.

2. The provisions of numbers 2 and 3 of article 52 apply, with the necessary adaptations, to the proof of requirements mentioned in subparagraphs *c)* and *d)* of point 2 and subparagraphs *b)* and *c)* of point 3 of the previous article.

Article 78

Other conditions

1. The localization of the trading agent office and the representations he is the holder of, must, upon request of the concerned person, be annotated in the prior authorization.

2. In the absence of annotation, the applicant will incur sanctions for exercise of type of trading activity.

SECTION III

Dossier of the trading establishments

Article 79

Dossier of the trading establishments

B.O. No. 39, I Series of 24 November 2003

1. The dossier of the trading establishments mentioned in n. 2 of article 26 is created with the purpose of ensuring the knowledge of the trading sector, through the identification and characterization of the trading establishments and forms of trading exercise in them.

2. The trading dossier is centralized in the governmental department in charge of trading sector.

Article 80

Facts subject to inscription

The following facts are subject to inscription in the dossier of trading establishments:

- a) Opening of the trading establishment;
- b) Closing of the trading establishment;
- c) Activities exercised in the trading establishment and respective alterations;
- d) Temporary suspension of trading activity;
- e) Change of the holder of the trading establishment;
- f) Alteration of the localization of the trading establishment or headquarters.

Article 81

Content of the dossier information

The content of the dossier of trading establishments must include, namely, the following elements:

- a) The holders of the trading establishments are identified through the name of the firm, place of the headquarters or domicile, judicial form and, whenever possible, through the amount of the social capital and volume of imports or sales;
- b) The trading establishments are identified, namely, through the localization, type of activity exercised among the ones provided for in articles 12 and 13, occupied surface and sale method.

Article 82

B.O. No. 39, I Series of 24 November 2003

Procedure of prior authorization in the dossier

The inscription in the dossier of the trading establishment is done officiously:

- a) By the City Councils, relatively to the retail trading;
- b) By the Governmental department in charge of the trading sector, as for wholesale trading and trading agent, or, in case of delegation of competence according to number 2 of article 30, by the business-related association of the respective sector or geographic area.

Article 83

Identification number

1. For the purposes of organization of the dossier of trading establishments, an identification number is attributed to each inscribed establishment.
2. The identification number is sequential and will be preceded of the code of the type of activity exercised and followed by the code of the district where the headquarters are located.

Article 84

Access to information

1. The holders of the establishments have the right to have access to the information included in the dossier of trading establishment referring to them.
2. The holders of the establishments have the right to demand the correction or the completeness of the information included in the prior authorization, and in any of the cases, must demonstrate the reason for rectification.
3. Public services have access to the individualized information available in the dossier of the trading establishments.
4. The other entities may have access, under conditions to be accorded, to the data of the dossier of trading establishments that do not involve personal data or other data legally protected.
5. The entities provided with the information, according to the previous numbers, may not provide or divulge them to others, save express authorization of the service mentioned in the previous number.
6. The governmental department in charge of the trading sector must organize and publish the directory of the trading enterprises.

Article 85

Peddlers and marketers

1. The provision of the present section doesn't apply to peddlers and makers;
2. The governmental department in charge of the trading sector may, however, ask the City Councils for the remittance of the elements about the activity of the peddlers and marketers that may appear convenient.

CHAPTER V

Infractions and fiscalization

Article 86

Counter-ordinances

1. The infractions to the provisions of the present diploma constitute counter-ordinances.
2. The exercise of any of the activities mentioned in articles 12, 13 and 14 by the authorities who are not duly authorized or whose authorizations have been suspended or revoked, is punished with a 5000\$00 to 1000.000\$00 fine.
3. The non-observance of the provision of number 1, article 45, is punished with a 5000\$00 to 50 000\$00 fine.

Article 87

Fiscalization competence

The prevention and corrective action about the infractions to the norms provided for in this diploma, as well as the respective regulation and connected legislation, belong to the General Inspection of Economic Activities, General Inspection of Labor, Police of Public Order, Fiscal Police and sanitary, administrative and fiscal authorities.

Article 88

Competence to apply fines

The following are competent to apply fines:

- a) In the wholesale and trading agent activities, the highest leader of the governmental department in charge of the trading sector;
- b) In the retail trading activity, the President of the City Council, of the municipality where the activity is exercised.

B.O. No. 39, I Series of 24 November 2003

Article 89

Receipts

The receipts of fines applied according to the present diploma have the following distribution:

- a) 30% to the participant;
- b) 70% to the State's budget or municipality's budget, depending on the cases.

CHAPTER VI

Several final and transitory provisions

Article 90

Professional identification card

1. Without loss of the possession of the prior authorization certificate, the possession of a professional identity card, as well as its exhibition when requested by the fiscalization agents, is mandatory for every person who exercises the trading activity, under the law penalties.

2. The professional identification card serves to identify people who practice trading acts that integrate the legal types in such places and circumstances, namely, outside of the respective establishment or place of different nature, as the public way, the supplying markets, that don't allow or make it difficult to presume that those acts are integrated in an activity legally authorized.

3. The identification card of an individual businessman proves that the same has general requirements for the granting of the prior authorization provided for in article 33; when it's about collective persons, the emission of the same card will depend on the fulfilling of the same requirements, by the single persons who may compel it.

4. The professional identification card model is approved by decree of the governmental member in charge of the trading sector.

Article 91

Large trading surfaces

B.O. No. 39, I Series of 24 November 2003

The procedure of licensing, installation and operation of the large trading surfaces will be object of a special diploma.

Article 92

Forms

The forms necessary to the execution of the present diploma will be approved by decree of the governmental member in charge of the trading sector, and may be replaced by computerized models.

Article 93

Adaptation of the municipal by-laws

The City Councils will take the proper precautionary measures in order to adapt municipal by-laws on the exercise of the trading activities of peddling and marketer to the decree of the present diploma and its regulations.

Article 94

Authorizations emitted under the previous legislation

The authorizations emitted under Decree-Law n. 135/85, of December 6 are kept valid with the due adaptations resulting from the validity of the present diploma, until they are replaced according to the following article.

Article 95

Replacement of the permit or license

1. The permit or license emitted under Decree-law n. 135/85 will be replaced by certificates of the prior authorization, upon request by the concerned persons, send directly to the competent service or through the business-related association, accompanied by the following documents:

- a) Previous permit or license;
- b) Photocopy of the document confirming the payment of Single Tax on the Incomes or of non-attribution of the collection in the year in question.

2. The competent service will fix and spread the timetable of the replacements mentioned in the previous number, which must not exceed, in total, the period of time of three years after this diploma comes into force.

B.O. No. 39, I Series of 24 November 2003

3. Once passed the deadlines fixed on the timetable mentioned in the previous number and the applications have not been presented, the permit or license will be considered invalid, except if, within 4 months from the end of those deadlines, the motive of non-presentation in time of the application is duly justified.

4. After the replacement, the respective certificates will be sent to the concerned person or to the business-related association in cases where the request for replacement has been sent by these.

6. No taxes will be due for the replacement of the permit or license emitted under Decree-law n. 135/85 of December 6.

Article 96
Pending Procedures

The requests of permit or license under Decree-law n. 135/85, of December 6 which procedures are pending for non-presentation of documents timely requested will be considered null if these are not provided within 90 days from the date the present diploma comes into force.

Article 97
Regulation

1. The government member in charge of the trading sector will regulate this diploma, by decree, without loss of the provision of the following number, within 90 days.

2. The regulation of this diploma relatively to the peddling and marketer activities belongs to the respective municipality.

Article 98
Revocation

Decree-Law n. 5/99, of February 1, is revoked.

Article 99
Coming into force

This diploma comes into force jointly with the regulation provided for in article 97.

Seen and approved by the Cabinet

B.O. No. 39, I Series of 24 November 2003

José Maria Pereira Neves, Avelino Bonifácio Fernandes Lopes

Promulgated in November 12, 2003

Publish.

The President of the Republic, PEDRO VERONA RODRIGUES PIRES

Countersigned in November 12, 2003

The Prime Minister, *José Maria Pereira Neves*

ANNEX TO ARTICLE 15

Table of the section of products according to the CEDEAO nomenclature, based on the Goods Coding and Designation Harmonized System

Section	Products
I	Live animals and products from the animal kingdom
II	Products of the vegetable kingdom

B.O. No. 39, I Series of 24 November 2003

III	Fats and animal or vegetable oils; Products of their dissociation; Food and elaborated fats; waxes of animal or vegetable origin.
IV	Products from the food industries; drinks, alcoholic liquids and vinegars; tobaccos and their manufactured substitutes.
V	Mineral products
VI	Products from the chemical industries or connected industries
VII	Plastics and plastic works; Rubber and rubber works.
VIII	Furs, leather clothing, furry hairs and works of those materials; Post office or saddler articles; Travel articles; Bags and similar artifacts; tripe works.
IV	Wood, vegetable coal and wood works; Cork and cork works; Esparto and basket making works.
X	Pastes of wood or other fibrous cellulosic materials; papers or cardboard to be recycled (Waste and scraps); paper and paper works.
XI	Textile materials and textile works.
XII	Footwear, hats and artifacts of similar usage, umbrellas, canes, whips and their parts; prepared feather and feather works; artificial flowers and hair works.
XIII	Works of stone, plaster, cement, asbestos, mica or other similar materials; ceramic products; glasses and glass works.
XIV	Natural or cultivated pearls, precious or semi-precious stones and similar, precious metals, plated or veneered metal of precious metals and metal works; bijouterie; coins.
XV	Common metals
XVI	Machines and equipments, electric material and parts; sound recording or reproduction equipment, image and sound in television recording and reproduction equipment; their parts and accessories.
XVII	Transportation material.

B.O. No. 39, I Series of 24 November 2003

XVIII	Optics, photography or cinematography, measurement, control or precision instruments and equipments; Medical-surgery instruments and equipments; watch making articles; musical instruments, their parts and accessories.
XIX	Guns and ammunitions, their parts and accessories.
XX	Goods and diverse products. Objects of art, collectibles or antiques.

B.O. No. 39, I Series of 24 November 2003