

**Bylaws for:**  
**Awarding Activity License in the Field of Port, Marine and Shipping Services  
to a Foreign Company's Branch or Agency**

**Article 1:** By virtue of Paragraph 7 to Article 1 of the Executive Bylaw of Foreign Companies Branch or Agency Registration Permit Act, in compliance with provisions of the Foreign Companies Branch or Agency Registration Permit Act, enacted on 19 November 1997 by the Iranian parliament and the Executive Bylaw of the said Act, enacted on 31 March 1999 by the Board of Ministers, the activity of any foreign company branch or agency in the field of port, marine and shipping services requires the permission to be obtained from Ports and Maritime Organization.

**Article 2:** Port, marine and shipping services, subject of this bylaw are as follows:

- A- Shipping Representation
- B- Unloading and loading (unloading of hold, lightering, packaging and container operations)
- C- tallying on behalf of the shipping co.
- D- Procurement (water supply, fuel supply, food supply, laundry and gas supply)
- E- Rescue & salvage
- F- Diving
- G- Personnel recruitment and provision of Equipment .
- H- Pollution response and clean- up operation and collecting the vessel wastes
- I- Port Terminal operation

Note 1: Based on the observance of the Iranian nationals rights and specific nature of an operation, the organization may withhold the issuance of license for a specific activity for the foreign company branch or agency.

Note 2: The field of activity requested by the branch or agency must have been explicitly specified in the parent company articles of association.

Note 3: The issuance of an activity license shall be subject to carrying out activity in at least one other field.

**Article 3:** Foreign companies applying for running activity in the services stipulated in Article 2 of this Bylaw, must prepare a request including full particulars of the applicant, registration documents as well as branch or agency official gazette, the parent company articles of association, work record, type of the company, type of the field requested, available equipments and devices and other facilities and submit the same to the relevant department of Ports and Maritime Organization.

**Article 4:** Ports and Maritime Organization shall consider the applicant's request with observance of the provisions of this bylaw and it shall act in the following manner:

- A- Whenever the Ports and Maritime Organization does not deem advisable the activity of a foreign company branch or agency in the requested field, due to securing the Iranian Companies interests, or because of the specific nature of an activity, it shall proceed to notify the applicant that his request has been rejected. This shall not prevent the activity of the foreign company in other fields.
- B- In case the application lacks some documents, a notice shall be sent to the applicant, stating the documents which have to be completed. The applicant must then provide the missing documents within 30 days, otherwise his request shall be rejected by Ports and Maritime Organization.
- C- Whenever the Ports and maritime Organization decides that the activity of the foreign company branch or agency has no legal ban, it shall proceed with the issuance of the license upon identification of the accuracy of the submitted documents.

**Article 5:** The activity license shall be valid for 2 years from the date of issue and it may be extended with full observance of the provisions of this bylaw and fulfillment of the assignments as included in Article 11 for the similar periods.

**Article 6:** When the foreign company branch or agency fails to carry out activity in the subject field of the license for 2 consecutive years, his activity license shall not be extended in the said field under Note 3 to Article 2.

**Article 7:** Ports and Maritime Organization shall control the activity of foreign company branch or agency. The foreign company branch or agency shall follow all laws and regulations of the Islamic Republic of Iran as well as the circulars and directions issued and referred to by Ports and Maritime Organization.

**Article 8:** Foreign Companies who receive activity license under this Bylaw, must submit to the Ports and Maritime Organization a report from the annual performance of the branch or agency at the end of each Iranian calendar year, which report shall be filed in their case.

**Article 9:** Foreign Companies applying for activity license shall deposit an amount of RIs. 200,000,000 with Ports and Maritime Organization as a bank financial security for every field of activity for which they receive license.

Note: The said guarantee shall be in the form of a bank letter of guarantee, accepted by Ports and Maritime Organization.

**Article 10:** The manager or Head of the foreign company branch or agency shall have the following conditions:

- A- at least 25 years old
- B- Having no effective criminal records
- C- Non addiction to drugs
- D- Adequate knowledge of English language
- E- Holding at least a Bachelor's Degree Certificate
- F- Having at least 2 years of useful executive work record in the field requested

**Article 11:** In order to meet the applicant's requirements as Stated in Article 10 above, the applicant must provide the following documents to Ports and Maritime Organization:

- A- Clean record certificate issued by competent authorities of his concerned government, manager or president of the branch or agency, verified by Iranian Embassy in the said country
- B- Certificate of Drug Non-addiction issued by Iranian Competent Authorities
- C- Authentic English Certificate for the manager or president whose mother tongue is not English
- D- Verification by State bodies or public organs of the manager or president 's concerned country regarding useful work record, approved by the Iranian Embassy in the Said country,

Note: In case the manager or president of the foreign company branch or agency is a national of Iran, the requirements stipulated in Paragraph 2 to Article 4 of the Bylaw for issuance of license and type of activity of shipping agencies shall be applicable.

**Article 12:** Foreign Companies who receive activity license under the provisions of this Bylaw, are bound to carry out other tasks as stipulated in the Bylaw for Establishment of Marine Transport Agency Companies and Institutes, approved by State Transportation Coordination Higher Council and the subsequent amendments thereof, for local companies and institutes. Any infringement shall be treated according to the provisions of the afore-said bylaw.

**Article 13:** This bylaw, including 12 Articles and 5 Notes, was adopted by State Transportation Coordination Higher Council on this 1<sup>st</sup> day of February of the year 2005.