

MOZAMBIQUE

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MANDATORY DECLARATION OF BENEFICIAL OWNERS

With the entry into force of Decree-Law no. 1/2022 of 25 May¹ approving the Commercial Code, Law no. 14/2023 of 28 August² establishing the Legal Regime and Measures to Prevent and Combat Money Laundering and Terrorist Financing and Decree-Law no. 1/2024 of 08 March³ approving the Regulation on the Registration of Legal Entities, companies, consortia, representations of national or foreign entities⁴ must declare and keep up-to-date information on the identification of beneficial owners.

For the purposes of the aforementioned legislation, beneficial owners are the natural persons who are the ultimate owners or have ultimate control of a company, consortia, representations of national or foreign entities and/or the person in whose interest ultimate control is exercised.

This legal regime for registering beneficial owners is designed to prevent the financial system from being used for money laundering or terrorist financing.

The declaration of the beneficial owner must be

made remotely on the process submission portal of the Legal Entities Registry Office or by filling in a specific form to be obtained from the registry office, when the former is clearly impossible.

The declaration of the beneficial owner must be made by submitting the documents that identify the legal entity, the beneficial owner and that support the status of beneficial owner.

Accordingly, legal entities are obliged to submit declarations of the list of their beneficial owners:

- On the date of incorporation, for legal entities that have not yet been incorporated;

Commercial companies may be subject to fines or be prevented from carrying out procedures with the Legal Entities Registry Office.

- Within 90 days of the publication of the Regulation on the Registration of Legal Entities (i.e. by 7 June 2024) for entities that have already been incorporated;
- Within 05 days of registration or incorporation, for legal entities registered or incorporated after 8 March 2024;
- Annually, on the date of incorporation;
- 30 days after the occurrence of any change to the initial registration, in order to keep records with updated information on any of its beneficial owners.

In the event of non-compliance with deadlines or the provision of false information, the legal entities in question are prevented from carrying out further procedures with the Legal Entities Registry Office.

Furthermore, repeated failure to comply with the deadlines will result in the imposition of fines defined in the Emoluments Table of the Registry of Legal Entities, without prejudice to criminal proceedings, if applicable.

¹ Republic Bulletin n.º 99, I Série

² Republic Bulletin n.º 166, I Série

³ Republic Bulletin n.º 49, I Série

⁴ Of those exclude business companies listed on a regulated market, subject to information requirements in line with international standards.

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