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IBA Intellectual Property, Communications
and Technology Law Committee

Digital Regulations in the Metaverse Era

ANGOLA

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Data

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1. Are there any data (personal and non-personal) policies, strategies or regulations applicable to the metaverse in your jurisdiction?

Although Angola currently lacks specific data protection policies, strategies or regulations which explicitly address the metaverse, the existing legal framework for data protection applies.

The Data Protection Law (22/11) closely mirrors the European Union's Data Protection Directive (Directive 95/46/EC) and aims to safeguard privacy and individual liberties concerning personal data by promoting transparent processing practices. This law has a wide-ranging scope of application, extending protection to all types of personal data of individuals. It applies to the processing of personal data, whether paper-based or digital and to actors in both the public and private sectors, in the following circumstances:

- the involvement of a data controller with headquarters in Angola;
- processing occurring within a controller's establishment in Angola;
- the application of Angola law due to international public law, even if the processing occurs outside the country; and
- the use of equipment, whether automated or not, located in Angola by a controller not based in the country, with the exception of equipment used solely for data transit purposes.

2. How are the various personal and non-personal data associated with the metaverse protected in your jurisdiction?

Although not specifically referring to data on the metaverse nor to novel data categories, Angola's Data Protection Law is applicable to personal data processing activities on the metaverse, involving data such as a user's or third parties' data collected through the use of devices and peripherals, inferred data or avatars. Consequently, the relevant provisions concerning the principles of data processing, data subject rights, controllers' and processors' responsibilities and obligations are fully applicable in this context.

However, it should be noted that novel types of data, such as synthetic data, raise new regulatory challenges, since the current framework does not address them adequately.

Moreover, intellectual property (IP) rights may apply to certain non-personal data, subjecting it to the protection of the applicable legal regime. For a more complete analysis of IP law in the metaverse, please refer to the intellectual property chapter.

Q 3. Who are the different stakeholders involved in data value chains in the metaverse and, in the case of personal data, what are their data protection roles? How are their activities regulated under regional/national policies, strategies or regulations?

Due to the diverse technologies and activities within the metaverse, the data value chain can be complicated, involving various stakeholders who support and engage with the metaverse. These stakeholders may include content creators, platform and service providers, data intermediaries, analysts, regulators, researchers and users.

Accordingly, depending on the nature of their activities, they may be subject to different rules and obligations. Considering that the same stakeholder may assume multiple data-related roles, a case-by-case analysis and a clear mapping of the data flows are necessary.

Q 4. In relation to personal data, what are the data protection principles (eg, transparency) applicable on the metaverse? What are the most common types of infringement of data protection principles in the metaverse (eg, data minimisation) in your jurisdiction?

The Constitution of the Republic of Angola enshrines the principle of protection of private life, under which all citizens are entitled to the protection of their personal identity, private and family life.

The Data Protection Law serves as the primary legal instrument embodying the principles of data protection. These principles include:

- transparency;
- lawfulness;
- proportionality;
- purpose limitation;
- accuracy; and
- minimisation.

The law establishes a range of administrative fines and criminal sanctions for various breaches, including breaches of the data protection principles, obligations and rights, as well as unauthorised data communication or transfer. The Data Protection Agency of Angola (APD) is tasked with imposing fines, as well as ancillary measures, such as data cessation, blocking, deletion or destruction.

Failure to comply with the obligations and principles set out under the Data Protection Law can result in fines ranging from US\$65,000 to US\$150,000.

Regarding criminal liability, most intentional violations of data protection law can be punished with six months to three years' imprisonment.

Civil liability in the case of losses and damage to data subjects may also apply.

The APD has issued several decisions, although they do not specifically reference activities within the metaverse. For instance, a telecoms provider was fined US\$150,000 for failing to notify the APD of multiple data processing activities. Additionally, a bank faced a fine of US\$525,000 for various violations and non-compliance with the principles outlined in the Data Protection Law. These decisions underline the APD's commitment to enforcing data protection regulations and holding organisations accountable for their handling of personal data.

There is no case law regarding infringements of these rules.

Q 5. In relation to non-personal data, how is data sharing/licensing regulated in your jurisdiction? Is data ownership recognised? How is proprietary information, including any rights to datasets, regulated in your jurisdiction? What are the most common types of infringement of these rules in the metaverse (eg, unlawful use of proprietary information) in your jurisdiction?

Sharing and licensing non-personal data is not specifically regulated in Angola. Data ownership is not explicitly recognised by Angolan law, as information is not protected by a property right. However, data may be subject to other types of rights or interests, such as intellectual property rights and contractual rights.

There is no information on infringements of these rules on the metaverse in Angola.

There is no case law or any decisions by a regulator regarding infringements of these rules.

Q 6. Are there any policies, strategies or regulations applicable to digital marketing in the metaverse in your jurisdiction?

The Data Protection Law includes provisions regarding data processing for marketing purposes, emphasising the importance of obtaining appropriate consent and specifying the type of marketing activities involved.

For direct distribution through postal mail, only opt-out consent is required, meaning individuals must be given the option to refuse being sent marketing materials. However, for other forms of marketing sent via automated or digital means, such as email, automated calling machines or fax machines, a higher standard of consent is necessary. Specifically, unambiguous and express (opt-in) consent by individuals is required before their personal data can be used for marketing purposes through these channels.

In this regard, it is important to note that all notices and communication to data subjects should be made available in the Portuguese language.

There is no case law or any decisions by a regulator regarding infringements of these rules.

Q 7. Are there any policies, strategies or regulations in your jurisdiction focused on ensuring the protection of minors' data? What is the age of consent for data protection purposes? Is it necessary to verify the consent provided by a responsible adult?

The Data Protection Law does not contain specific provisions addressing the protection of minors' personal data. Consequently, concerning data protection matters, the age of consent is governed by the overarching legal framework, which stipulates that only individuals aged 18 and above can lawfully provide consent.

Furthermore, the Data Processing Law sets out an enhanced duty of care in terms of the provision of mandatory notices on data processing.

Q 8. How are international data transfers regulated in your jurisdiction? Is there any case law or are there any decisions by a regulator regarding infringements of these rules in your jurisdiction?

The international transfer of personal data to countries that provide adequate data protection requires explicit consent from data subjects and prior notification to the APD. For transfers to countries without adequate data protection, written

consent and authorisation from the APD are necessary. The APD determines whether a foreign country provides adequate protection. However, data transfers may be authorised without consent under certain circumstances, such as in regard to international treaties, humanitarian aid, contract performance, public interest, legal requirements, vital interests, publicly accessible sources or if the data recipient ensures adequate protections are in place. All transfers to countries with inadequate data protection require prior authorisation from the APD.

For international data transfers within the same business group or affiliates, compliance with adequate data protection can be achieved through the implementation of mandatory corporate binding rules regarding privacy and data protection. These rules ensure that data protection standards are upheld across different entities within the group or among the affiliates, mitigating the risks associated with international data transfers.

There is no case law or any decisions by a regulator regarding infringements of these rules.

9. How is automated decision-making regulated in your jurisdiction? Is there any case law or are there any decisions by a regulator regarding infringements of the rules applicable to automated decision-making in your jurisdiction?

Every individual has the right to not be affected by or subjected to a decision that has significant consequences on their legal or personal life solely based on automated processing that evaluates their personality traits, such as creditworthiness, professional capacity, reliability or behaviour. However, decisions based on automated processing can be made if they are taken for the purpose of concluding or executing a contract, provided that adequate measures are in place to ensure the protection of the data subject's legitimate interests or if authorised by the APD.

10. What rights are granted to individuals for protecting their rights on the metaverse and how can they exercise them? What is the level of enforcement based on private claims in your jurisdiction?

According to Data Protection Law, data subjects have several inalienable rights regarding their personal data, namely:

- the right to information;
- the right of access;
- the right of opposition;
- the right of rectification and erasure; and
- rights related to automated decision-making.

To exercise these rights in the context of the metaverse, individuals would be likely need to engage with the platforms or service providers operating within the metaverse environment.

The level of enforcement of these rights in Angola is unclear.

In relation to non-personal data, without prejudice to specific rules especially in relation to trade secrets, rights are usually regulated contractually.

11. Are there any upcoming policies, strategies or regulations that will impact the use of data on the metaverse?

The Angolan government recently published a draft white paper on ICT technologies 2023–2027. Although not explicitly referring to the metaverse, the draft white paper mentions policies directly related to it. However, it discusses the

adoption and development of emerging and disruptive technologies such as artificial intelligence, the internet of things, big data and blockchain, which are components that could contribute to the development of metaverse technologies. In relation to data, the draft white paper acknowledges the increasing importance of data as a strategic asset and a driver of innovation and development and recognises the need to ensure the protection of personal data and privacy, as well as the promotion of data sharing and interoperability among public and private entities.

Cybersecurity

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1. Are there any cybersecurity policies, strategies or regulations applicable to the metaverse in your jurisdiction?

There are no specific policies, strategies or regulations addressing cybersecurity within the metaverse in Angola.

Angola has implemented various strategies and regulations aimed at bolstering cybersecurity, fostering the safe implementation of new technologies and safeguarding critical infrastructure by adopting robust security standards. As part of these efforts, Angola ratified the African Union Convention on Cyber Security and Personal Data Protection in 2020. This convention includes provisions addressing e-commerce regulation, data protection rights and obligations, and measures to promote cybersecurity and combat cybercrime.

By ratifying the convention, Angola has committed to fulfilling numerous obligations to achieve these goals, including the implementation of legislation and the reinforcement of public authorities tasked with cybersecurity enforcement. One such piece of legislation is the Protection of Computer Networks and Systems Law (Law 7/17), which contains provisions applicable to the implementation of security measures on computer systems and networks, potentially extending to the metaverse environment. These measures aim to enhance cybersecurity, protect personal data and mitigate the risks posed by cyber threats in digital spaces.

2. What are the secure-by-design (physical and digital interfaces) principles applicable to the metaverse in your jurisdiction?

There are some secure-by-design principles in Angola, applicable to both physical and digital infrastructure in Angola.

The Protection of Information Systems and Networks Law mandates specific security measures for electronic communications operators, providers of information society services, hosting providers and critical infrastructure service providers.

While the law does not stipulate the exact security measures to be adopted, it requires critical infrastructure operators and providers to ensure the protection and security of assets. Electronic communications operators are tasked with securing communication and data transmission through encryption and implementing incident response mechanisms. They must also develop accident and incident management plans.

The law also covers computer systems, programs and databases, requiring service providers to operate devices capable of issuing security alerts and ensuring that computer programs comply with technical rules. However, specific details on encryption and other technical measures are not provided in the law.

Moreover, Angola has ratified the African Union Convention on Cyber Security and Personal Data Protection, demonstrating its commitment to enhancing cybersecurity measures at the regional level.

3. Have there been any cyber incidents in the metaverse in your jurisdiction? How do the applicable policies, strategies or regulations react to cyber-incidents?

There have been no reported cyber-incidents in the metaverse in Angola. Nonetheless, there are some relevant cybersecurity provisions and principles in the existing legal framework.

Angola also has provisions on cybercrime in its Criminal Code from 2020 (Law 38/20). The cybercrime section of the Criminal Code includes offences such as illicit access to and manipulation of data and computer systems, illicit interception of data and computer systems, damage to data and computer systems, sabotage of computer systems, fraud through digital means and digital communications, and illicit copying of computer programs, databases and information on semiconductors.

These crimes are punishable with fines from between 60 to 360 days and imprisonment up to 10 years, depending on the crime and its severity.

Please note that in terms of Angolan criminal law, when a crime is punishable by a fine in terms of 'days', the amount of the fine is determined based on various factors related to the criminal conduct and the offender's financial situation. Each day of the sentence can be valued between 75 and 750 UCF (fiscal correction units), which are updated annually and is currently equivalent to AOA 88 (approx US\$0.092).

Moreover, in the case of violations of the Protection of Information Systems and Networks Law, fines ranging from AOA 7m (approx US\$8,200) to AOA 200m (approx US\$234,000) may apply.



4. Are there any cybersecurity standards in your jurisdiction specifically applicable to the metaverse? What are the main obligations they set out?

There are no specific cybersecurity standards applicable within the context of the metaverse or generally in Angola. Nevertheless, there are some relevant cybersecurity norms and principles in the existing legal framework.

The Protection of Information Systems and Networks Law introduces various provisions aimed at establishing standardised institutional and technical measures for providers of these services. These include security requirements for intermediary services and digital platform service providers, covering areas such as systems and operations, protocols, data integrity, network security, physical security, identity and authentication, access control and backups for data integrity.



5. Are there any upcoming policies, strategies or regulations that will impact cybersecurity on the metaverse?

The Angolan government recently published a draft white paper on ICT technologies 2023–2027. Although not explicitly referring to the metaverse, the draft white paper mentions policies directly related to it. It discusses the adoption and development of emerging and disruptive technologies, such as artificial intelligence, the internet of things, big data and blockchain, which are components that could contribute to the development of metaverse technologies. In relation to cybersecurity, the draft white paper commits to adopting measures for the institutionalisation of the National Cybersecurity Strategy, aiming to enhance network security and protect critical infrastructure and vital information services, while it highlights the creation of a National Cybersecurity Council, the establishment of Computer Security Incident Response Teams, the need for an accrediting authority and the importance of creating a public key infrastructure.

Digital identity and authentication

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1. Are there any digital identity and authentication policies, strategies or regulations applicable to the metaverse in your jurisdiction?

There are no specific policies, strategies or regulations addressing matters related to digital identity specifically within the metaverse in Angola. Nonetheless, Angola has some laws and policies on the matter of identity and authentication.

The Civil Registration Code (Decree Law No 47,678) covers digital identity to some extent. Additionally, the National Development Plan 2018–2022 aims to simplify and expand civil registration, including through laws such as the Law on the Simplification of Birth Registration (Law 6/15) and Presidential Decree 105/16, which established the Database of Civil Registration in 2015.

Civil identification is regulated by the Legal Framework for Civil Identification (Law 4/2009), which governs the issuing of national citizen identity cards and the maintenance of a government database. Identity cards now include a chip, barcode and optical reading band for electronic search on the database, but their usage for digital purposes is limited mainly to civil identification offices and registration offices.

Since the Simplification Law of 2015, data in the civil registration database can be linked to the civil identification database, allowing for automatic updates, corrections or completions. Data sharing and interoperability also occurs with the tax authority, as established in the tax framework.

2. What are the different types of digital identity in the metaverse: different tiers and types of ID and what are the different levels of protection in your jurisdiction?

In Angola, there are currently no distinct types of digital identity that are specifically applicable in the metaverse.

The existing forms of identification, such as civil identity cards, residence cards, passports, voter numbers, social security cards and tax identification numbers, are not tailored for use within the metaverse.

3. How is self-determination exercised and protected in the metaverse in your jurisdiction?

There are no specific policies or regulations directly addressing self-determination within the metaverse in Angola.

However, it is important to note that the Constitution of the Republic of Angola protects the self-determination of its people and residents, ensuring their fundamental rights in terms of the freedom of speech and expression. This extends to their online presence, which includes digital platforms, such as the metaverse.



Q 4. How is the role of intermediary ID providers regulated in your jurisdiction? What are some of their main obligations?

In Angola, the role of intermediary ID providers is not regulated by any specific laws.

Q 5. Are there any upcoming policies, strategies or regulations that will impact the digital identify and authentication process on the metaverse?

There are no announced or upcoming policies, strategies or regulations affecting digital identity and authentication processes on the metaverse.

Intellectual property

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1. What are the public policies, strategies or regulations relating to intellectual property which are applicable to the metaverse in your jurisdiction?

There are no policies, strategies or regulations specifically aimed at tackling intellectual property (IP) in the metaverse in Angola.

Angola acknowledges the protection of IP as a right in its Constitution. Additionally, Angola has been a member of the World Intellectual Property Organization (WIPO) since 1985 and it is a party to some of its treaties and conventions on IP, namely the WIPO Convention (1985), the Paris Convention (2007) and the Patent Cooperation Treaty (2007).

Angola's Copyright and Related Rights Law (Law 15/14), which regulates copyright and related rights (the 'Copyright Law'), and the Industrial Property Code (Law 3/1992), which covers patents, trademarks, designs, geographical indications, trade names, the design layout of integrated circuits, trade secrets and unfair competition, have a broad scope of application and could encompass works created in the metaverse.

2. How are intellectual property rights to 'virtual objects', 'buildings' and 'avatars', etc, protected in your jurisdiction?

'Virtual objects', 'buildings' and 'avatars' may be eligible for protection, depending on their specific characteristics. The most significant forms of protection that may apply include: copyright and related rights (copyright protection does not require the fulfilment of administrative requirements or formalities and is automatically granted upon creation of the work) and designs (*desenho industrial*), according to which protection is subject to registration.

3. How are digital replicas of physical objects protected in your jurisdiction?

Angola does not have a specific legal framework protecting digital replicas of physical objects. Nevertheless, depending on the specific characteristics of the replica, it may be subject to protection under Angola's IP framework.

4. How is user-generated content and other derivative works protected in your jurisdiction?

Angola's Copyright Law adheres to the WIPO treaties and the Berne Convention Code, aligning to the principles and standards outlined in the WIPO treaties and the Berne Convention, protecting various forms of literary and artistic works in all mediums. Therefore, in the metaverse and in relation to other online platforms, copyright protection can be extended to most user-generated content if it meets both subjective and objective criteria. These criteria require the presence of an author and that the content qualifies as an original work, representing the intellectual expression of the author.

It should be noted that copyright protection and related rights in Angola are granted automatically without the need for administrative formalities or registration. However, registration procedures can serve to ensure the publicity of the



authorship of the work and the applicable copyright protection. Certain actions, such as the transfer, modification and termination of copyright and related rights, may require registration. Additionally, derivative works can be protected by copyright if authorised by the rightsholder of the original work or through applicable exceptions or limitations to copyright protection. Derivative works that may be protected include translations, adaptations, transpositions, collections, databases and compilations.

In contrast, other forms of IP rights, such as designs, patents and trademarks, are regulated under the Industrial Property Code and require proper registration procedures to be followed. This limits their applicability to user-generated content compared to copyright protection.

Q 5. Are there any collective rights management organisations active in your jurisdiction that also manage intellectual property rights on the metaverse?

In Angola, collective rights management organisations operate under the legal framework established by Presidential Decree 114/16. These organisations, such as the Angolan Society of Copyright (Sociedade Angolana de Direitos de Autor or SADIA) and the National Union of Angolan Artists and Composers (União Nacional de Compositores de Angola or UNAC-SA), manage copyright and related rights on behalf of creators.

However, it is unlikely that they currently manage any IP rights specifically related to the metaverse.

Q 6. How are intellectual property rights protected and enforced on the metaverse in your jurisdiction?

Angola's Copyright Law establishes both civil and criminal liability for copyright and related rights infringements, allowing for fines issued by public administrative authorities. It criminalises various acts, such as usurpation of authorship, counterfeiting, plagiarism, unlawful distribution, violations of moral rights and technical protection measures. Civil liability can be pursued independently, allowing rightsholders to seek damages for infringements. Illicit copies or counterfeits can be confiscated and destroyed as a result of civil or criminal proceedings.

Similarly, the Industrial Property Code imposes criminal sanctions for violations of industrial property rights, including patents, designs and trademarks. Administrative fines range from AOA 20,000 to AOA 100,000 (approx US\$23 to US\$117), depending on the infringement. Provisions on unfair competition penalise fraudulent acts and the misuse of privileged information with fines, potentially governed by competition law (Law 6/99).

The fines (AKZ 20,000.00 to AKZ 100,000.00) are indeed low, but they are the ones mentioned in the law. The low fine is due to the high volatility of the exchange rates (towards devaluation of the Angolan new kwanza) and the lack of a recent update of the IP law.

Currently, there is no case law nor any regulatory decisions on these matters.

Q 7. Are there any intellectual property strategies, policies or regulations in your jurisdiction applicable to the metaverse that aim to promote interoperability in the metaverse?

There are currently no IP policies, strategies or regulations in Angola promoting interoperability in the metaverse.

There is no case law nor any decisions by regulators on these matters.

8. Are there any competition strategies, policies or regulations in your jurisdiction applicable to the metaverse that aim to promote standardisation and access to fair and non-discriminatory licences?

Angola's Industrial Property Code lacks provisions promoting standardisation and fair access. Instead, it permits licences based on public interest, such as national security or health concerns. Additionally, licences may be granted if the current patent holder fails to meet market demand, also justified by public interest.

9. Are there any other intellectual property issues related to the metaverse addressed in your jurisdiction?

Angola does not have a legal framework that clearly defines the roles applicable to metaverse providers.

Nonetheless, under the Protection of Networks and Computer Systems Law (7/2017) and the Regulation of Technologies and Information Society Services (Presidential Decree 202/11) metaverse providers could be considered providers of intermediary services and, notably, hosting providers.

Under this regulation, intermediary service providers established in or targeting Angola must seek prior authorisation and registration before beginning operations. The relevant authorities can prohibit services that threaten public order, human dignity, public health, child protection, safety, or those that engage in hate speech, consumer harm or illegal activities.

10. What are the roles of metaverse providers?

Please see the answer to the previous question.

11. How does your jurisdiction moderate content and how does it balance this with freedom of expression?

The Regulation of Technologies and Information Society Services imposes significant obligations on intermediary service providers, including hosting services, aimed at ensuring compliance with the law and the protection of users' rights. These obligations are:

- to inform the authorities immediately when aware of illegal activities;
- to comply with requests from authorities to identify the recipients of their services; and
- to comply with authorities' decisions, namely on blocking or removing content.

Moreover, the Regulation establishes a 'safe harbour', wherein service providers are not held liable for the transmission or hosting of illegal content under certain conditions. However, hosting service providers are required promptly to remove or block access to manifestly illegal content once they become aware of its presence on their platforms.

Recipients of services from intermediary service providers have the right to request the removal of illegal content. If the content provider fails to respond to the request within a specified timeframe, the intermediary service provider must take action to remove or block access to the content. In cases where the content provider disputes the request, the intermediary service provider is required to communicate the response to the recipient, enabling appropriate action to be taken.

The Regulation further stipulates actions that search engine and similar service providers must take regarding illegal content to avoid liability for directing users to such material.



Finally, the Constitution of the Republic of Angola protects the right to self-determination of its people and residents, ensuring their fundamental rights in terms of the freedom of speech and expression. This extends to their online presence, which includes digital platforms, such as the metaverse.



12. Are there any by-design notice mechanisms?

There are no by-design notice mechanisms stipulated in the current legal framework.



13. Are there any upcoming policies, strategies or regulations relating to intellectual property in your jurisdiction?

There are no upcoming policies, strategies or regulations affecting IP in Angola.



Digital marketing and consumer protection

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1. Are there any relevant policies, strategies or regulations applicable to digital marketing on the metaverse in your jurisdiction?

There are no specific policies, strategies or regulations addressing matters related to digital marketing specifically in the metaverse. Nevertheless, the current legal framework is applicable.

The Advertising Code (Law 9/2017) bans advertising that contravenes constitutional values, principles or rules issued by relevant institutions, regardless of the medium used for its dissemination. It also prohibits misleading, discriminatory, obscene, environmentally harmful or violence-inducing advertising. Additionally, advertising targeting minors or involving certain categories of products or services, such as alcohol, tobacco, medicines, treatments, fortune telling or gambling, is subject to stringent regulations. The Code applies to all publicity agents and entities, national or foreign, engaged in advertising within the national territory, irrespective of their location.

The Consumer Protection Law (Law 15/03) does not have many provisions on marketing and publicity. It includes a general rule mandating all publicity to be lawful and easily identifiable, respecting the rights and expectations of consumers, while prohibiting abusive commercial practices and malicious publicity.

2. Are there any relevant policies, strategies or regulations regarding misleading advertising or other unfair commercial practices on the metaverse in your jurisdiction?

Infringements of the Advertising Code may result in civil sanctions, criminal sanctions or administrative fines, depending on the nature and severity of the violation. Civil liability may also arise from any damage caused by unlawful advertising. Administrative fines may vary from AOA 200,000 to AOA 2.5m (approx US\$234 to US\$2,900).

The Consumer Protection Law has general rules that are applicable to both practices, which bans misleading and abusive advertising and includes a limited set of commercial practices that are considered abusive. Infringements of these rules may lead to fines varying between 2,000 UCF to 3,500 UCF (UCF is the fiscal correction unit, updated annually and currently corresponds to AOA 88). There are also accessory sanctions, for example the seizure of goods, and a temporary or permanent ban on supplying goods and services.

The Consumer Protection Law also grants Consumer Protection Associations significant rights and powers to safeguard consumer interests, including the right to represent consumers in legal proceedings against traders, the ability to petition public authorities and the ability to request the takedown of misleading advertising.

Moreover, please refer to the chapter on data for the data protection-related implications of digital marketing.

Please refer to the chapter on intellectual property for the fines applicable under the Industrial Property Code to unfair commercial practices.

There is no case law or any decisions by a regulator regarding infringements of these rules in the metaverse, as this is a new and evolving phenomenon.



Q 3. Are there any relevant policies, strategies or regulations aiming to promote consumer protection in the metaverse in your jurisdiction?

The main instrument of consumer law in Angola is the Consumer Protection Law. This law has a broad scope of application, aiming to promote consumer education, the provision of information, participation and representation, as well as prevent and remedy damages caused by defective or misleading products or services.

Although some provisions of the law may require some adaptation when it comes to digital services and platforms, its measures are applicable to the metaverse, such as the requirement for goods and services to be fit for their intended purpose and to meet legal standards or legitimate consumer expectations, and the right to information and the duty of suppliers to inform consumers about the product's characteristics, pricing, contract terms and after-sales assistance.

Q 4. What is the minimum information that should be provided to consumers? Who are stakeholders responsible for providing this information?

The Consumer Protection Law in Angola imposes general information requirements on suppliers when offering goods or services to consumers. These requirements aim to ensure that consumers have access to clear and appropriate information to make informed purchasing decisions. This requirement includes related specifications, such as the quantity, price and associated risks.

If the information provided is insufficient, consumers have the right to retract their purchase within seven business days, while suppliers are held liable for any damage caused to the consumer due to violations of the duty to inform.

Furthermore, violations of the Consumer Protection Law may result in fines and additional administrative sanctions ranging from between 2,000 to 3,500 UCF. These sanctions can include the seizure or destruction of goods, bans on manufacturing or distribution, and the temporary or permanent revocation of licences related to the activity or establishment.

Q 5. Are there any relevant policies, strategies or regulations applicable to platform-to-consumer relationships in your jurisdiction? What are the main obligations of the platform providers?

Angola's Consumer Protection Law does not contain provisions on digital platforms, nor the relationships between platforms, traders, suppliers and consumers. Nevertheless, the general provisions on consumer protection are applicable. Emphasis should be placed on the provisions related to abusive contractual clauses and abusive commercial practices, as these are crucial in regulating the relationship between consumers and online platforms, as well as between consumers and traders.

Q 6. Are there alternative dispute resolution mechanisms available for consumers in your jurisdiction? How are they implemented in the metaverse?

In Angola, alternative dispute resolution mechanisms are primarily facilitated through the Centre of Alternative Dispute Resolution (Decree Law No 230/14) of the Ministry of Justice. This centre provides services including support for accessing justice, legal counsel, mediation, conciliation and arbitration.

Additionally, the Law on Mediation and Conciliation of Conflicts (Law 12/16) regulates mediation and negotiation procedures. It sets out the processes and requirements for resolving conflicts through mediation and conciliation.



Furthermore, Angola has implemented the Voluntary Arbitration Law (Law 16/03), which allows for the use of voluntary arbitration as an alternative method of dispute resolution. This law enables the establishment of arbitration and dispute resolution centres, as outlined in the subsequent decree (Decree 4/06). These centres have broad jurisdiction and can handle disputes across various areas. However, they are not specifically tailored for consumer dispute resolution, and their fee structures may pose barriers to accessing such dispute resolution services.

Q 7. Are there any upcoming policies, strategies or regulations that will impact digital marketing in the metaverse in your jurisdiction?

There are no upcoming policies, strategies or regulations affecting digital marketing in the metaverse in Angola.

Q 8. Are there any upcoming policies, strategies or regulations that will impact consumer protection on the metaverse in your jurisdiction?

There are no upcoming policies, strategies or regulations affecting consumer protection in the metaverse in Angola.



Jurisdiction and governance

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Q 1. Are there any upcoming policies, strategies or regulations setting out rules on how to identify the governing law in the metaverse?

Even though Angola has not yet established new policies, strategies or regulations specifically addressing the governing law in terms of the metaverse, there are existing international private law rules that could potentially be applied, albeit to a limited extent.

The Angolan Civil Code contains a series of rules on conflict of laws. More specifically, the Civil Code affords contracting parties the option to select the applicable law, albeit subject to certain limitations. The chosen law cannot be fraudulent or intended to circumvent obligations, nor can it permit the application of rules conflicting with the fundamental principles and rights of Angola's legal system. Additionally, the choice of law must be based on a reasonable interest, demonstrating some correlation to either the parties or the object of the contract.

In the event that the parties do not select a law or if the choice is deemed invalid for the aforementioned reasons, the Civil Code offers two supplementary criteria: (1) the habitual residence of both parties; (2) the place where the contract was concluded. However, these criteria may not be easily identified in certain metaverse disputes.

Furthermore, the Regulation of Technologies and Information Society Services includes a provision which may compel the application of Angolan law to intermediary service providers under specific conditions.

Q 2. Are there any upcoming policies, strategies or regulations setting out rules on how to identify the jurisdiction in the metaverse? Is there any case law or are there any decisions by a regulator regarding determining jurisdiction in the metaverse in your jurisdiction?

Under Angola's Civil Procedure Code courts can have jurisdiction over matters if one of the following conditions is met:

- the action must be brought in Angola according to the rules of territorial jurisdiction established by Angolan law, and the fact which gave rise to the legal claim must have taken place within Angolan territory;
- if the defendant is a foreigner and the plaintiff is in Angola, the case can be tried in an Angolan court, provided the reverse situation allows an Angolan to be sued in the courts of the foreign state; or
- if the right being claimed can only be realised by bringing an action in an Angolan court, then there must be some significant personal or real connection between the action to be brought and Angolan territory.

Angolan's Civil Procedure Code adheres to the principle of the plaintiff's forum, but also allows parties to choose the competent court in the contract for any potential disputes arising from it, with some limitations.

Q 3. What are the regulators and government bodies tasked with ensuring compliance with the applicable laws in the metaverse in your jurisdiction?

In Angola, there are no regulatory bodies and government entities with enforcement powers dedicated specifically to enforcing compliance with the laws that govern the metaverse. However, as previously mentioned in other sections, such

as that in the chapter on data, there are regulators responsible for specific affairs and sectoral activities that may have the authority to ensure compliance within the metaverse.

Q 4. Are there any available dispute resolution mechanisms in your jurisdictions?

Please refer to our response on the matter in the chapter on digital marketing and consumer protection.

Q 5. How is arbitration implemented in the metaverse in your jurisdiction?

Please refer to our response on the matter in the chapter on digital marketing and consumer protection.

Q 6. Are there any upcoming policies, strategies or regulations regarding determining the governing law and jurisdiction in the metaverse in your jurisdiction?

There are no upcoming policies, strategies or regulations affecting the governing law and jurisdiction on the metaverse in Angola.