

## MOZAMBIQUE

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# REGULATION ON THE COMMUNICATION OF JOB VACANCIES AND PRE-VOCATIONAL INTERNSHIPS

Decree n.º 45/2023, of 3 August

The Decree 45/2023 of 3 August, which approves the Regulation on the Communication of Job Vacancies and Pre-Vocational Internships, has been in force since 4 August 2023. This Regulation establishes the rules and procedures applicable to communicate job vacancies and pre-professional internships to the Secretary of State for Youth and Employment, through National Employment Institute, IP., with the aim of ensuring that this entity has information on the labour market, on the one hand, guaranteeing the production of employment statistics, on the other, and finally, ensuring the predictability of jobs to be created.

As far as its scope is concerned, the Regulation states that it covers all employers, including public administration bodies, namely the direct and indirect administration of the state, local authorities and other state bodies.

In order to comply with the provisions of the aforementioned Regulation, public and/or private employers who open job or traineeship vacancies must notify the Secretary of State for Youth and Employment, via the National Employment Institute, IP, at least seven days before the vacancy is published.

It should be noted that, taking into account the objectives of the communication, it does not interfere with the mechanisms defined by employers for recruiting, selecting and admitting

job candidates.

In terms of procedure, the Regulation establishes that vacancies must be communicated via the

Public Employment Portal, by e-mail or in physical format, in accordance with the terms of the specific form approved by the Regulation. Notably, if the intention is to communicate in physical format, in places where the Secretary of State for Youth and Employment, through the

*Public and/or private employers who open job or traineeship vacancies must notify the Secretary of State for Youth and Employment, via the National Employment Institute, IP, at least seven days before the vacancy is published.*

National Employment Institute, IP. is not represented, the communication must be made at the District Service responsible for economic activities.

Failure to notify the competent authority of the existence of vacancies constitutes an offence and entails the application of sanctions in the following terms: (i) a warning, when the notification of job and/or traineeship vacancies is made less than seven days before publication; (ii) a fine corresponding to two minimum wages in the respective sector of activity, when the notification of job and/or traineeship vacancies is made after publication; and (iii) a fine corresponding to five minimum wages in the respective sector of activity, when there is no notification of job and/or traineeship vacancies.

If the same offence is committed again within six months of the date of the final penalty, the fine will be increased by 50%. If, however, the first sanction was a warning, a repeat offence will result in the imposition of a fine corresponding to three minimum wages in the respective sector of activity. Sanctions may be appealed under the terms of the law.

To ensure compliance with the aforementioned Regulation, in public entities the Inspectorate-General for Public Administration is responsible for supervising and ensuring compliance with this Regulation, and in private entities the Inspectorate-General for Labour.

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