

Simplified Approval Process

Annex 9a: Legal due diligence



GREEN
CLIMATE
FUND

9.A Legal Due Diligence

PROJECT TITLE: Adaptation of agricultural production systems in Coastal Areas of Northwest Guinea-Bissau

ACCREDITED ENTITY: Sahara and Sahel Observatory (OSS)

Details of any government or regulatory approvals, licenses or permits required for implementing and operating the project/programme, the relevant issuing authority, and the date of issuance or expected date of issuance.

1. [Basic Law of the Environment \(No. 1 of 2011\)](#)
2. [Land Law \(No. 5/98 of 1998\)](#)
3. [National Water Code \(No. 5a of 1992\)](#)
4. Water Master Scheme (1997)
5. Letter of Agrarian Development (1997)
6. [Law on Environmental Impact Assessment \(EIA\) \(No. 10 of 2010\)](#)
7. [Regulation of Public Participation in Environmental Assessment Process \(No. 5 of 2017\)](#)
8. [National Development Plan for Guinea-Bissau \(Terra Ranka 2015-2025\)](#)
9. [National Adaptation Programme of Action \(NAPA, 2006\)](#)
10. [National Strategy for Poverty Reduction \(DENARP II/PRSP II, 2011\)](#)
11. [National Biodiversity Strategy and Action Plan \(2015-2020\)](#)
12. National Agriculture Investment Plan (NAIP, 2011, 2017)
13. Programme of Action to Fight Drought and Desertification (2006, 2011)
14. National Environmental Management Plan (NEMP) (2004)
15. Coastal Zone Master Plan (1993)
16. Environmental Assessment Act (2008)
17. Forestry Master Plan (2010)
18. Forestry Law (5/2011)
19. The Framework Law on Protected Areas (3/97, 1997)
20. Definition of the Targets for [the Land Degradation](#) Neutrality (NDT) (2018)

Describe applicable taxes (or exemptions thereof) and foreign exchange regulations related to the project/programme.

- ADPP-GB as the Executing Entity of the project in Guinea Bissau, has tax exemption on import as per the **General Cooperation Agreement with Guinea-Bissau Government, July 2017**, which states in Article 5, Line (c) that “ADPP-GB will benefit from an exemption on all materials and equipment purchased for the implementation of their projects. The vehicles will benefit from the temporary importation regime”
- The Article 8, line (b) states that the “Government ensures that all types of programmes, projects and activities developed by ADPP-GB mentioned in Article 2 c) of the General Cooperation Agreement are treated as integrated and separate or indivisible programmes, projects and activities of ADPP-GB and registered in the single tax register under **NIF 910000069** with which ADPP-GB is registered as a non-profit organization with the Ministry of Economy and Finance.”

- Furthermore, ADPP-GNB has an agreement with ORABANK in Guinea Bissau regarding the forex exchange rates. This agreement states the application of a fixed exchange rate of **655.957 XOF** for the Euro and the exchange rate of the day + 4 points for the USD.

Details of any insurance policies or requirements related to the project/programme.

- The project does not require specific insurance policies or requirements. However, the project is classified as CATEGORY C and all activities have undergone screening to identify whether they require insurance. During execution of the activities, attention will be given to cater for insurance needs where and when necessary and included in agreements with service and goods providers.
- OSS has a robust contractual procedure, which includes but not limited to a **No-Objection procedure** as well as a quality assurance and control mechanism to ensure all aspects have been taken into consideration during all execution.