

**LEGAL REGIME OF FOREIGN CITIZENS,
ESTABLISHING THE RESPECTIVE RULES OF
ENTRY, STAY AND EXIT FROM THE COUNTRY**

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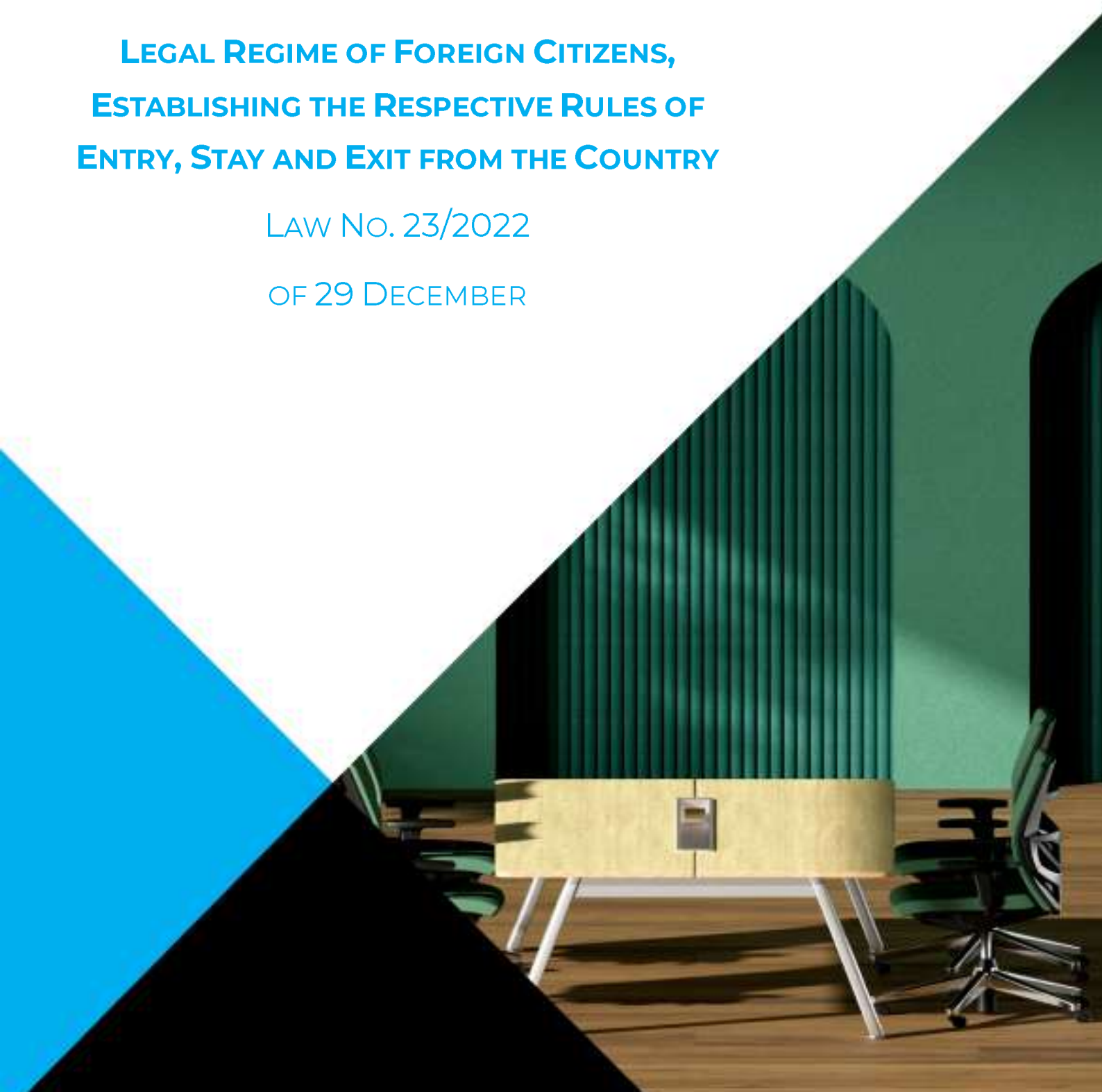


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CHAPTER I – GENERAL PROVISIONS

ARTICLE 1 – (Purpose)

This Law establishes the Legal Regime of Foreign Citizens in the Republic of Mozambique, establishing the rules for entry, stay and exit from the country, as well as the respective rights, duties and guarantees.

ARTICLE 2 – (Scope)

This Law applies to foreign citizens in the Republic of Mozambique, without prejudice to the provisions of special laws, bilateral or multilateral agreements or international conventions to which the Mozambican State is a party.

ARTICLE 3 – (Definitions)

The terms and expressions used are contained in the attached Glossary, which is an integral part of this Law.

ARTICLE 4 – (Rights, duties and guarantees of the foreign citizen)

1. A foreign citizen who resides or is legally resident in national territory shall enjoy the same rights and guarantees established by law and shall be subject to the same duties as Mozambican citizens, with the exception of civil and political rights and other rights and duties expressly reserved by law to national citizens.

2. The following are special duties of the foreign citizen in Mozambican territory:

- a) to respect the Constitution of the Republic;
- b) to respect and comply with law and public order;
- c) declare their residence;
- d) communicate the change of domicile;
- e) immediately report the loss or misplacement of documents;
- f) provide elements of their personal status, when they undergo changes or whenever requested by the competent authorities.

ARTICLE 5 – (Documents issued to foreign citizens)

The National Migration Service issues the following documents to foreign nationals:

- a) residence permit;
- b) authorization to stay abroad;
- c) circulation card for seafarers;
- d) emergency certificate;

- e) notice of dispatch;
- f) exit declaration;
- g) travel document for refugees;
- (h) document deposit;
- i) Seen from the outset.

ARTICLE 6 – (Refugee travel document and validity)

1. The refugee referred to in paragraph 11 of the Annex to the Geneva Convention of 1951 and its protocols, as well as those covered by the OAU Convention, may obtain a travel document.
2. The refugee travel document is individual and is valid for two years.

CHAPTER II – ENTRY AND REFUSAL OF ENTRY INTO THE NATIONAL TERRITORY

Section I – Entry into national territory

ARTICLE 7 – (Place of entry)

1. The entry of the foreign citizen into the national territory is made by border posts, officially established for this purpose.
2. At the time of entry, the foreign citizen is subject to the immigration procedures of the competent authorities, among others provided for by law.

ARTICLE 8 – (General requirements for entry)

1. Any of the following documents is required for the entry of foreign citizens into the national territory:
 - a) Passport or equivalent document, valid for at least six months;
 - b) Pilot's or crew member's certificate, when on duty, under the terms of the Convention on International Civil Aviation and the Maritime Law in force;
 - c) Border resident card or crossing pass for circulation within the limits and periods established by the agreements on the movement of persons, to which the Republic of Mozambique is a party;
 - d) Other documents established in international conventions or agreements to which the Republic of Mozambique is a party.
2. The holder of documents referred to in paragraph 1 (a) of this article, in order to enter the national territory, is required to present an entry visa issued by the competent Mozambican entities, except in the case of visa waiver agreements.
3. The foreign citizen is also required to present means of subsistence, under the terms provided for in article 9 of this Law.

ARTICLE 9 – (Means of subsistence)

1. Upon entry, the foreign citizen must present means of subsistence to support the expenses of food, accommodation and others that are deemed necessary during the period of his/her stay in the national territory, as well as to support the return trip to the country of origin, under the terms of the Regulation.
2. The presentation of means of subsistence may be waived to foreign citizens who prove that they have guaranteed food and lodging, upon presentation of a term of responsibility, issued by a national citizen or foreigner residing in the national territory.

3. The acceptance of the term of responsibility by the competent authorities depends on proof of the financial capacity of the citizen issuing the document and includes the obligation to ensure the food, accommodation and repatriation of the foreign citizen, if necessary.

Section II – Refusal of entry into national territory

ARTICLE 10 – (Refusal of Entry)

1. A foreign citizen shall be refused entry into national territory if:

- a) present a passport or equivalent travel document, which is not valid for the Republic of Mozambique;
- b) present a passport or equivalent travel document with an expired validity period or less than six months;
- c) present a passport or travel document
equivalent, erased or with signs of forgery;
- d) is the holder of an entry visa granted without complying with the conditions established in this Law or inadequate to the purposes of his stay in national territory;
- e) present a passport or equivalent travel document belonging to another person;
- f) is on the list of those prohibited from entering the Republic of Mozambique;
- g) constitutes a danger or serious threat to public order, national security, public health or international relations, under the terms of the Foreign Policy of the Republic of Mozambique;
- h) has been fined on previous occasions for violation of immigration laws and has not paid the respective fine;
- i) does not have proven means of subsistence;
- j) does not present a return ticket to the country of origin;
- k) is a minor and is not accompanied by the person exercising parental authority or without the express authorisation of the latter, under the terms of the law;
- l) does not know the place of accommodation.

2. Refusal of entry on grounds of public health may only be based on the applicable instruments of the World Health Organization or on other diseases subject to protective measures in national territory, decreed by the health authorities.

3. A foreign citizen who is refused entry into national territory shall be placed in the custody of the migration services, in a temporary detention centre, until he or she is re-embarked for the country of origin.

4. Where the refusal of entry is based on the presentation of a false, falsified or foreign passport or similar travel document, the passport or similar travel document shall be seized and sent to the competent authorities of the supposedly issuing State through diplomatic channels.

ARTICLE 11 – (Notification of refusal of entry)

1. Refusal of entry shall be communicated immediately to the person concerned and subsequently to the diplomatic or consular representation of his country of origin.

2. The refusal shall also be immediately communicated to the carrier for the purposes of the provisions of the following articles.

ARTICLE 12 – (Obligations of carriers)

1. Carriers carrying a foreign citizen who does not meet the conditions that enable him to enter the national territory are obliged to guarantee his return, in the shortest possible time, to the point where he started using the means of transport.

2. While re-boarding does not occur, carriers are subject to the payment of food and assistance expenses deemed necessary.

3. The carriers are also responsible for the expenses related to the repatriation of the foreign citizen.

4. Whenever justified, the repatriation of the foreign citizen may be carried out under escort by members of the National Migration Service, and the expenses shall be borne in full by the carriers.

5. The expenses referred to in the preceding paragraphs are also attributable to the natural person who transports a foreign citizen who does not meet the conditions for entry into the national territory.

ARTICLE 13 – (Transmission of data)

1. Carriers destined for the Republic of Mozambique shall be required to transmit to the immigration services, by the end of the boarding check-in, the information relating to the passengers of foreign nationality they carry.

2. The information referred to in paragraph 1 of this Article shall contain:

- a) the passenger's full name;
- b) nationality;

- c) the date and place of birth;
 - d) the type and number of the travel document used, as well as the date of issue and expiration;
 - e) the total number of passengers;
 - f) the time of departure and arrival of the transport;
 - g) the initial point of embarkation.
3. The transmission of the above-mentioned data shall not exempt the carrier from the obligations set out in Article 12 of this Law.

CHAPTER III – VIEWS

Section I – General provisions

ARTICLE 14 – (Entry visa)

1. The entry visa is single and can be single or multiple.
2. The visa may have any of the following modalities:
 - a) diplomatic;
 - b) courtesy;
 - c) official;
 - d) residence.
 - e) tourism;
 - f) traffic;
 - g) visitor;
 - h) business;
 - i) student;
 - j) work;
 - k) border;
 - l) temporary permanence;
 - m) transshipment of crew members;
 - n) for sports or cultural activities;
 - o) for investment activity;
 - p) for humanitarian assistance.
3. The Government may define and regulate other visa modalities.

ARTICLE 15 – (Competence to grant visas)

1. The Ministry that supervises the area of foreign policy is responsible for granting the following types of visa:
 - a) diplomatic;
 - b) courtesy;
 - c) official.

2. The National Migration Service is responsible for granting the other types of visas, at Diplomatic and Consular Missions and at Crossing Posts, in accordance with the regulation.

ARTICLE 16 – (Period of use and validity of visas)

The entry visa must be used within 60 days from the date of its granting and gives the right to stay in the country for the period that is consigned to it, except for those issued in the national territory.

ARTICLE 17 – (General requirements for obtaining a visa)

1. The general requirements for obtaining an entry visa are:

- a) Have a passport or equivalent travel document, valid for at least six months;
- b) also have written authorization from the parents or from the person exercising parental authority, in the case of a minor under eighteen years of age;
- c) not to be prohibited from entering the Republic of Mozambique;
- d) not have been expelled or declared persona non grata in the Republic of Mozambique;
- e) Have means of subsistence, at the time of visa application, as well as at the time of entry into the national territory or present a term of responsibility issued by an entity or citizen residing in the country.

2. In addition to the requirements referred to in paragraph 1 of this article, the Government may establish others, in accordance with the visa modalities.

3. In the case of guests of entities of the Government of the Republic of Mozambique, public institutions and non-governmental organizations, the provisions of paragraph 1(e) of this article shall not apply.

ARTICLE 18 – (Visa waiver)

1. The following are exempt from entry visa:

- a) the foreign citizen with a residence permit in the country;
- b) a foreign citizen who is a national of a country with which Mozambique has visa waiver agreements.

2. The Government, taking into account the interest of the State, may define the countries whose citizens are exempt from entry visas for a period of up to 90 days per year.

ARTICLE 19 – (Prior authorization)

The granting of visas by the Embassies and Consulates of the Republic of Mozambique requires prior authorization from the National Migration Service, except in the case of diplomatic, courtesy and official visas.

Section II – Visa arrangements

ARTICLE 20 – (Diplomatic, courtesy and official visas)

1. Diplomatic, courtesy and official visas are granted to holders of diplomatic, service or ordinary passports who travel to the Republic of Mozambique on a diplomatic visit, on duty or at the invitation of the Mozambican authorities.
2. The visas referred to in paragraph 1 of this article allow the holder to stay in national territory for up to 30 days and are valid for two entries.

ARTICLE 21 – (Residence visa)

1. The residence visa is granted to foreign citizens who intend to take up residence in the country and allows its holder to enter the national territory to obtain a residence permit there.
2. The residence visa shall be valid for a single entry and stay for a period of 30 days, extendable up to 60 days.

ARTICLE 22 – (Tourist visa)

1. The tourist visa is granted to foreign citizens who come to the country on a tourist or recreational trip.
2. The tourist visa allows its holder to stay for a period of up to 90 days, continuous or interpolated, for 12 months.

ARTICLE 23 – (Transit visa)

1. The transit visa is granted to a foreign citizen who has to enter the country to reach the destination country.
2. The transit visa shall be issued for a period of up to seven days, which may not be extended.

ARTICLE 24 – (Visitor visa)

1. The visitor visa is granted to the foreign citizen and is intended to allow entry into the country for purposes that, being accepted by the competent authorities, do not justify the granting of another type of visa.
2. The visitor visa is valid for a minimum of 15 days, extendable, up to a maximum of 90 days.

ARTICLE 25 – (Business visa)

1. The business visa is granted to foreign citizens who travel to the country in order to prospect for business, carry out scientific research, participate in meetings, conferences, workshops, general assemblies, establish contacts with companies and other related events.
2. The business visa is valid for multiple entries and allows the holder to stay for up to 90 days, non-extendable, from the date of the first entry.
3. The business visa does not entitle the holder to work or reside in the Republic of Mozambique.

ARTICLE 26 – (Student visa)

1. The student visa is granted to foreign citizens who have to enter the country in order to attend an officially recognized educational institution.
2. The student visa is valid for 12 months, extendable, as long as the reasons for its granting persist.
3. The educational institution has the obligation to notify the Migration Services, within 90 days, of any change in the status of its foreign student.

ARTICLE 27 – (Work visa)

1. The work visa is granted to foreign nationals and is intended to allow the holder to enter the country in order to temporarily carry out an activity there, whether paid or not, in the interest of the State or as an employee, subject to the legal formalities for hiring foreign labour.
2. The work visa allows its holder multiple entries and stay for a period of up to one year, extendable for an equal period, in accordance with the employment contract.
3. The work visa entitles its holder to dedicate himself exclusively to the service of the employer who requested it.
4. The employer must notify the migration services of any change that occurs during the term of the contract, under penalty of sanction, under the terms of the Law.
5. The employer is responsible for paying all expenses inherent to the repatriation of the foreign citizen in the event of visa cancellation, termination of the employment relationship or termination.

ARTICLE 28 – (Border Visa)

1. The border visa is granted at the Crossing Posts to foreign citizens coming from a country where there is no diplomatic or consular representation of the Republic of Mozambique.

2. The border visa is valid for two entries and allows its holder to stay in the country for up to 30 days, non-extendable, counted from the first entry.
3. The border visa does not allow the holder to obtain a residence and work permit.
4. The Ministry that supervises the area of migration establishes in a Ministerial Diploma the crossing posts authorized to grant the border visa.

ARTICLE 29 – (Temporary stay visa)

1. The temporary stay visa is granted to the foreign spouse and minor or incapacitated children of the foreign citizen holding a work visa or visa for investment activity.
2. The temporary stay visa is also granted to citizens who come to the country for medical treatment or to carry out religious or voluntary activities.
3. The temporary stay visa allows its holder multiple entries and stays for a period of up to one year, extendable as long as the reasons for its granting last.

ARTICLE 30 – (Crew transshipment visa)

The transshipment visa for crew members is granted to foreign nationals at sea, air or rail posts and allows the transfer of the crew member between the means of transport referred to in this article.

ARTICLE 31 – (Visa for sports or cultural activities)

1. The visa for sports or cultural activities is granted to foreign citizens duly accredited for this purpose by the competent authorities of the country and is intended to allow the holder to enter to participate in competitions or sports training or cultural activities.
2. The visa for sports or cultural activities is valid for a single entry and stay of 30 days, extendable for a maximum period of up to 90 days.

ARTICLE 32 – (Visa for investment activity)

1. The visa for investment activity is granted to the foreign citizen investor, representative, attorney-in-fact or holder of the management bodies of the investing company, observing the legal formalities for hiring foreign labor in the Republic of Mozambique and is intended to allow the entry of its holder into national territory, for the purpose of implementing investment projects with a value equal to or greater than 500 thousand US dollars, approved by the competent authority.
2. The investment activity visa allows the holder multiple entries and stay for up to two years for investment projects with a value equal to or greater than 500 thousand US dollars and five years for investment projects with a value equal to or greater than 50 million US dollars or equivalent, extendable for an equal period, as long as the reasons for its granting persist.

3. In the case of an application made in national territory, the visa is granted by the migration services, by means of an investment authorization term, issued by the competent authority.

4. The foreigner holding the investment permit may apply for a residence permit for himself and his family unit, subject to the requirements for this purpose.

5. The residence permit referred to in paragraph 4 of this article is valid for two years for investment projects with a value equal to or greater than 500 thousand US dollars and five years for investment projects with a value equal to or greater than 50 million US dollars or equivalent, renewable for the same period, as long as the reasons for its granting last.

ARTICLE 33 – (Visa for humanitarian assistance)

1. A visa for humanitarian assistance is granted to foreign citizens who come to the country at the invitation of government authorities, international organizations and non-governmental organizations, in order to provide humanitarian work, on a non-profit basis, within the scope of a state of emergency or a situation of public calamity and others declared, under the terms of the Constitution of the Republic and the law.

2. The visa for humanitarian assistance entitles its holder to dedicate himself exclusively to the exercise of humanitarian assistance activity and does not give the right to establish residence.

3. The issuance of a visa for humanitarian assistance excludes the application of the regime of hiring foreign nationals to work in non-governmental organizations.

4. The stay in the country, under the visa for humanitarian assistance, is for a period of 90 days, valid for multiple entries.

5. The period referred to in paragraph 4 of this Article may, exceptionally, be extended by a further 90 days upon reasoned request.

ARTICLE 34 – (Cancellation of visas)

1. Visas may be cancelled in the following cases:

a) when the holder does not meet or has no longer satisfied the conditions for which it was granted;

b) when it has been issued on the basis of false declarations, use of fraudulent means or through the invocation of reasons other than those that led to the holder's entry into national territory;

c) when the holder has been subject to an expulsion measure from the national territory, maintaining the valid interdiction measure;

d) when the holder is declared persona non grata;

e) irregular issuance of the visa.

2. It is incumbent upon the migration services to cancel the visa under the terms of paragraph 1 of this article, when its holder is in national territory, and the fact must be communicated to the Diplomatic or Consular Missions of the Republic of Mozambique.

3. Before the visa holder enters the national territory, the cancellation of the visa is the responsibility of the Diplomatic or Consular Missions of the Republic of Mozambique, and the fact must be communicated to the migration services.

CHAPTER IV – RESIDENCE PERMIT

ARTICLE 35 – (Modalities of residence permit)

1. A residence permit shall be issued to a foreign citizen authorized to reside in national territory.
2. The residence permit may be one of the following:
 - a) temporary residence permit;
 - b) permanent residence permit.

ARTICLE 36 – (Temporary Residence Permit)

1. The temporary residence permit shall be valid for one year, renewable for an equal period, for as long as the reasons for its granting last.
2. The temporary residence permit shall be updated whenever the identification information contained therein is changed.
3. A temporary residence permit that is valid for more than 10 consecutive years entitles the holder to permanent residence, provided that the reasons that dictated the first grant are maintained.

ARTICLE 37 – (Permanent Residence Permit)

1. The permanent residence permit is granted upon request by the foreign citizen and is valid for five renewable years, for equal periods.
2. The permanent residence permit must be updated whenever there is a change in the identification information contained therein.

ARTICLE 38 – (Termination of the right of residence)

1. The right of residence in the national territory shall cease in the following cases:
 - a) expulsion or declaration of persona non grata;
 - b) non-renewal within 30 days from the date of expiry of the period of its validity;
 - c) extinction of the reasons for its granting;
 - d) issuance of a residence permit without complying with the requirements established by law;
 - e) lack of means of subsistence;
 - f) whenever facts are found that would have prevented its grant, if they had been known to the competent authorities;

g) issuance of a term of responsibility, in favor of a certain foreign citizen without being able to bear the expenses of accommodation and repatriation, if necessary.

2. The right of residence shall also cease in the following cases:

a) absence from the national territory for a period of more than 90 days, in the case of a holder of temporary residence, without prior written communication to the competent authorities;

b) absence from the national territory for a period of more than one year, in the case of a holder of permanent residence, without prior written notice to the competent authorities.

3. The communication referred to in paragraph 2 of this article shall be made by the holder of the residence permit to the immigration services, explaining the reasons and the time of absence, which shall not exceed the period of validity of the residence permit.

CHAPTER V – IDENTITY AND ACCOMMODATION CONTROL

ARTICLE 39 – (Change of identity)

Any change in the identification elements or personal status of the foreign citizen must be communicated to the migration services within 30 days from the date of its verification.

ARTICLE 40 – (Individual Accommodation Bulletin)

1. Hotels, inns, motels, campsites, inns, guest houses and the like are required to report the accommodation of foreign citizens to the Immigration Services by means of an Individual Accommodation Bulletin.
2. The Individual Accommodation Bulletin must include the full name of the foreign citizen, marital status, profession, place of birth, nationality, date of birth, passport number, origin and destination, date of entry and expected date of departure.
3. The non-resident foreign citizen who settles in his own dwelling shall be responsible for the communication referred to in this article, in relation to his person, to the foreign persons who live with him, as well as to the natural persons who receive a foreign citizen.

CHAPTER VI – INSPECTION

ARTICLE 41 – (Inspection)

1. It is incumbent upon the National Migration Service to carry out, within the scope of its functions, trains, vessels or commercial or recreational aircraft in national ports and airports, when they are destined for or coming from abroad.
2. It is incumbent upon the National Migration Service to carry out inspections in other means of public or private transport, as well as at any point or place that it deems relevant.
3. For the purposes of paragraph 1 of this Article, the authorities of their jurisdiction shall provide transport and equipment to enable effective enforcement.

ARTICLE 42 – (Facilitation of diligences and searches)

The masters and masters of vessels destined for or coming from abroad, the companies and agencies of the shipping companies and other intervening authorities are obliged to facilitate the diligences and searches that have to be carried out, with a view to the capture of individuals incriminated by the competent authorities and illegal migrants.

ARTICLE 43 – (Free access)

1. The member of the National Migration Service, in the exercise of his supervisory function, shall have the right to free entry into houses and venues for entertainment or entertainment, places where public meetings are held, boarding places, association rooms and, in general, all places of public access, where access is allowed upon payment of a fee or other means or presentation of an identification card.
2. The member of the National Migration Service shall also have the right to free entry into river stations, airports, aerodromes, railways, trains, aircraft, ships at anchor and places where his presence is necessary, without prejudice to international conventions.

CHAPTER VII – DEPARTURE OF FOREIGN CITIZENS FROM THE NATIONAL TERRITORY

Section I – Visa arrangements

ARTICLE 44 – (Departure from the national territory)

1. The foreign citizen shall leave the national territory through any of the authorized border posts, upon prior presentation of one of the documents provided for in paragraph 1 of article 8 of this Law and after the completion of the legal formalities.
2. Leaving the national territory may be voluntary or coercive.
3. Coercive departure occurs by expulsion of the foreign citizen from the national territory.

Section II – Expulsion

ARTICLE 45 – (Administrative expulsion)

1. Without prejudice to the provisions contained in international treaties or conventions, the Government may expel a foreign citizen from the national territory on any of the following grounds:
 - a) irregular entry and stay in the country;
 - b) to attack national security, public order or good customs;
 - c) witnesses illegal migratory activities and does not report it to the competent authorities;
 - d) Engaging in illegal migratory activities that threaten the interests and dignity of the Mozambican State or its citizens;
 - e) to intervene in the political life of the country, without being duly authorized to do so by the Government;
 - f) disrespecting the Constitution of the Republic and other national laws applicable to foreign citizens;
 - g) to carry out acts that would have prevented their entry into the country, if they had been previously known by the Mozambican authorities;
 - h) hold a work visa and be linked to an employer other than the one that hired him/her;
 - i) has been sanctioned with a fine and has not made the payment within the established period;
 - j) does not comply with the notification of voluntary abandonment of the national territory, within the stipulated period;

k) to have been sentenced to the additional penalty of expulsion and to have re-entered the country irregularly.

2. It is the responsibility of the migration services to investigate the competent case, within eight days, whenever it becomes aware of the fact that constitutes grounds for expulsion.

3. If, during the investigation of the case, it is found that the matter in question is of a criminal nature, it must be referred to the competent court.

ARTICLE 46 – (Urgency of expulsion)

The expulsion process is of an urgent nature.

ARTICLE 47 – (Obligations of the foreign citizen with expulsion proceedings)

1. While the expulsion proceedings are in progress, the foreign national is obliged to:

a) declare his/her residence and not leave it without authorization from the immigration services;

b) report regularly and periodically to the migration services.

2. In the event of non-compliance with any of the obligations set out in paragraph 1 of this article, the foreign citizen shall be detained and the expulsion decision shall be immediately executed.

ARTICLE 48 – (Expulsion order)

The expulsion order shall contain:

a) the grounds for the expulsion;

b) the mention of a ban on entry into national territory, for a period of not less than 10 years.

ARTICLE 49 – (Limitation on the expulsion measure)

Expulsion has no place for the country where the foreign citizen may be persecuted for political, religious, racial or ethnic reasons.

ARTICLE 50 – (Appeal against the administrative expulsion order)

The person concerned may appeal against the administrative expulsion measure to the Administrative Court, without suspensive effect, in accordance with the law.

ARTICLE 51 – (Judicial expulsion)

Without prejudice to the provisions of criminal legislation, the penalty of expulsion is applied in the following cases:

- a) to a foreign citizen not resident in the country who has been convicted, by a Mozambican court, of an intentional crime with a sentence of more than six months in prison;
- b) to a foreign citizen who has resided in the country for less than five years and has been convicted, to a sentence of more than one year in prison;
- c) to a foreign citizen who has resided in the country for more than five years and less than 15 years sentenced to more than two years in prison;
- d) to a foreign citizen who has resided in the country for more than 15 years, sentenced to a sentence of more than eight years in prison.

ARTICLE 52 – (Competence to execute the judicial expulsion measure)

1. The migration services shall be responsible for enforcing the judicial decision to expel the foreign citizen from the national territory.
2. The court shall send to the immigration services the certificates of convictions handed down in criminal proceedings against a foreign national.
3. The additional penalty of expulsion is always executed even if the foreign citizen is on probation.

ARTICLE 53 – (Notice of expulsion)

The expulsion order is communicated to the competent authorities of the country of destination.

ARTICLE 54 – (Expenses with expulsion)

1. Whenever the foreign citizen is unable to bear the expenses arising from the expulsion, they shall be borne by the State.
2. To cover the costs resulting from expulsion, appropriations for this purpose shall be entered in the budget of the Ministry that supervises the area of migration, without prejudice to the use of funds from other institutions.
3. A foreign citizen whose expulsion expenses have been incurred at the expense of the State and who is authorized to re-enter the national territory shall be obliged to reimburse the State for twice the amount spent.
4. An employer who has a foreign citizen in his service, subject to an expulsion measure, is obliged to pay the expenses related to his expulsion.

ARTICLE 55 – (Prohibition of exit)

It is forbidden for foreign citizens to leave the national territory when:

- a) there is a judicial decision prohibiting exit;

b) the migration services have official knowledge that there is a request for a ban on exit or arrest issued by a competent authority against the traveller.

CHAPTER VIII – ENTRY AND EXIT OF MINORS FROM THE NATIONAL TERRITORY

ARTICLE 56 – (Entry of minors)

1. A foreign citizen under 18 years of age, when not accompanied by his parents, must only enter the national territory with written authorization, with notarized recognition, from his parents or from the person exercising parental authority recognized by the competent authorities.
2. In cases where a minor under 18 years of age intends to enter the national territory accompanied by one of the parents, the presentation of the authorization, with notarization, expressing the consent of the other parent in relation to the minor's travel, is required.
3. The authorisation referred to in this article shall be translated into Portuguese.

ARTICLE 57 – (Departure of minors)

1. A foreign citizen under 18 years of age, when not accompanied by his parents, is allowed to leave the national territory, with written authorization, with notarized recognition, from his parents or from the person who exercises parental authority recognized by the competent authorities.
2. In cases where the minor intends to leave the national territory accompanied by one of the parents, the presentation of the authorization, with notarized recognition, expressing the consent of the other parent in relation to the minor's travel, is required.
3. The authorisation referred to in this article shall be translated into Portuguese.

ARTICLE 58 – (Refusal)

In cases where the person to whom the minor is entrusted is refused entry into the national territory, this measure also extends to the minor and vice versa.

CHAPTER IX – MIGRATORY OFFENCES AND SANCTIONS

ARTICLE 59 – (Migratory offences)

The following are migratory offences:

- a) irregular entry and stay in the country;
- b) use of false or falsified documents;
- c) use of false or falsified visas;
- d) failure to notify the immigration authorities or police of the loss of passport or residence permit;
- e) illegal entry and exit on board vessels or aircraft;
- f) non-renewal of migratory documents within the deadlines established by law;
- g) failure to notify the change of elements identification;
- h) lack of accommodation bulletin;
- i) failure to communicate the change of place of lodging or domicile;
- j) transportation of passengers who do not have legal and complete documentation, necessary for the formalization of entry into the country;
- k) concealment of a foreign citizen who is in an irregular migratory situation;
- l) employment of foreign citizens in an irregular migratory situation;
- m) lack of residence permit;
- n) provision of false declarations for the purpose of issuing an entry visa or residence permit in favour of a foreign citizen;
- o) failure by the carrier to communicate data on passengers of foreign nationality;
- p) entry or exit of vessels or aircraft without authorization and immigration clearance, when they are destined for or come from abroad.

ARTICLE 60 – (Sanctions)

The migratory offences referred to in this Law are punishable by a fine, in accordance with the regulation, without prejudice to the application of the administrative expulsion measure or criminal liability.

ARTICLE 61 – (Instruction of proceedings for immigration offences)

1. The migration services shall be responsible for investigating cases relating to immigration offences provided for in this Law.

2. Whenever facts classified as a crime are established, the migration services shall immediately report the fact to the competent authorities for due procedure.
3. For the purpose of imposing a fine, the notice shall be drawn up and the offender shall be notified to pay voluntarily within five days from the date of notification, under penalty of coercive collection, in accordance with the law

CHAPTER X – FINAL PROVISIONS

ARTICLE 62 – (Fees and emoluments)

1. The business visa is granted to foreign citizens who travel to the country in order to prospect for business, carry out scientific research, participate in meetings, conferences, workshops, general assemblies, establish contacts with companies and other related events.
2. The business visa is valid for multiple entries and allows the holder to stay for up to 90 days, non-extendable, from the date of the first entry.
3. The business visa does not entitle the holder to work or reside in the Republic of Mozambique.

ARTICLE 63 – (Poor conservation of documents)

In cases of poor conservation of the document, which results in its total or partial damage, as well as in the suppression of elements and reference data contained therein, the foreign citizen may acquire a duplicate, upon payment of twice the fee due to obtain it.

ARTICLE 64 – (Regulation)

It is incumbent upon the Government to regulate this Law, within 90 days from the date of its publication.

ARTICLE 65 – (Repeal)

Law no. 5/93, of 28 December, which establishes the Legal Regime of Foreign Citizens, is repealed, establishing the respective rules for entry, stay and exit from the country, rights, duties and guarantees.

ARTICLE 66 – (Entry into force)

This Law enters into force 30 days after the date of its publication.

Approved by the Assembly of the Republic, on 1 December 2022. – The President of the Assembly of the Republic, Esperança Laurinda Francisco Nhiuane Bias.

Promulgated on December 23, 2022.

Public.

The President of the Republic, FILIPE JACINTO NYUSI.

ANNEXES

Glossary

For the purposes of this Law, the following definitions shall apply:

Authorization to stay abroad – a document issued by the competent authority that gives the holder the right to stay abroad for a period of more than 90 days.

Extension of Stay – document or migratory act that enables the holder to stay longer in the national territory, according to the authorized period.

Exit declaration – document issued by the competent authority, with a view to allowing the foreign citizen to leave the national territory, while the process of issuing or renewing the residence permit is underway.

Foreigner – any citizen who does not have Mozambican nationality, in accordance with the current legal system.

Immigration offence – conduct of a national or foreign citizen that violates the provisions of this Law and other related legislation.

Illegal migrant - anyone who enters or leaves the national territory through any authorized point in the following situations:

- a) without a passport or equivalent travel document;
- b) with a passport or equivalent travel document that is false, incomplete or expired;
- (c) without having been subject to migration control;
- d) entry or exit from the national territory by a non-qualified point, even if with the necessary documentation.

Individual Accommodation Bulletin – an information document provided by the accommodation establishments or private home containing the personal data of the guests, namely, full name, date and place of birth, nationality, passport number or residence permit, date of entry, estimated departure, origin and duration of stay.

Means of subsistence – means that the foreign citizen needs to maintain himself in the national territory, per day, under the terms of the regulation.

Persona non grata – is a Latin expression whose literal translation is person not pleasant, not wanted, not welcome. In diplomacy, the expression has technically and legally defined semantics, incident to a diplomat or foreign representative that is considered unacceptable by the government of the host State, or accreditor, for this reason, does not offer him the agrément (agreement or consent).

Parental authority – consists of the special duty incumbent on parents to, in the best interests of their children, ensure their protection, health, safety and sustenance, guiding their education and promoting their harmonious development.

Resident foreigner – foreigner with a residence permit granted by the competent authority, under the terms of the law.

Residence permit – document issued by the competent authority that grants the holder the right to reside in the Republic of Mozambique for the period indicated therein.

Refusal of entry – administrative act that applies to a foreign citizen who intends to enter the country without meeting the requirements required for this purpose.

Temporary detention center – place for temporary stay of foreign citizens who are illegally in the national territory, awaiting repatriation or expulsion.

Transit – passage through the national territory of a foreign citizen qualified with the respective visa, from which he is admitted to stay during the time of stopover in the national territory.

Visa – document that entitles the holder to receive permission to enter the national territory at the border post

WHY MOORE?

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