

Regulations on the Use of Land and Other National Resources in the Free Trade-Industrial Zones

Chapter one: Definitions

Article 1

In these regulations, the following terms are used in lieu of the relevant phrases:

Country: The State Islamic Republic of Iran

Zone: Each of the Free Trade-Industrial Zones of the Islamic Republic of Iran

Authority: The Organization of each Free Trade - Industrial Zone of the Islamic Republic of Iran.

Regulations: The Regulations on the Use of Land and National Resources in the Free Trade-Industrial Zones of the Islamic Republic of Iran

Chapter Two: Ownership

Article 2

All the land located within the boundaries of each Zone which is owned by, or is at the disposal of the government shall be subject to these regulations.

Note

Lands and improvements to the Kish Development Authority, are hereby transferred to the Kish Free Zone and shall be subject to these regulations.

Article 3

Persons who have started construction or improvement on land after the general registration or in accordance with contracts concluded with the Authority before the entry into force of these regulations, shall have priority over others for the purchase or lease of land on which such constructions or improvements are located.

Article 4

Encroachment on land recognized as the property of the government shall be considered encroachment on state-owned land and the Authority, as the representative of the government, shall be obliged to

pursue the matter by instituting legal proceedings or through law – enforcement forces.

Article 5

By virtue of these regulations, all the rights related to the lands subject to the Law on Urban Land and the Law on Nationalization of Forests and Pastures as well as the Law on Preservation and Exploitation of National Forests and Pastures and the Law on improved and Coastal Lands, as located within the boundaries of a Zone, shall be exercised by the Authority.

Article 6

With respect to all land subject of Article (5) of these regulations, the relevant Registry of Deeds and Real Estate Office shall register in the Real Estate Registry state-owned land in the name of the government as represented by the respective Authority of the Free Zone and shall modify the previous documents accordingly.

Article 7

As from the date of approval of these Regulations, all the debts, rights and duties of the National Organization of Land and Housing and the Forests and Pastures Organization and entities whose names by the requirement of those regulations must be mentioned, with respect to the affairs of the natural resources lands, shall be assigned to the Authority.

Article 8

Any use of land is permitted within the framework of the master plan and the internal regulations of the Authority.

Note

As of the date of the approved master plan by the High Council of Free Zones, the Authority is empowered to issue permits for the land use in accordance with zoning plans.

Article 9

The sale and conclusive transfer of land to foreign nationals as well as to companies whose capital wholly or partially is owned by foreigners is prohibited.

Article 10

In the event that the National Land and Housing Organization has already entered into contracts with persons for transfer of land for housing purposes, the Authority is obliged to comply with the provisions of such contracts and wherever possible to assign to the applicant the same land or another land in replacement thereof in the event that the use of land is not designated for housing purposes. Advance payments made by an applicant to the National Land and Housing Organization shall be deemed as payment by the applicant and the balance of the price of the land shall be paid to the Authority.

Chapter Three: Miscellaneous Regulations

Article 11

The sale price of each square meter of land shall be determined by the Authority, taking into account the economic potential and Zoning designation of land in addition to the cost for preparation thereof such as division, leveling, excavation, street layout and drainage.

Article 12

Assignment of contracts for the sale or lease of land to others is authorized, upon obtaining permit from the Authority. Force majeure transfer are exempt from this rule.

Note

The transfer of the object of the contracts relating to assigning the land for housing purposes is authorized after the construction thereon and the issuance of the official title deed.

Article 13

Contracts assigning the land shall contain provisions stipulating the required period for commencement and construction of building; in the event that no action is taken within the set period, the Authority can abrogate the contract.

Article 14

Contracts between the Authority and the applicants are considered official documents; all the banks are obliged to accept such contracts as the equivalent of official documents and grant the relevant credit and legal facilities.

Article 15

As of the date of approval of these regulations, all the powers conferred upon the responsible ministers, powers relating to encroachment, unlawful possession and destruction of state-owned and coastal lands and peripheries thereto, in accordance with the Law on the Preservation and Exploitation of National Forests and Pastures, enacted in 1348, and the amendments thereto, and the Law on Emerging and Coastal Lands, as approved in 1354, as well as powers subject of Article (11) to (15) of the Law on the Protection and Amelioration of Environment, approved in 1353, which are vested in the Environmental Protection Organization, and also the special powers conferred, in such respects, upon other governmental organizations, shall be delegated to the Authority with respect to the land located within the boundaries of the Free Zones.

Article 16

Upon observance of all the laws approved in this field, the power to assign to natural or legal persons the right to exploit national resources is vested with the Authority.