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# Equatorial Guinea List of Applicable Legislation Timber



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## Applicable legislation and regulation

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## Legal Rights to Harvest

1.1. Land tenure and management rights		Legal Authority
Fundamental Law of Equatorial Guinea (2012). Law No. 4/2009, dated 18 May, on the land property regime in Equatorial Guinea.	<a href="#">LINK</a>	Ministry of Interior and Local Corporations
Forestry Law No. 1/1997, dated on 18 February, on the Use and Management of Forests in Equatorial Guinea	<a href="#">LINK</a>	
Decree No. 97/1997, dated 12 August, for the approval of regulations for the Law on the Use and Management of Forests in Equatorial Guinea	<a href="#">LINK</a>	
1.2. Concession Licenses		Legal Authority
Law No. 1/1997, dated 18 February, on the Use and Management of Forests in Equatorial Guinea	<a href="#">LINK</a>	President of the Republic;
Decree No. 97/1997, dated 12 August, for the approval of regulations for the Law on the Use and Management of Forests in Equatorial Guinea	<a href="#">LINK</a>	

Presidential Decree No. 7/2017, dated 31 January, forbidding chainsaw operators and forestry companies, in all national territories, to cut trees for commercial purposes	<a href="#">LINK</a>	Ministry for Agriculture, Livestock, Forests and the Environment
Ministerial Order No. 2/2017, dated 15 May, dictating standards for (a) the correct application of the Presidential Decree No. 7/2017, dated 31 January, forbidding chainsaw operators and forestry companies, in all national territories, to cut trees for commercial purposes	<a href="#">LINK</a>	
<b>1.3. Management and Harvesting Planning</b>		<b>Legal Authority</b>
Law No. 1/1997, dated 18 February, on the Use and Management of Forests in Equatorial Guinea	<a href="#">LINK</a>	Ministry for Agriculture, Livestock, Forests and the Environment.
Decree No. 97/1997, dated 12 August, for the approval of regulations for the Law on the Use and Management of Forests in Equatorial Guinea; or the regulation that implements the Forest Law No. 1/1997	<a href="#">LINK</a>	
<b>1.4. Harvesting Permits</b>		<b>Legal Authority</b>
Law No. 1/1997, dated 18 February, on the Use and Management of Forests Equatorial Guinea	<a href="#">LINK</a>	Ministry for Agriculture, Livestock, Forests and the Environment
Decree No. 97/1997, dated 12 August, for the approval of the applicable regulation of the Law on the Use and Management of Forests	<a href="#">LINK</a>	
Ministerial Order No. 1/2011, dated 13 April, regulates the use of chainsaws in logging activities in Equatorial Guinea forests		
Ministerial Order of 30 November 2016, which cancels all wood forest use authorizations in all types of forests throughout the country, awarded by the Ministry of Agriculture, Livestock, Forestry and the Environment (MAGBMA), all for further renewals.		
Presidential Decree No. 7/2017, dated 31 January, forbidding chainsaw operators and forestry companies to cut trees, in all national territories, for commercial purposes.		

Ministerial Order No. 2/2017, dated 15 May, dictating standards for (a) the correct application of the Presidential Decree No. 7/2017, dated 31 January, forbidding chainsaw operators and forestry companies, in all national territories, to cut trees for commercial purposes

[LINK](#)



## Taxes and Fees

### 1.5. Payment of royalties and harvesting fees

#### Legal Authority

Law No. 10/2017, dated 20 November, by which Law No. 2/2007, dated 16 May, is revised and updated, by which new tax rates are established and levies are defined in the Republic of Equatorial Guinea

[LINK](#)

Ministry for Agriculture, Livestock, Forests and the Environment

Law No. 2/2007, dated 16 May, which defines new tax rates and parafiscal levies in the Republic of Equatorial Guinea. (As described above, even though this law was repealed and replaced by Law No. 10/2017 dated 20 November, the latter does not contain fees relating to the forest sector. (Article 35)

[LINK](#)

Law No. 1/1997, dated 18 February, on the Use and Management of Forests in Equatorial Guinea (Article 40, 78, 80, 84).

[LINK](#)

### 1.6. Value-Added Taxes and Other Sales Taxes

#### Legal Authority

Law No. 4/2004, on the tax regime in the Republic of Equatorial Guinea. Articles 270, 271 and 294

[LINK](#)

Ministry for Agriculture, Livestock, Forests and the Environment

1.7. Income and Profit Taxes		Legal Authority
Law No. 1/1997, dated 18 February, on the Use and Management of Forests in Equatorial Guinea (Article 40, 89, 90, 91, 93).	<a href="#">LINK</a>	Ministry for Agriculture, Livestock, Forests and the Environment
Law No. 4/2004, on the tax regime in the Republic of Equatorial Guinea (Articles 145, 146, 147, 159, 167, 168, 169, 170).	<a href="#">LINK</a>	



## Timber Harvesting Activities

1.8. Timber harvesting regulations		Legal Authority
Law No. 1/1997, dated 18 February, on the Use and Management of Forests in Equatorial Guinea (Articles 16, 17, 18, 22, 25)	<a href="#">LINK</a>	Ministry for Agriculture, Livestock, Forests and the Environment
Decree No. 97/1997, dated 12 August, for the approval of regulations for the Law on the Use and Management of Forests in Equatorial Guinea; or the regulation that implements the Forest Law No. 1/1997. Articles 3, 4, 5, 6, 38, 39, 46, 55, 56, 57, 58, 59, 60, 61, 62 and 70.	<a href="#">LINK</a>	
1.9. Protected sites and species		Legal Authority
Law No. 1/1997, dated 18 February, on the Use and Management of Forests in Equatorial Guinea (Articles 10, 13, 14, 15, 55)	<a href="#">LINK</a>	Ministry for Agriculture, Livestock, Forests and the Environment
Decree No. 97/1997, dated 12 August, for the approval of regulations for the Law on the Use and Management of Forests in Equatorial Guinea; or the regulation that implements the Forest Law No. 1/1997 (Articles 1 (paragraph 2), 3) 60, 61, 62 and 65)	<a href="#">LINK</a>	

Law No. 7/2003, dated 27 November, regulating the environment in Equatorial Guinea. Articles: 11, 18, 21–27, 34 (1, 2, 3, 4), 35, 37 (a, b, c, d), 38 and 39.	<a href="#">LINK</a>	
Decree No. 72/2007, prohibiting hunting and consumption of monkeys and other primates in the Republic of Equatorial Guinea. Articles 1 and 2.	<a href="#">LINK</a>	
Decree No. 172/2005, dated 8 September, which regulates the trade in endangered species of wild fauna and flora in the Republic of Equatorial Guinea.	<a href="#">LINK</a>	
The Convention on Wetlands (Ramsar), 1994	<a href="#">LINK</a>	
<b>1.10 Environmental requirements</b>		<b>Legal Authority</b>
Law No. 1/1997, dated 18 February, on the Use and Management of Forests in Equatorial Guinea (Articles 10, 13, 14, 15, 55)	<a href="#">LINK</a>	Ministry for Agriculture, Livestock, Forests, and the Environment
Law No. 7/2003, dated 27 November, regulating the environment in Equatorial Guinea (Articles 11–42, 60–70 and 126–142)	<a href="#">LINK</a>	
Law No. 9/2006, dated 3 November, referring to mines in Equatorial Guinea, Article 41.		
Law No. 3/2007, dated 21 July, regulating water and coast in the Republic of Equatorial Guinea (Articles 82, 85, 87, 101 and from 105 to 107)	<a href="#">LINK</a>	
Decree No. 97/1997, dated 12 August, for the approval of regulations for the Law on the Use and Management of Forests; or the regulation that implements the Forest Law No. 1/1997 (Articles 1, 6, 21, 54, 59, 60 and 61)	<a href="#">LINK</a>	
<b>1.11. Health and safety</b>		<b>Legal Authority</b>
Law No. 10/2012, dated 24 December, on the General Work Order Reform (Articles 41 (1, 2, 3), 42 (1, 2, 3), 43 (1, 2a, 2b, 2c, 2d, 3a, 3b), 44 (1.2) and 52)	<a href="#">LINK</a>	Ministry of Labour, Employment Promotion and Social Security
Law No. 1/1997, dated 18 February, on the Use and Management of Forests in Equatorial Guinea (Articles 10, 13, 14, 15, 55)	<a href="#">LINK</a>	

Law No. 14/1984, dated 12 November, regulates labour inspections (Articles 2 (2, 3), 7 (d) and 10 (1, 2, 3))		
Decree No. 100/1990, dated 28 September, approves the regulations of the general social security regime in Equatorial Guinea (Article 1)	<a href="#">LINK</a>	
<b>1.12. Legal employment</b>		<b>Legal Authority</b>
Fundamental Law of Equatorial Guinea, 2012. Title I. Fundamental principles of the State; articles 25 and 26	<a href="#">LINK</a>	Ministry of Labour, Employment Promotion and Social Security
Law No. 10/2012, dated 24 December on the General Work Order Reform (Articles 3, 5, 6, 7, 14, 15, 21, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 70, 71, 72, 73, 75, 76, 77, 78, 79, 80, 83, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90 and 91)	<a href="#">LINK</a>	
Law No. 14/1984, dated 12 November, regulates labour inspections.		
Decree No. 100/1990, dated 28 September, approving the regulations of the general social security regime in Equatorial Guinea (Article 5, 6, and 9–80)		
Law No. 1/1997, dated 18 February, on the Use and Management of Forests in Equatorial Guinea (Articles 44)	<a href="#">LINK</a>	
Decree No. 97/1997, dated 12 August, for the approval of regulations for the Law on the Use and Management of Forests; or the regulation that implements the Forest Law No. 1/1997 (Articles 66)	<a href="#">LINK</a>	
Ministerial Order No. 039/1, dated 3 July 2008, regulating the contribution of foreign workers to social security in Equatorial Guinea. Articles 1, 2 and 3	<a href="#">LINK</a>	
Decree 30/2016, dated 29 January states the minimum wage - 117.304 CFA francs per month	<a href="#">LINK</a>	





## Third Parties' Rights

1.13. Customary rights		Legal Authority
Law No. 1/1997, dated 18 February, on the Use and Management of Forests in Equatorial Guinea (Articles 44)	<a href="#">LINK</a>	Ministry for Agriculture, Livestock, Forests and the Environment
Decree No. 97/1997, dated 12 August, for the approval of regulations for the Law on the Use and Management of Forests; or the regulation that implements the Forest Law No. 1/1997 (Articles 1(4), 11, 12, 13, 28, 29, 32, 33, 35, 36, 37, 38, 61 and 67)	<a href="#">LINK</a>	
Law No. 4/2009, dated 18 May, on the land property regime in Equatorial Guinea (Article 7)	<a href="#">LINK</a>	
1.14. Free prior and informed consent		Legal Authority
Not applicable		
1.15. Indigenous peoples' rights		Legal Authority
Fundamental law of Equatorial Guinea, 2012 (Article 30 (4))	<a href="#">LINK</a>	Ministry for Agriculture, Livestock, Forests and the Environment
Law No. 1/1997, dated 18 February, on the Use and Management of Forests in Equatorial Guinea (Articles 44)	<a href="#">LINK</a>	
Decree No. 97/1997, dated 12 August, for the approval of regulations for the Law on the Use and Management of Forests; or the regulation that implements the Forest Law No. 1/1997 (Articles 1(4), 11, 12, 13, 28, 29, 32, 33, 35, 36, 37, 38, 61 and 67)	<a href="#">LINK</a>	



## Trade and Transport

1.16. Classification of species, quantities, qualities		Legal Authority
Law No. 1/1997 dated 18 February, on the Use and Management of Forests in Equatorial Guinea (Articles 80, 82, 83 (a, b, c, d) and 85)	<a href="#">LINK</a>	Ministry for Agriculture, Livestock, Forests and the Environment
Decree No. 97/1997, dated 12 August, for the approval of regulations for the Law on the Use and Management of Forests; or the regulation that implements the Forest Law No. 1/1997 (Articles 73, 85, 88, 90 (a, b, c, d), 90, 91, 93 and 97)	<a href="#">LINK</a>	
1.17. Trade and transport		Legal Authority
Law No. 1/1997, dated 18 February, on the Use and Management of Forests (Articles 65, 66, 67 and 68)	<a href="#">LINK</a>	Ministry for Agriculture, Livestock, Forests and the Environment
Decree No. 97/1997, dated 12 August, for the approval of regulations for the Law on the Use and Management of Forests; or the regulation that implements the Forest Law No. 1/1997 (Articles 70, 71, 72, 73, 74 and 75)	<a href="#">LINK</a>	
Ministerial Order No. 1/2011, dated 13 April, which regulates the use of chainsaws in logging activities in the forests of Equatorial Guinea (Articles 9, 10)		
1.18. Offshore trading and transfer pricing		Legal Authority
Not applicable		
1.19. Custom regulations		Legal Authority

Decree No. 61/2007, dated 13 September, amending certain articles of Decree No. 97/1997, dated 12 August, for the approval of regulations for the application of the Law on the Use and Management of Forests in Equatorial Guinea; or the regulation that implements the Forest Law No. 1/1997. Article 81 Prohibits the export of roundwood	<a href="#">LINK</a>	Ministry for Agriculture, Livestock, Forests and the Environment
Decree No. 182/2018, dated 27 November, which prohibits the export of roundwood in the Republic of Equatorial Guinea (Article 1)	<a href="#">LINK</a>	
Decree No. 93/2020, dated 26 of October, which authorises, due to special circumstances, the exportation of roundwood in the Republic of Equatorial Guinea.	<a href="#">LINK</a>	
Ministerial Order No. 1/2019, dated 24 May, laying down additional rules for the export of wood processed by forestry companies. Articles 1, 2, 3, 4, 5.		
Ministerial Note No. 802/15 Details of the Attributions of the different Sections of the General Directorate of Forests and Reforestation		
Decree No. 97/1997, dated 12 August, for the approval of regulations for the Law on the Use and Management of Forests; or the regulation that implements the Forest Law No. 1/1997 (Articles 70, 71, 72, 73, 74 and 75)	<a href="#">LINK</a>	
Decree Law No. 13/1980, dated 23 July, on Income and Customs Tariff in Equatorial Guinea. Articles 1, 4, 16(d), 18 and Supplementary Rules Chapter II, on export tariff rates.	<a href="#">LINK</a>	
Decree Law No. 1/1986, dated 10 February, which approves the tax system of the Republic of Equatorial Guinea and refers to the different taxes on export timber contained in the single letter (la Carta Única) and the modifications and updates thereof.		
Law No. 2/2007, dated 16 May, defines new tax rates and parafiscal levies in the Republic of Equatorial Guinea	<a href="#">LINK</a>	
Law No. 10/2017, dated 20 November (Law No. 2/2007 dated 16 May was derogated by Law No. 10/2017 dated 20 November; however, the fees regarding the forest sector are not included in the new law, and, as a result, the previous fees indicated in law N°2/2007 are still applied (Article 38)	<a href="#">LINK</a>	

## 1.20. CITES

Legal Authority

Decree No. 97/1997, dated 12 August, for the approval of regulations for the Law on the Use and Management of Forests in Equatorial Guinea; or the regulation that implements the Forest Law No. 1/1997 (Article 60, 62)	<a href="#">LINK</a>	Ministry for Agriculture, Livestock, Forests and the Environment
Decree No. 172/2005, dated 8 September, which regulates the trade in endangered species of wild fauna and flora in the Republic of Equatorial Guinea (Articles 4, 7)	<a href="#">LINK</a>	
Law No. 7/2003, regulating the environment; catalogue of threatened species (Articles 38, 39)	<a href="#">LINK</a>	
<b>1.21. Legislation requiring due diligence/due care procedures</b>		<b>Legal Authority</b>
Not applicable		

## About LIFE Legal Wood

[LIFE Legal Wood](#) is an initiative that aims at supporting timber-related companies in Europe with knowledge, tools and training in the requirements of the EU Timber Regulation. Knowing your timber's origin is not only good for the forests, but good for business. The initiative is funded by the LIFE Programme of the European Union.



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We do this through a unique combination of sustainability certification services, projects supporting awareness raising, and capacity building.