



REPUBLIC BULLETIN

OFFICIAL PUBLICATION OF THE REPUBLIC OF MOZAMBIQUE

NATIONAL PRESS OF MOZAMBIQUE, EP

NOTICE

The matter to be published in the «Boletim da República» must be sent in a duly authenticated copy, one for each subject, which includes, in addition to the necessary indications for this purpose, the following endorsement, signed and authenticated: **For publication in the «Boletim da República».**

SUMMARY

Council of Ministers:

Decree no.th53/2013:

Amends the title of Chapter II and article 4 of the Organic Statute of the District Government, approved by Decree no. 6/2006, of 12 April.

Decree no.th54/2013:

Approves the Regulation on Production Control, Commercialization and Consumption of Alcoholic Beverages.

Resolution n.th69/2013:

Ratifies the Credit Agreement signed between the Government of the Republic of Mozambique and the International Development Association, signed on September 4, 2013, in Maputo, in the amount of SDR 73,400,000.00, the equivalent of USD 110,000,000.00, intended to support the Budget of State for 2013.

COUNCIL OF MINISTERS

Decree no.th53/2013

October 7th

If there is a need to review the Organic Statute of the District Government, approved by Decree no. 8/2003, of 19 May, the Council of Ministers decrees:

Article 1

(Changes)

The heading of Chapter II and article 4 of the Organic Statute of the District Government, approved by Decree No. 6/2006, of April 12, are amended, which now read as follows:

“CHAPTER II

Nature and functions of the Services

Article 4

(Nature and general functions of the Services)

The District Services are organic units of the District Government endowed with administrative autonomy, under the terms of article 5 of Law No. 9/2002, of 12 February, which creates the

State Financial Administration System – SISTAFE, and its functions, in its respective area of activity:

The).....
B)..... *w*
)..... *d*
)..... *It is*
)..... *f*
).....

g) Prepare, execute and control plans and budgets for District Services activities;
H) Manage the material, human and financial resources of District Services.”

Article 2

(Implementation)

This Decree comes into force on the date of its publication.

Approved by the Council of Ministers, on September 3rd of 2013.

Get published.

The Prime Minister, *Alberto Clementino António Vaquina*.

Decree no.th54/2013

October 7th

If there is a need to approve mechanisms to control the marketing and harmful consumption of alcoholic beverages, as a way of regulating access to the consumption of alcoholic beverages, as well as reducing their impact on society, in the use of their powers assigned by paragraph f) of paragraph 1 of article 204 of the Constitution of the Republic, the Council of Ministers decrees:

Article 1. The Regulation on the Control of Production, Marketing and Consumption of Alcoholic Beverages, attached to this Decree and which forms an integral part thereof, is hereby approved.

Art. 2. All legislation that contradicts this Decree is revoked.

Art. 3. This Decree comes into force one hundred and eighty days from the date of its publication.

Approved by the Council of Ministers, on September 10th of 2013.

Publish:

The Prime Minister, *Alberto Clementino António Vaquina*.

Regulation on Production, Marketing and Consumption Control Beverage, Alcoholic

CHAPTER I

General provisions

Article 1

(Object)

This Regulation approves the mechanisms to be observed in controlling the production, sale and consumption of alcoholic beverages in the national territory.

Article 2

(Definitions)

The definitions of terms used in these Regulations are set out in the attached glossary, which is an integral part of these Regulations.

Article 3

(Principle)

Everyone must be informed about the addictive nature and consequences of drinking alcoholic beverages.

Article 4

(Scope of application)

This regulation applies to producers, sellers and consumers of alcoholic beverages.

CHAPTER II

Prohibitions

Article 5

(Prohibitions)

1. The sale and consumption of alcoholic beverages is prohibited:

- The*) For minors under 18 years of age;
- B*) People with signs of mental disorder; *w*) People with signs of drunkenness;
- d*) At fuel pumps and respective convenience stores;

It is) In schools and in the vicinity of educational establishments;

f) On public roads and spaces, namely parks, gardens, roads, sidewalks, bus stops and taxi ranks;

g) In the markets; *H*)

By street vendors;

i) Between 8:00 pm and 9:00 am the following day in all places authorized for sale, except in restaurants, eating establishments, nightclubs, bars and *pubs*.

2. The prohibition of the sale and consumption of alcoholic beverages in parks and gardens does not cover eating houses and restaurants in these spaces.

CHAPTER III

Assignment of licenses

Article 6

(Allocation of licenses for sale)

1. The competent authorities for licensing of the activity of selling alcoholic beverages must consider the following criteria when granting licenses:

The) The eligibility of the applicant;

B) The location of the space; *w*)

The nature of the business;

d) Trading days and hours;

It is) Aspects related to security issues; *f*) The favorable opinion of the Community.

2. Renewal of licenses for the sale of alcoholic beverages must be conditioned to the presentation of a certificate of compliance with the norms established in the present Regulation issued by the National Inspectorate of Economic Activities.

CHAPTER IV

Obligations, awareness and prohibition

Article 7

(Obligations and warning messages)

1. Owners of sales establishments and consumption of alcoholic beverages must require, in case of doubt, the identification of people who appear to be under 18 years of age.

2. It is mandatory to inscribe, in clearly legible and capital letters, on the labels of containers whose contents are alcoholic and for consumption, the following phrases: "The sale and consumption of alcoholic beverages to minors under 18 years of age is prohibited".

3. It is mandatory to write in clearly legible and capital letters and in a visible place in commercial establishments dedicated to the sale of alcoholic beverages, the following sentence: "The sale of alcoholic beverages to minors under 18 years of age is prohibited".

4. Warning messages on container labels of alcoholic beverages must:

The) Be large, clear, legible and in capital letters; *B*)

Indicate the alcohol content of the drink.

5. Each label must contain, in addition to the specified warnings under no.s 2 and 3 of this article, information on the ingredients or components of the content, as well as the health effects of early and harmful consumption of alcoholic beverages, which must be written in Portuguese.

6. The sale of alcoholic beverages is not permitted, including display for sale, in plastic containers, and in containers permitted for the marketing of alcoholic beverages originally used for other purposes including other types of alcoholic beverages.

Article 8

(Education, communication, training and awareness

from the public)

1. The public must have access to effective and comprehensive programs of education and awareness on:

The) The addictive properties of alcoholic beverages and their composition;

B) The benefits that come from abandoning consumption and adopting healthy lifestyles.

2. The media, public or private, should play an important role in educating the public about the consequences of early and harmful drinking.

3. School programs, at all levels of education, must include specific education on the consequences of early and harmful consumption of alcoholic beverages.

4. Civil society organizations must include in its work programs the education component on the prevention of premature and harmful consumption of alcoholic beverages.

5. Health workers, community agents, Social workers, communication professionals and educators should participate or benefit from effective and appropriate training and awareness programs to raise awareness in communities about the consequences of premature and harmful consumption of alcoholic beverages.

Aarticle9

(Prohibition of Advertising of Alcoholic Beverages)

Advertising of alcoholic beverages is prohibited in the following situations:

- The*) Where images of minors appear;
- B*) Where images appear that highlight women's sensuality or degrade their role and position in society;
- W*) In and around school establishments; *d*) In public institutions, public land and road transport, collective and semi-collective;
- It is*) On giant panels, posters, murals and public transport stations or similar that are on public roads.

CHAPTER V

Quality control and prevention measures

Aarticle10

(Quality control of alcoholic beverages)

1. In coordination with the entities that carry out inspections, the entity responsible for controlling food quality, the National Laboratory of Hygiene, Water and Food, must control the quality of alcoholic beverages, in accordance with current standards through:

- The*) Analysis of alcoholic beverages produced in the country and imported;
- B*) Periodic inspections of the laboratories of the producing industries and establishments that sell alcoholic beverages.

2. Production industries and importing companies of alcoholic beverages must submit their products for quality inspection and certification at the National Hygiene, Water and Food Laboratory of the Ministry of Health.

CHAPTER VI

Inspection

Aarticle11

(Skills)

1. The National Inspectorate of Economic Activities is responsible carry out inspections of compliance with the provisions of this Regulation.

2. Inspection and Supervision of the provisions herein Regulations are also carried out by other State bodies with competence for this purpose.

Aarticle12

(Sanctions)

Without prejudice to other sanctions provided for in other legislation, violation of the provisions of this Decree is punished by the application of the following measures:

- The*) Traffic ticket;
- B*) Suspension;
- W*) Temporary or permanent closure of the establishment.

Aarticle13

(Application of Sanctions)

1. Violation of the provisions of this Decree is punishable with the following fines:

- The*) Article 5 of the present, with a fine corresponding to 40 minimum wages and seizure of products related to the infraction and in the possession of the offender, reverting to the benefit of the State;

- B*) Article 6, with a fine corresponding to 20 minimum wages;
- W*) Article 7, with a fine corresponding to 80 minimum wages;
- d*) Article 9, with a fine corresponding to 50 minimum wages;
- It is*) Article 10(2), with a fine corresponding to 80 minimum wages.

2. In case of repeat offense, the fine will be tripled of those values, in addition to the confiscation of the establishment's equipment and materials in favor of the State.

3. If the violation of the provisions of the previous paragraph results in Damage to third parties will be subject to the provisions of current criminal legislation.

4. The minimum wage applicable for the purposes of this article is what is in force for the commerce and services sector.

5. Violation of the provisions of these Regulations is punishable with a fine to the consumer who commits the infraction, corresponding to 10% of the minimum wage, which may result in detention until the return of sobriety and the imposition of a penalty through the provision of community services, in cases where it is impossible to pay the corresponding fine.

6. The values of the fines referred to in this article will be updated by joint order of the Ministers who oversee the areas of Finance and Health.

Aarticle14

(Products from fines)

1. The proceeds of fines collected hereunder Regulation has the following distribution:

- The*) 40% for the State Budget; *B*) 30% to the supervisory entity;
- W*) 30% for programs to prevent and control excessive alcohol consumption.

2. Fines must be delivered by the supervisory entity to the Directorate of the competent Tax Area, through the general Model B declaration.

Aarticle15

(Implementation)

1. With a view to implementing this Decree, it is incumbent upon to the Ministry of Health:

- The*) Develop prevention, treatment and rehabilitation programs for alcohol addicts;
- B*) Control the quality, ingredients and alcohol content of alcoholic beverages;
- W*) Award quality certificates to alcoholic beverage brands;
- d*) Adopt effective measures to prevent premature consumption, promote the abandonment of the harmful consumption of alcoholic beverages, as well as provide adequate treatment for people with alcohol dependence;
- It is*) Create and implement programs to prevent the early consumption of alcoholic beverages in places such as educational institutions, sports and cultural venues, guaranteeing their quality;
- f*) Introduce necessary measures in the National Health Service for the early identification of people with health problems related to alcohol use and/or alcohol dependence;
- g*) Ensure the specific training and qualification of health personnel in identifying, treating and rehabilitating people with health problems related to alcohol abuse or dependence;

- H) Create evidence-based services or programs for the treatment and rehabilitation of alcohol addicts or increase the capacity and quality of those that already exist;
- I) Facilitate the accessibility and feasibility of treatments for alcohol-dependent individuals;
- J) Ensure the collection of necessary data at the level of the population and governmental and non-governmental services in order to provide a portrait of trends related to alcohol consumption in the population, in general, and the impact on health and society, in general .

2. It is the responsibility of the Ministers responsible for the areas of Commerce, Education, Culture, Youth and Sports and Women and Social Action define and implement strategies to prevent the early consumption of alcoholic beverages.

3. Special responsibility is the National Inspectorate of Economic Activities carry out inspections of places where alcoholic beverages are produced, sold and consumed;

4. It is the responsibility of the Quality Standardization Institute to issue the Quality certificate for alcoholic beverages produced in the country and imported and compliance with certification and quality standards.

GLOSSARY

For the purposes of this Regulation, the following is considered:

1. Alcoholic beverage: all industrially manufactured drinks or homemade (traditional) that, through fermentation, distillation or addition, contains an alcohol content greater than 0.5% Vol.

two. Pasture House: Place where light meals are served throughout the day, accompanied by alcoholic drinks.

3. Illicit Trade: any prohibited practice or conduct by law, related to the production, sending, transportation, reception, possession, distribution, sale or purchase, including any practice or conduct intended to facilitate this activity.

4. High-risk consumption: when the daily consumption pattern is equal to or greater than 3 (three) glasses of alcoholic beverage (300ml beer each) or on each occasion consumes 5 (five) or more glasses of alcoholic beverage (275ml wine).

5. Low-risk consumption: when the consumption pattern is of 2 (two) or fewer glasses for five days of the week (125 ml wine, 80 ml aperitif and a 40 ml dose of distilled beverage).

6. Harmful consumption: excessive and abusive use of alcohol alcohol causing physical and psychological harm, including impaired judgment or behavioral dysfunction, which may lead to disability or have adverse consequences for interpersonal relationships.

7. Early consumption: all consumption of alcoholic beverages carried out before reaching 18 years of age.

8. Alcoholic beverage control: is a set of measures aimed at reducing supply, demand and mitigating the harmful effects resulting from the consumption of alcoholic beverages with the aim of improving the health of the population, eliminating or reducing the consumption of alcoholic beverages.

9. Packaging: packaging of alcoholic beverages.

10. Labeling: sign that indicates the nature, end or destination of the object to which it is glued;

11. Container: any object concave to contain liquid substances.

12. Surrounding schools: is the distance of 500 meters around the school.

13. Industries producing alcoholic beverages: set of manufacturers, wholesale distributors, importers and exporters of alcoholic beverages, including the marketing circuit.

14. State institutions in the public domain: all State services that provide services to the public.

15. Public Buildings in private domain: Residences official and protocol documents of the State.

16. Public Institutions: All public institutions that provide services to the public such as Ministries, Institutes and other institutions that provide public services.

17. Sponsorship of alcoholic beverages: is any way contribution to any event, activity or individual with the objective, effect or possible effect of promoting, directly or indirectly, the consumption of alcoholic beverages.

18. Person with mental disorder: It's a syndrome or clinically significant behavioral or psychological patterns that occur in a subject, and that are associated with current anxiety (e.g., a painful symptom) or an impairment in one or more important areas of functioning, or with a significantly increased risk of suffering, death, pain , disability or significant loss of freedom.

19. Person with signs of drunkenness: everyone who After drinking alcoholic beverages, they present one of the following signs: unstable gait, difficulty standing and slurred speech.

20. Advertising and promotion of alcoholic beverages: without prejudice to the provisions of legislation on the matter is any form of communication, recommendation or commercial action with the objective, effect or probable effect of promoting, directly or indirectly, the consumption of alcoholic beverages;

21. Health services: all public institutions or private companies that provide health services.

COUNCIL OF MINISTERS

Resolution n.th69/2013

October 7th

If there is a need to comply with the formalities set out in the Credit Agreement signed between the Government of the Republic of Mozambique and the International Association for Development and, under the provisions of paragraph g) of paragraph 1 of article 204 of the Constitution of the Republic, the Council of Ministers determines:

Single. The Credit Agreement signed between the Government of the Republic of Mozambique and the International Development Association, signed on the 4th of September 2013, in Maputo, in the amount of SDR 73,400,000.00 is ratified the equivalent of USD 110,000,000.00 (one hundred and ten million American Dollars), intended to support the State Budget for 2013.

Approved by the Council of Ministers, on September 17th of 2013.

Get published.

The Prime Minister, *Alberto Clementino António Vaquina*.