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Survey on Transparency in Angola

Definitions of common terms used in this questionnaire:

- *MPs*: members of the lower house/chamber of the national/federal parliament.
- *Financial disclosure laws*: laws that require MPs to disclose their assets and liabilities.
- *Business activities' disclosure laws*: laws that require MPs to disclose secondary employment and business activities in the private sector, such as membership in a company's board of directors, or being an officer or advisor in a company.
- *Family members' individual interests*: Business activities and assets and liabilities owned separately by the MP's family, such as non-marital assets. We only consider assets and interests owned independently by an MP's family member, assets jointly owned are not considered.
- *Post-tenure agreements*: employment agreements and/or business transactions that an MP enters into after completing his parliamentary term, such as an agreement to work for a certain company after completing their parliamentary term.



[Angola]
Lower House of Parliament – [Assembleia Nacional]

PART 1: DISCLOSURE REQUIREMENTS

If your country requires Members of Parliament (MPs) in the lower house to disclose their financial and/or business interests, please use the blank disclosure form to supplement the law when completing this section.

Disclosure requirement and frequency	TA 2009	Your answer
1. Are MPs required to disclose during their mandate their:		
Assets and liabilities?	Yes	[]
Business activities (secondary employment, positions in private firms)?	Yes	[]
2. When are MPs required to submit a disclosure form?		
Upon taking and leaving office	No	[]
Upon taking office	Yes	[]
Annually	No	[]
Once every X years (please specify how often)	No	[]
3. Are MPs required to disclose <u>changes</u> in assets or business activities prior to disclosure deadline (e.g., within 4 weeks of any change)?	Yes	[]
Applicable law(s) and comments: According to Art. 16(i) of the Estatuto dos Deputados No. 6/93, MPs must submit a declaration of their assets and any economically beneficial activities to the Secretary-General of the Assembly within 60 days of their investiture. According to Art. 16(j), this declaration must be updated by the MP whenever circumstances warrant.		
<u>N.B.</u> Per one of our official Contributors recruited in November 2008, no MP has ever complied to the Estatuto in Angola.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Your Comments: []		

1.1. DISCLOSURE OF ASSETS & LIABILITIES

Report of Assets and Liabilities	TA2009	Your answer
4. Are MPs required to disclose the following assets and liabilities:		
Personal residence	No	[]
<i>Details: Disclosure of exact location vs. monetary value</i>		
○ Value <i>and</i> exact location of the property	No	[]
○ Exact location	No	[]
○ Total value without the exact location	No	[]
○ Not specified	No	[]
Non-financial, non-movable assets (e.g., other real estate)	No	[]
<i>Details: Disclosure of exact location vs. monetary value</i>		
○ Value <i>and</i> exact location of the property	No	[]
○ Exact location	No	[]
○ Total value without the exact location	No	[]
○ Not specified	No	[]
Non-financial, movable assets (e.g., jewelry, vehicles)	No	[]



<i>Details: Disclosure of description vs. monetary value</i>		No	
o Value <i>and</i> description of the asset		No	[]
o Description of the asset		No	[]
o Total value without descriptions		No	[]
o Not specified		No	[]
Stock holdings and other securities		Yes	[]
<i>Details: Disclosure of name vs. monetary value</i>			
o Value of stock <i>and</i> name of company in which they hold stocks		No	[]
o Name of company in which they hold stock		No	[]
o Total value of stock, without the name of the company		No	[]
o Not specified		Yes	[]
<i>Details: Disclosure of all vs. certain types of stocks</i>			
o All stock ownership		Yes	[]
o Stock ownership in certain types of companies (e.g., in specific industries, in companies where the state is a partial owner)		No	[]
o Stock above a certain threshold		Yes	[]
▪ Please specify the threshold		1% or 25% /1	[]
Interest-bearing financial investments (e.g., bonds, savings accounts)		No	[]
o Value of investment <i>and</i> name of company in which investment is held		No	[]
o Name of company in which investment is held		No	[]
o Total value of investment, without the name of the company		No	[]
o Not specified		No	[]
Liabilities (e.g., loans, credits, mortgages)		No	[]
o Name of lender <i>and</i> value of liability		N/A	[]
o Name of lender only		N/A	[]
o Total value of liability, without the name of the lender		N/A	[]
o Not specified		N/A	[]
Applicable law(s) and comments: Art. 16(i) requires MPs to disclose all assets (bens patrimoniais) but provides no further specification. Annex II of the Estatuto provides the blank disclosure form. It is unclear if MPs only have to disclose what is required in the form (mostly business interests and stocks) or if in addition they also have to disclose other assets. 1/ the threshold is 1% for sociedades anonimas and 25% for sociedades por quotas			
The law(s) identified above is (are) the applicable one(s):			[]
<i>If NO, please cite the applicable law(s):</i> []			
Your Comments: []			

1.2. DISCLOSURE OF BUSINESS ACTIVITIES

In the questions below, please answer “yes” only if there is an *explicit* requirement to disclose specific items.

Report of income, secondary employment, and business activities	TA 2009	Your answer
5. Are MPs required to disclose the <u>value</u> of their current income?	No	[]
6. Are MPs required to disclose <u>all</u> sources of income?	No	[]
o Only <u>some categories of income</u> (i.e. paid secondary employment)	Yes	



7. Are MPs required to disclose <u>unpaid</u> secondary employment?	No	[]
8. Are MPs required to disclose if they hold the following positions in companies:		
Membership in boards of directors?	Yes	[]
o All types of board membership	Yes	[]
o In certain types of companies (e.g., in specific industries)	No	[]
o Only if the position is paid	No	[]
Positions as officers (e.g., CEO, CFO)?	Yes	[]
o All types of companies	Yes	[]
o In certain types of companies (e.g., in specific industries)	No	[]
o Only if the position is paid	No	[]
Positions as advisors (e.g., financial, legal, auditor)?	Yes/1	[]
o All types of advisory work	Yes	[]
o In certain types of companies (e.g., in specific industries)	N/A	[]
o Only if the position is paid	N/A	[]
Applicable law(s) and comments: According to Annex II of Act No. 6/93, MPs must disclose positions held in public and private companies, foundations and associations; any remunerated functions; commercial or entrepreneurial activities, the exercise of a liberal profession and other remunerated activities; entities to which services of representation are rendered, including representation before the government and public administration; support of a material, financial and other nature; foreign travel that is not financed by either public or own funds; payments and material benefits received from foreign governments or other entities; companies in which the MP, his spouse or minor children, own 1% or more of the capital, in the case of stock companies, and 25% or more in the case of limited liability companies.		
1/ We have made an extensive interpretation of the requirement to disclose “cargos sociais” in Annex II.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Your Comments: []		

1.3. EXPENSES DISCLOSURE

Report on Expenses Disclosure	TA2009	Your answer
1. Are MPs required to disclose any kind of expenses?	No	[]
Applicable law(s) and comments: Per Annex II of Act No. 6/93m no such disclosures are required.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Contributor's Comments: []		

1.3. FAMILY MEMBERS' DISCLOSURE

Report of family members' interests	TA 2009	Your answer
9. Are MPs required to disclose their family members' <u>independently owned</u> interests (as opposed to joint assets or interests)?	Yes	[]
10. Which family members are covered by the disclosure requirement?		
o Spouse	Yes	[]



<input type="radio"/> Dependent children	Yes	[]
<input type="radio"/> Other, please specify	N/A	[]
11. Are family members required to complete the same disclosure form as MPs?	No	[]
Applicable law(s) and comments: Annex II of the Estatuto dos Deputados No. 6/93 requires MPs to disclose the names of companies in which he or she, his or her spouse and dependent children retain 1% or more of the capital, in the case of stock companies, or 25% or more in the case of limited liability companies.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Your Comments: []		

What did you use to complete the sections above?	TA 2009	Your answer
Blank disclosure form	Yes	[]
Laws	Yes	[]
Applicable law(s) and comments: Disclosure takes the form of a declaration, there is no special disclosure form.		
Comments: []		

1.4. PUBLIC AVAILABILITY OF MPs' DISCLOSURE FORMS

Public Availability of MPs' Disclosure Forms	TA 2009	Your answer
12. By law, are filled out disclosure forms accessible by the public?	Yes	[]
13. In practice, does the public have access to the filled out disclosure forms?	No / 1	[]
At a registrar where the public can request forms in person	N/A	[]
On the internet	N/A	[]
<input type="radio"/> Please specify the address	N/A	[]
Disclosures can be obtained from other sources	N/A	[]
<input type="radio"/> Please specify the source	N/A	[]
14. Are filled out disclosure forms only available to the public under certain conditions?		[]
With the express consent of the MP		[]
Other		[]
<input type="radio"/> Please specify		[]
15. Does the law specify that only a summary of the disclosure is accessible by the public?	No	[]
16. In practice, does the public have access to the entire disclosure, as opposed to a summary?	No / 1	[]
Applicable law(s) and comments: Annex II of the Estatuto dos Deputados No. 6/93 specifies that MPs' declarations are available to the public but does not specify the form or conditions under which they are made available. Art. 16.i of the Estatuto says that there will be an implementing decree regulating access to the disclosures, but we have been unable to find such implementing decree. Art. 21 of the Estatuto says that the public may "request" access to the declarations in business hours to the MPs themselves.		
1/ Local volunteers have repeatedly failed to obtain access to the disclosures.		



The law(s) identified above is (are) the applicable one(s):	[]
<i>If NO, please cite the applicable law(s): []</i>	
Your Comments: []	

PART 2: RESTRICTIONS ON DOING BUSINESS IN THE PRIVATE SECTOR

In some countries, disclosure of business interests is not required, but there are restrictions on Doing Business in the private sector. Such provisions may be found in the constitution, election laws, standing orders of the parliament, anticorruption laws, conflict of interest or incompatibility laws, and ethics laws among others. Please consider all of the above sources of law to answer the questions.

Restrictions on business activities	TA 2009	Your answer
17. During tenure, are MPs prohibited from all <u>paid</u> employment?	No	[]
18. During tenure, are MPs prohibited from the following activities in the private sector:		
Owning stock of private companies?	No	[]
o Do MPs have to place their stockholding into a trust fund for the duration of their term in office	No	[]
o Are MPs restricted from owning certain types of stocks (e.g., in certain industries)	No	[]
o Are MPs restricted from owning stocks above a certain threshold	No	[]
▪ Please specify threshold	N/A	[]
Being members of boards of directors in companies?	Yes	[]
o In <i>all</i> types of company	No	[]
o In certain types of companies (e.g., in specific industries)	Yes	[]
o Are there restrictions on being a member of boards of directors only if the position is paid	No	[]
Being officers (CEO, CFO) in companies?	Yes	[]
o In <i>all</i> types of company	No	[]
o In certain types of companies (e.g., in specific industries)	Yes	[]
o Are there restrictions on being an officer only if the position is paid	No	[]
Being an advisor to companies (e.g., financial, legal, auditor)?	No	[]
o In <i>all</i> types of company	N/A	[]
o In certain types of companies (e.g., in specific industries)	N/A	[]
o Are there restrictions on being an advisor only if the position is paid	N/A	[]
19. Are there other restrictions on activities in the private sector?	No	[]
20. Can restrictions on business activities in the private sector be lifted by a third party, such as the Speaker of the Parliament or the Comptroller?	No	[]
Applicable law(s) and comments:		
According to Art. 82 of the Constitution, an MP may not be president and member of the administrative board of a limited company, a shareholding manager of a company, director general or deputy director general of a public enterprise.		
According to Art. 21 of the Estatuto dos Deputados No. 6/93, MPs must disclose the existence of any incompatibilities. These are specified in Art. 19 of the same law and include President and Member of the board of stock companies, managing partner of limited liability companies and director or deputy director of public companies as well as any position with a foreign company. Art. 20(d) states that MPs may not take part in the administration of enterprises that provide public services.		



Art. 16(i) of the Estatuto dos Deputados requires MPs to disclose any activities that bring economic benefits to the MP.	
The law(s) identified above is (are) the applicable one(s):	[]
<i>If NO, please cite the applicable law(s):</i> []	
Your Comments: []	

PART 3: DOING BUSINESS WITH THE GOVERNMENT

Provisions regulating Doing Business with the government may be found in the constitution, standing orders of the parliament, or public procurement laws. Please consider all these laws when answering this section.

Doing Business with the government	TA 2009	Your answer
21. Are MPs required to disclose Doing Business with the government?		
Are MPs required to disclose signing contracts with the government (e.g., through participation in privatizations, state-led auctions, contract provisions)?	No	[]
o Contracts in which they participate <u>directly</u> by themselves	N/A	
o <u>indirectly</u> through third parties related to them or where they are involved	N/A	
o With <i>all</i> government agencies	N/A	[]
o Only with certain agencies (e.g., only if the contract is with parliament) or under certain conditions	N/A	[]
22. Are MPs prohibited from Doing Business with the government?		
Are MPs restricted from signing a contract with the government (e.g., through participation in privatizations, state-led auctions)?	Yes	[]
o With <i>all</i> government agencies	Yes	[]
o Only with certain agencies (e.g., if the contract is with parliament) or under certain conditions	No	[]
Are MPs restricted from being a government contractor (e.g., where an MP provides services or goods to the government directly or via third parties)?	Yes	[]
o For all government agencies	Yes	[]
o Only for certain agencies (e.g., if the contract is with parliament) or under certain conditions	No	[]
23. Can restrictions on business relations with the government be lifted by a third party, such as the Speaker of the Parliament or the Comptroller?		
Applicable law(s) and comments: Art. 20(c) of the Estatuto dos Deputados No. 6/93 prohibits MPs from participating in government tenders except for the rights specified in the copyright law.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s):</i> []		
Your Comments: []		

PART 4: OTHER RESTRICTIONS AND DISCLOSURE REQUIREMENTS

Restrictions on holding two public offices	TA 2009	Your answer
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24. Do MPs face restrictions on holding another public office during tenure (e.g., being a mayor or a judge at the same time as being an MP)?	Yes	[]
Applicable law(s) and comments: Art. 82 of the Constitution stipulates that MPs may not be government ministers or Judicial or Ministry of Justice magistrates. Art. 14 of Act No. 6/05 (Lei eleitoral) states that the Ombudsman (Provedor de Justiça); members of the National, Provincial and Municipal Electoral Commissions; members of the National Council of Social Communication; and judicial and Ministry of Public Affairs magistrates are ineligible to run for parliament.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Your Comments: []		
Voting Rules	TA 2009	Your answer
25. Disclosure on voting – Do MPs have to disclose the existence of a personal interest before voting in Parliament?	No	[]
o Upon disclosing the existence of a personal interest, are MPs allowed to vote?	N/A	[]
26. Restrictions on voting –Does the law prohibit the MP from voting in Parliament on matters in which he has a personal interest, without <i>explicitly</i> requiring the MP to disclose that interest?	No	[]
Applicable law(s) and comments: According to Arts. 19 and 152 of the Standing Orders of Parliament, MPs are required to vote. No exceptions are mentioned.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Your Comments: []		
Post-tenure Rules	TA 2009	Your answer
27. Disclosure of post-tenure agreements – Are MPs required to disclose post-tenure agreements (e.g., employment agreements and/or business transactions that they will enter after completing their parliamentary term)?	No	[]
28. Restrictions on post-tenure agreements – Are MPs restricted from working in certain positions for a given period of time following the end of their term in office?	No	[]
Applicable law(s) and comments: We were unable to find any provisions requiring disclosure of or restricting post-tenure agreements.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Your Comments: []		
Rules on Gifts	TA 2009	Your answer
29. Disclosure on receiving gifts		
o Are MPs required to disclose gifts they receive?	No	[]
o Is this disclosure public?	N/A	[]
o Are MPs required to disclose gifts above a certain value?	No	[]
▪ Please specify the value in local currency	N/A	[]
30. Restrictions on receiving gifts		
o Are MPs restricted from receiving gifts?	No	[]
o Do MPs have to pay for gifts in order to keep them?	No	[]



○ Can MPs only receive gifts up to a certain value?	No	[]
▪ Please specify the value in local currency	N/A	[]
Applicable law(s) and comments: We were unable to find any legal provisions requiring disclosure of, or restricting, MPs ability to receive gifts.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Your Comments: []		
Rules on Travel	TA2009	Your answer
31. Are MPs required to disclose their sponsored travel?	N	[]
<i>Details: Disclosure of identity of sponsor vs. monetary value</i>		
○ Value and identity of the sponsor	N	[]
○ Identity of the sponsor	N	[]
○ Total value without identity of the sponsor	N	[]
○ Not specified	N	[]
32. Is this disclosure publicly available?		[]
Applicable law(s) and comments: Blank Disclosure Form. Please note this section was only filled according to the Blank Disclosure Form.		
Your Comments / Any missing laws?: []		

PART 5: DISCLOSURE REGISTRAR

This section requests information about the government agency which maintains the completed financial and business interest disclosure forms. The registrar may also check the completeness of the disclosure forms. The registrar may also publish the data on how many MPs complied/failed to comply with their obligation to disclose (“compliance data”). Note that the public availability of compliance data is different from the public availability of the actual disclosures, which is addressed in another section. This section inquires about the profile and activities of the registrar.

Existence and profile of registrar	TA 2009	Your answer
31i. Is there an agency in charge of maintaining the completed disclosure forms for MPs?	Yes	[]
Does the registrar check the forms for completion?	No	[]
What forms does the registrar keep?		
○ Assets and liabilities	Yes	[]
○ Business activities (secondary employment, positions in private firms)	Yes	[]
32i. In addition to maintaining disclosures of MPs, does the registrar maintain the disclosure forms of:		
Ministers?	No	[]
Judges?	No	[]
Civil servants?	No	[]
33. Profile of registrar		
	TA 2009	Your answer
Name	Secretary-General of the National Assembly	[]



Contact information	Assembleia nacional Caixa postal 1204 Luanda Tel.: (244 2 22) 39 03 36 E-mail: dadpr.parlamento@ebonet.net	[]
Website	http://www.parlamento.ao/presidente_da_assembleia.htm	[]
Applicable law(s) and comments: According to the Estatuto dos Deputados, Art. 16.i, declarations are addressed to the Secretary-General of the National Assembly. We were unable to find any provisions that specify whether the declarations are checked for completion.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s):</i> []		
Your Comments: []		

Activities of the registrar	TA 2009	Your answer
34. By law, does the registrar have to publish data on whether MPs complied/failed to comply with their obligation to disclose?	Yes	[]
Applicable law(s) and comments: According to the Estatuto dos Deputados No. 6/93, declarations are public.		
Your Comments: []		
35. In practice, are compliance data available?	No	[]
What types of compliance data are available?		
o General statistics (compliance rates or percentages)	N/A	[]
o Publication of names of MPs who complied/did not comply	N/A	[]
With what frequency are compliance data reports published?		
o On a regular basis (please specify how often)	N/A	[]
o Other (please specify)	N/A	[]
What is the source of compliance data?		
o Government website (please specify)	N/A	[]
o Other (please specify)	N/A	[]
36. Are there penalties for failure to submit completed disclosure forms?	No	[]
o Please specify what kind of penalties	N/A	[]
Applicable law(s) and comments: We have not been able to find any penalties for failure to submit the disclosures. Estatuto dos Deputados, Art.17, includes penalties for breaching the Parliamentary discipline, but it does not mention penalties for breaching the duties of the MPs (such as the disclosure duty).		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s):</i> []		
Your Comments: []		

PART 6: DATA INTEGRITY BODY



This section asks you to provide information about whether the content of the filled out disclosure forms is routinely verified.

Existence and functions of a data integrity body/agency		TA 2009	Your answer
37. Is there a body/agency that is mandated by law to <u>routinely</u> check the content of the disclosure forms?		No	[]
Does the body/agency check the content of the forms:			
o of all MPs?		N/A	[]
o of a random sample of MPs?		N/A	[]
o each submission period to verify that all information is accurate (e.g., by verifying the content against other records such as tax records, bank statements)?		N/A	[]
o by comparing the content of the forms upon taking and leaving office to discover irregular increases?		N/A	[]
o to ensure that MPs activities are not incompatible with their mandate?		N/A	[]
38. Does the body/agency check the content of the forms if there is a complaint?		N/A	[]
Applicable law(s) and comments: We were unable to identify any body/agency mandated by law to routinely check the content of declarations.			
The law(s) identified above is (are) the applicable one(s):			[]
<i>If NO, please cite the applicable law(s): []</i>			
Your Comments: []			
39. Details about the data integrity body			
	TA 2009	Your answer	
Name	N/A	[]	
Contact information	N/A	[]	
Website	N/A	[]	
40. What forms does the body check?		TA 2009	Your answer
Assets and liabilities forms		N/A	[]
Business activities forms (secondary employment, positions in private firms)		N/A	[]
41. Does the agency check the disclosure forms of other government officials:		N/A	[]
Ministers?		N/A	[]
Judges?		N/A	[]
Civil servants?		N/A	[]
Applicable law(s) and comments: We were unable to identify any body/agency mandated by law to routinely check the content of declarations.			
The law(s) identified above is (are) the applicable one(s):			[]
<i>If NO, please cite the applicable law(s): []</i>			
Your Comments: []			
Activities of the data integrity body/agency		TA 2009	Your answer



42. By law, is the body required to publish the results of checking the content of the forms?	N/A	[]
Applicable law(s) and comments: We were unable to identify any body/agency mandated by law to routinely check the content of declarations.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Your Comments: []		
43. In practice, are results of the integrity body's activities in relation to checking the content of disclosure forms available?	N/A	[]
o General statistics are published (e.g., the content of 10% the disclosure forms was checked)	N/A	[]
o Other (please specify)	N/A	[]
How often are content checking results published?		
o On a regular basis (please specify how often)	N/A	[]
o Other (please specify)	N/A	[]
Where are content checking results published?		
o Government website (please specify)	N/A	[]
o Other (please specify)	N/A	[]
44. Are there penalties for submitting false information in the disclosures?	N/A	[]
o Please specify what kind of penalties	N/A	[]
Applicable law(s) and comments: We were unable to identify any body/agency mandated by law to routinely check the content of declarations.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Your Comments: []		

PART 7: SALARY DATA

Please provide the base salary for MPs in your country		
Amount []		
Currency []		
Per (month/year) []		
Applicable law(s) and comments:		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Your Comments: []		

PART 8: REFORMS

Reforms in laws on financial disclosure or business activities



	Yes	No
Are you aware of any changes that occurred between January 2003 and now to the laws and regulations the will affect answers to this survey?	<input type="checkbox"/>	<input type="checkbox"/>
If your answer is Yes , please briefly describe: 1) the goal of the reform [] 2) its major characteristics [] 3) the date the reform came into force []		
Are you aware of any changes expected by June 1, 2008 to the laws and regulations that will affect answers to this survey?	<input type="checkbox"/>	<input type="checkbox"/>
If your answer is Yes , please briefly describe: 1) the goal of the reform [] 2) its major characteristics [] 3) the date the reform will come into force []		

Thank you for confirming the responses in this questionnaire!
We appreciate your contribution to the Transparency and Accountability project.

Please return the completed survey to:

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Phone: 1 202 458 2919

or

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Phone: 1 202 458 9491