Cambule & Américo
SOCIEDADE DE ADVOGADOS

LEGAL NEWSLETTER | NOVEMBER 2026

LEGISLATIVE UPDATES



NOV/26

NEW LEGISLATIVE DEVELOPMENTS IN MOZAMBIQUE:

This new edition presents a selection of legislation reflecting the most recent and significant changes in governance, industry and transport at the national level.

NOVEMBER

- Decree No. 62/2026 of 24 September 2026, approves the Regulation on Industrial Activity Licensing and repeals Decree No. 22/2014, of 16 May
- Resolution No. 13/2026 of 2 October 2026, approves the Organic Statute of the School of Governance, abbreviated as EGov
- Resolution No. 80/2026 of 8 October 2026, approves the Five-Year Plan of the Public Administration Reform and Development Strategy (2026-2030)
- Decree No. 63/2026 of 12 October 2026, approves the Regulation establishing the Rules of Access to the Exercise of Railway Activity and repeals Decree No. 47043, of June 1996
- Resolution No. 13/2026 of 13 October 2026, approves the Organic Statute of the Digital Transformation and Innovation Agency, Public Institute, abbreviated as ATDI, IP
- Presidential Order No. 72/2026 of 14 October 2026, appoints Edson da Graça Francisco Macuácua as Minister of Education and Culture
- Presidential Order No. 73/2026 of 14 October 2026, appoints Isaú Joaquim Meneses as Secretary of State for Science and Higher Education
- Decree No. 64/2026 of 15 October 2026, approves the Maritime Transport Regulation and repeals Decrees No. 35/2007, of 14 August, No. 35/2016, of 31 August, and Articles 23, 24 and 25 of Decree No. 41/2007, of 24 August
- Notice No. 8/GBM/2026, of 26 October, introduces specific amendments to the Regulation on Prudential Ratios and Limits for Mutual Guarantee Companies, approved by Notice No. 6/GBM/2023, of 16 October, adjusting certain prudential rules applicable to these institutions.
- Notice No. 9/GBM/2026, of 26 October, establishes the Special Regime for the Deduction of Mandatory Reserves in National Currency, introducing specific provisions applicable to banks' compliance with reserve requirements.
- Ministerial Diploma No. 87/2026 of 28 October 2026, approves the Mechanism and Administrative Procedures for the Importation of Ceramic Products

REGULATION ON INDUSTRIAL ACTIVITY LICENSING

Decree No. 62/2026, of 24 September, approves a new Regulation on Industrial Activity Licensing, modernising the regime to align it with the country's current economic and technological dynamics.

Among the main innovations is the digitalisation of the licensing process via the e-BAU platform, including tacit approval where the licensing authority does not respond within 3 to 5 working days; the updating of the criteria for classifying establishments (investment, installed capacity, number of employees), which determines how operators are categorised under the different licensing procedures and requirements; and the creation of a national Industrial Register.

The introduction of tacit approval represents a significant change in the relationship between the Public Administration and investors, as it seeks to reduce the effects of administrative delays on the start and development of industrial activity. In turn, the digitalisation of procedures and the possibility of electronic verification of licences may help reduce administrative costs, increase transparency and limit opportunities for informal practices.

The Decree enters into force 180 days after publication, with its application expected to begin on 23 March 2027.



REGULATION ESTABLISHING THE RULES OF ACCESS TO THE EXERCISE OF RAILWAY ACTIVITY

Decree No. 63/2026, of 12 October, approves the Regulation Establishing the Rules of Access to the Exercise of Railway Activity, replacing the previous regime of colonial origin with the sector's first modern regulation following the liberalisation of the railway market.

The new regime covers all railway activity carried out by public and private entities and through Public-Private Partnerships, and makes access to the sector conditional on obtaining a licence issued by the Regulatory Authority, requiring proven economic, financial, technical and tax capacity, as well as civil liability insurance,

The regime provides for eleven types of licence depending on the activity (infrastructure management, passenger and freight transport, rolling stock maintenance, among others), with a decision period of 90 days for licensing applications.

One of the main innovations is the creation of the Railway Safety Certificate, valid for five years and subject to annual inspections. This certificate is a prerequisite for carrying out railway infrastructure management activity, reinforcing control and safety mechanisms for operations.

The Decree has been in force since its date of publication. Economic operators carrying out activities in the railway sector should therefore assess their compliance with the new framework and identify any measures needed to regularise or adapt their operations.



MARITIME TRANSPORT REGULATION

Decree No. 64/2026, of 15 October, approves the Maritime Transport Regulation, which seeks to modernise regulation of the sector, promote the development of national cabotage and create conditions for greater participation by national operators in the market.

The scope of related activities is broadened (crew and vessel management, ship chandling, chartering, river and maritime taxi and leisure services) and the exercise of such activity is reserved for nationals, with exceptions to be assessed by the new Maritime Transport Regulatory Authority.

It provides for the registration in Mozambique of foreign vessels chartered for three or more years, quotas for foreign crew, mandatory internships for national cadets, public tenders for under-served routes, passenger rights (baggage, compensation, free travel and discounts for children, the elderly and students, assistance for persons with disabilities) and additional safety and environmental requirements.

The new regime will have significant implications for shipowners, maritime transport operators, chartering companies, port service providers and other entities carrying out related activities. These operators should assess how their activities fit within the new framework, check the applicable licensing and registration requirements and review, where necessary, charter contracts, crew composition, service provision conditions and safety and environmental protection procedures.

The decree has been in force since its date of publication. Companies operating in the maritime sector should therefore assess their compliance with the new provisions and identify the measures needed to bring their activities into line with the new regulatory framework.



MECHANISM AND ADMINISTRATIVE PROCEDURES FOR THE IMPORTATION OF CERAMIC PRODUCTS

Ministerial Diploma No. 87/2026, of 28 October, establishes a mechanism for controlling, organising and regulating the importation of ceramic products, aimed at strengthening the protection of domestic industry and promoting a better balance between local production and imported products.

The new regime introduces specific administrative procedures for import operations, including mandatory registration of importers, prior licensing of each operation and the possibility of setting administrative import quotas. It also provides for the use of reference prices for customs verification purposes, seeking to prevent under-invoicing practices and promote fairer conditions of competition.

Operators importing ceramic products should review their planning and procurement procedures, ensuring compliance with registration, licensing and scheduling requirements for operations. The introduction of quotas and reference prices may also affect costs, lead times and product availability on the domestic market.

The diploma has been in force since its date of publication.

SPECIAL REGIME FOR THE DEDUCTION OF MANDATORY RESERVES IN NATIONAL CURRENCY

The Bank of Mozambique approved, through Notice No. 9/GBM/2026, a temporary mechanism to incentivise economic activity, allowing the deduction of mandatory reserves in national currency linked to the granting of credit to specific sectors.

The regime aims to stimulate financing for projects geared towards import substitution and export diversification, seeking to strengthen national productive capacity and promote greater diversification of the economy.

The measure is intended to create incentives for channelling financial resources into activities considered strategic, contributing to the development of productive sectors and strengthening the capacity to generate foreign revenue.

The mechanism may represent an opportunity for companies developing projects that fall within the purposes set out in the regime, as it may encourage credit institutions to make financing available for such activities. Interested companies should monitor the eligibility criteria and the conditions for accessing the financing covered.

The Notice has been in force since its date of publication.

LEGISLATION THAT ENTERED INTO FORCE IN OCTOBER 2026

MERE PRIOR NOTIFICATION | New regime enters into force

Decree No. 40/2026 of 27 July 2026, on Mere Prior Notification for the Exercise of Economic Activities, published on 27 July 2026, entered into force on 27 October 2026. The diploma establishes the new legal framework applicable to the exercise of economic activities subject to the mere prior notification regime, based on the principles of digital transformation, administrative simplification, trust in the individual and ex-post supervision. The new regime aims to simplify the start and exercise of economic activities, reducing prior administrative intervention and strengthening subsequent supervision mechanisms.

LICENSING OF ECONOMIC ACTIVITIES | New regime enters into force

Decree No. 41/2026 of 27 July 2026, on Simplified Licensing for the Exercise of Economic Activities, entered into force on 27 October 2026. The diploma establishes the regime applicable to the simplified licensing of economic activities which, by their nature, do not present risks or negative impacts that are difficult to mitigate for the environment, public health, safety or the economy in general, under the terms of the Classification of Economic Activities. The regime seeks to make licensing procedures faster and more accessible, by simplifying requirements and reducing the administrative burden for the economic operators covered

LEGAL REGIME FOR INSURANCE | New regime enters into force

Decree-Law No. 1/2026, of 30 July, which approves the new Legal Regime for Insurance, entered into force on 28 October 2026. The new regime introduces a comprehensive reform of the insurance sector in Mozambique, strengthening the supervisory and regulatory framework, the requirements for access to and exercise of insurance and reinsurance activity, as well as the rules on governance, risk management, solvency and market conduct. The reform aims to strengthen the stability of the insurance market, the transparency of operations and the protection of policyholders, insured persons, beneficiaries and injured third parties.

CONVERSATIONS ON JUSTICE, GOVERNANCE AND LEGAL CERTAINTY IN MOZAMBIQ

In our conversations on justice, governance and legal certainty in Mozambique, we cover topics with a strong focus on the administration of justice in Mozambique and the efforts undertaken by the sector's key players.

COUNCIL OF MINISTERS APPROVES REGULATIONS AND STRATEGIES

The Government approved the regulation implementing Law No. 12/2026, of 30 June, which defines the organisation and powers of the bodies representing the State at provincial level and clarifies the duties of the provincial Secretary of State. It also approved the regulation implementing Law No. 10/2026, of 29 June, which standardises the procedures for mandatory retirement on age grounds and its extension. The Government also approved the State Administration and Public Service Sector Strategy 2026-2035 and a resolution reaffirming the 2020 sovereign guarantee in favour of the senior lenders of the Mozambique LNG project.

Implication: The regulation clarifies who decides at each level of the administration, reducing uncertainty for those dealing with public services and licences. The reaffirmation of the sovereign guarantee is a signal of stability for financiers and contractors involved in the LNG project.

BAR ASSOCIATION AND SERNIC STRENGTHEN COOPERATION

The Maputo City Provincial Council of the Bar Association and SERNIC (the National Criminal Investigation Service) will hold joint training sessions on lawyers' prerogatives, combating unlawful legal representation and the limits of lawyers' involvement during the investigation phase. Discussions covered the creation of focal points, lawyers' access to their clients at police stations and the formalisation of notifications, avoiding text messages and phone calls. SERNIC proposed updated lists of lawyers with regularised professional status.

Implication: Better coordination between lawyers and criminal investigators can speed up proceedings and strengthen defence guarantees. For citizens and businesses, this reinforces the importance of confirming that the lawyer engaged is registered and has regularised status.

MOZAMBIQUE MEDICAL EXPO 2026: THE NEW NATIONAL HEALTH SYSTEM LAW AND ITS PRACTICAL IMPACT FOR COMPANIES IN MOZAMBIQUE'S MEDICAL SECTOR

On 28 and 29 October 2026, the second edition of the Mozambique Medical Expo 2026 took place in Maputo, a platform for exhibition, debate and networking dedicated to innovation, technology and development in the health sector.

The event took place against a backdrop of transformation in the sector's legal framework, marked by the approval of Law No. 3/2026, of 21 January, which establishes the legal regime for the National Health System (SINS). The Law structures the National Health System around coordination between the Public, Private and Community subsystems, seeking to strengthen the integration, organisation and response capacity of the health system.

The implementation of this new framework was recently reinforced by the Council of Ministers' approval, on 27 October 2026, of the regulations governing the organisation and operation of the Public, Private and Community Health subsystems. These instruments address matters such as organisation, licensing, inspection, supervision and coordination between the different subsystems, covering, in the private sphere, clinics, diagnostic centres, laboratories, private patient transport services, home care and healthcare professionals practising on a freelance basis.

This legislative development represents a significant moment for private operators, who should monitor the regulations applicable to their activities and assess the adequacy of their respective structures and procedures. In particular, it is important to consider:

- *Licensing and regulatory compliance: review of the operating conditions and requirements applicable to health units and services, including any licensing and supervision obligations;*
- *Quality and safety: greater attention to quality standards for the services, medicines, medical devices and equipment used;*
- *Digitalisation and traceability: the growing importance of electronic systems for registration, licensing, product tracking and reporting of adverse events;*
- *Liability and risk management: the need to ensure adequate internal procedures, documentation, operational control and mechanisms to prevent irregularities. An important point to note is that the private employing entity is liable for damage caused by professionals in its service, with a right of recourse in cases of wilful misconduct or gross negligence. Each professional practising privately must take out, on an individual basis, professional civil liability insurance. There is also an obligation to provide immediate support and clinical stabilisation in emergency situations, regardless of the patient's financial situation.*
- *Institutional coordination: greater attention to the relationship between private operators, regulatory authorities and the other health subsystems;*
- *Investment and business opportunities: new possibilities for cooperation, technological investment, local production and the development of public-private partnerships.*

For companies in the medical sector, keeping track of these changes will be essential to anticipate obligations, identify opportunities and ensure that their activities remain aligned with the evolving national legal framework.

BEYOND BORDERS

COMPLIANCE WITH ESG AND CYBERSECURITY RULES IN COMPANIES' INTERNATIONAL OPERATIONS



CYBERSECURITY: CYBER RESILIENCE ACT AND NIS2

Since 11 September 2026, manufacturers of products with digital elements sold in the EU must report actively exploited vulnerabilities and serious incidents. Full application of the CRA takes effect in December 2027. NIS2 continues to be implemented unevenly across Member States, with registrations and audits progressing throughout 2026, and the Commission has published guidance to help companies, particularly SMEs.

Implication: Anyone developing software or hardware for the European market should have vulnerability management and incident reporting processes in place. Service providers to entities covered by NIS2 may find these requirements passed on to them contractually.

CBAM: THE CARBON BORDER ADJUSTMENT MECHANISM ENTERS ITS DEFINITIVE PHASE

Since 1 January 2026, importers of covered goods, such as aluminium, steel, cement and fertilisers, must be authorised CBAM declarants and become financially responsible for embedded emissions. The sale of certificates begins on 1 February 2027, and the annual declaration and surrender of certificates relating to 2026 imports are due by 30 September 2027. There is a threshold of 50 tonnes per importer, below which the mechanism does not apply.

Implication: Exporters from third countries selling to the EU will receive requests for verified emissions data and contractual clauses apportioning costs. Without verified data, default values apply, which are generally more punitive.

BEYOND BORDERS

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SUSTAINABILITY (CSRD): SIMPLIFIED ESRS STANDARDS

Delegated Regulation (EU) 2026/1563, published on 21 September 2026, revises the European sustainability reporting standards, with around 60% fewer mandatory data points. The new standards are mandatory for financial years beginning in 2027. For the 2026 financial year, companies may keep the 2023 standards, apply the new ones early, or keep the 2023 standards with selected relief measures, and must indicate which option they have chosen. The public consultation on the standards for non-EU groups (ESRS 40a) closes on 31 October 2026. The scope of the CSRD, reduced by Directive (EU) 2026/470, now covers companies with more than 1,000 employees and net turnover exceeding €450 million.

Implication: Reporting becomes lighter, but remains demanding in terms of double materiality and value-chain data. Companies outside the EU, including Mozambican groups with subsidiaries or significant turnover in the EU, should monitor ESRS 40a and check whether they fall within its scope.



A LEGAL HELPING HAND With: CA | Cambule & Américo SOCIEDADE DE ADVOGADOS

1 FIND OUT WHAT IT MEANS TO BE A GUARANTOR.

By signing as a guarantor (or surety), you commit your personal assets to the fulfilment of someone else's debt. If the principal debtor defaults, the creditor can demand payment directly from you, often without first having to exhaust the debtor's assets, particularly where the guarantee is given on a joint and several basis.

What to check before signing:

- **Scope and value of the guarantee:** check whether the guarantee covers only the principal amount or also interest, fees, penalties and court costs.
- **Joint and several liability:** find out whether you are waiving the "benefit of prior exhaustion", meaning whether the creditor can come after you directly.
- **Term:** check whether the guarantee has a limited duration or continues until full payment, including any renewals or amendments to the contract.
- **The debtor's situation:** assess their financial capacity and track record of compliance.
- **Right of recourse:** bear in mind that, if you pay, you can seek reimbursement from the debtor, but there is no guarantee they will have the means to repay you.

Tip: *request a full copy of the main contract and read it before signing. Only guarantee amounts you could afford to pay out of your own pocket and, if possible, seek legal advice beforehand. If you are married, also check the impact of the guarantee on the couple's joint assets.*

This publication is for informational purposes only and does not constitute legal advice. Its content is based on legislation in force and information disclosed through news channels as of its publication date and may not reflect subsequent developments. The application of the matters addressed depends on the specific circumstances of each case, and it is therefore recommended that appropriate legal advice be obtained before making any decision based on the information provided.

For further clarification or legal assistance, please contact our team.

CA | Cambule & Américo SOCIEDADE DE ADVOGADOS

+258 878 885 500
info@ca.co.mz

Edifício JN130
Avenida Julius Nyerere,
Nr.130 - 6º Andar Dto.
Cidade de Maputo, Moçambique.

www.ca.co.mz