



22/09/2022

Government of Mozambique approves the Decree 46/2022, of 16 September, which amends articles 17, 18 and 21 of Decree n.º 108/2014, of 31 December, which approves the Regulation of the Law n.º 5/93, of 28 December 1993, which establishes the legal regime for foreign citizens and revokes the Decree n.º 3/2017, of 22 February.

Was published in the Official Gazette n.º 180, 1st series of September 16, 2022, the Decree n.º 46/2022, by which the Council of Ministers of the Republic of Mozambique amends the clauses n.º 17, 18 and 21 of the Decree n.º 108/2014 of December 31, approving the Regulation of Law n.º 5/93 of December 28, as amended by Decree n.º 3/2017 of February 22, and revokes the Decree n.º 3/2017 of February 22.

The Law n.º 5/93, of December 28, establishes the legal regime for foreign citizens, fixing the respective rules for entry, stay and departure from the country, as well as the rights, duties and guarantees of foreign citizens in the Republic of Mozambique.

Later, in 2014, the Regulation of Law n.º 5/93 of December 28, is approved by Decree n.º 108/2014 of December 31, then partially amended by Decree n.º 3/2017 of March 24.

Already in Decree n.º 3/2017, of March 24, the wording of Clause 17 (Visa for Investment Activity), Clause 18 (Business Visa) and Clause 21 (Border Visa) had been changed, and now, by Decree n.º 46/2022, of September 16, changes are introduced in the wording of the same clause, namely:

Visa for Investment Activity

(Clause 17)

The Visa for Investment Activity is granted at the Diplomatic and Consular Representations of the Republic of Mozambique, or by the Border Crossing Services, to the citizen investor, his representative, proxy or member of the company's management bodies.

For this purpose, the beneficiary of the Visa for Investment Activity must hold a work permit, issued by the competent authorities of the Ministry of Labor and aims to allow the entry of the foreign citizen investor, for purposes of implementing investment projects worth 500 thousand U.S Dollars or more, and whose foreign investment project has already been approved by the competent entity.



The Visa for Investment Activity allows its holder multiple entries in the country, and if the value of the investment is equal to or greater than 500 thousand U.S. Dollars, it will be granted authorization to stay in the country for up to 2 years, and 5 years for investment projects equal to or greater than 50 thousand U.S. Dollars.

The Visa for Investment Activity is extendable for the same period, while the reasons for its granting persist.

Business Visa

(Clause 18)

Business Visas shall be granted by Mozambique's Diplomatic and Consular Representations abroad, or at Border Crossing Posts, to foreign citizens travelling to the country for the purposes of business prospecting, scientific research, participation in meetings, conferences or workshops, general assemblies, establishing contacts with companies or participating in related events.

The Business Visa is valid for multiple entries, allowing a stay in the country of up to 90 days, non-extendable, from the date of first entry.

To apply for a Business Visa, the foreign citizen applicant is required to present a passport with a minimum period of validity of 6 months and prove means of subsistence for the period of stay in Mozambique and, if applicable, must also present a document proving the activity that he/she will be participating in Mozambique (for example, participating in a workshop).

Border Visa

(Clause 21)

The Border Visa, as the name indicates, is granted to foreign citizens who intend to enter Mozambique, by the competent authorities, at the Border Posts.

It shall be granted to those citizens coming from a country where there is no Diplomatic or Consular representation of the Republic of Mozambique, or where there is Diplomatic representation, the country of origin gives reciprocal treatment regarding the entry of Mozambican citizens into that country.

The change introduced by the Decree n° 46/2022, of September 16, also adds that the Border Visa may also be granted to foreign citizens coming from a country where there is a Diplomatic or Consular



representation of Mozambique, for tourism purposes or who for duly justified reasons have not been able to apply for the respective Visa.

Another change introduced is with regard to the duration of the Border Visa, which is now valid for two entries, and allows its holder to stay for a period of up to 30 days, non-extendable, from the date of first entry.

Online submission of Visa applications

An important change introduced by the Decree nº 46/2022, of September 16, is that applications for Investment, Tourist and Business Visas can now be submitted *online* at the Migration Service Portal, and the citizen will receive a pre-authorization of entry, within a maximum of 5 days from the date of submission. This pre-authorization is then presented by the foreign citizen at the border entry point, for the purpose of obtaining a visa.

The Decree nº Consulares 42/2022, takes effect on the date of its publication in BR, that is, on September 16, 2022.