

Regulation No. (7) for the Year 2001
Regulation for the Sale and Lease of Lands in the
Aqaba Special Economic Zone

Issued in accordance with Articles (44) and (56) of the Aqaba Special Economic Zone
Law No. (32) for the Year 2000

Article (1)

This Regulation shall be known as the (Regulation for the Sale and Lease of Lands in the Aqaba Special Economic Zone for the Year 2001), and shall come into effect as of the date of its publication in the Official Gazette.

Article (2)

The following words and phrases wherever used in this Regulation shall have the meanings ascribed thereto hereunder unless the context indicates otherwise:

Law	: The Aqaba Special Economic Zone Law.
Zone	: The Aqaba Special Economic Zone.
Authority	: The Authority of the Zone.
Board	: The Board of Commissioners.
Chief Commissioner	: The Chairman of the Board.
Registered Enterprise	: The person registered with the Authority and licensed to conduct any economic activity in the Zone according to the provisions of the Law.
Developing Entity	: The financially and technically qualified entity for developing or managing the Zone, or the company to be established for this purpose according to the provisions of the Regulation for the Development and Management of the Aqaba Special Economic Zone.
Lands	: The lands owned by the Authority or the lands owned by the Registered Enterprise by any means, as the case may be.

Article (3)

The right of the Developing Entity in purchasing and renting Lands from the Authority in the Zone shall be subject to the conditions of the development contract concluded with the Authority in conformity with the provisions of the Law.

Article (4)

Selling or leasing Lands in the Zone shall be subject to the bases of zoning of lands and buildings approved by the Board according to the provisions of Article (43) of the Law.

Article (5)

The Board may sell or allocate any of the Authority's Lands to governmental bodies and worship homes.

Article (6)

- A- The Board shall resolve the submitted purchase or lease applications within twelve working days from the date of their submission.
- B- The Board shall notify the applicant in writing of its decision issued with regard to the application.

Article (7)

Whoever title of Lands passes to by any means according to the provisions of Paragraph (A) of Article (44) of the Law, shall not dispose of such except according to the provisions and purposes stipulated therein.

Article (8)

- A- Whoever purchases Land from the Authority to establish any project thereon shall undertake to complete such project within the period specified by the Authority, provided that such period does not exceed three years from the date of purchase, unless the Board approves the extension thereof for the period deemed necessary, provided that the extension shall not exceed two years, for one time, and is on a case-by-case basis.
- B- The Board may decide to grant the purchaser a period not exceeding nine years to complete the project if the nature of such project requires execution through phases, provided that the Board specifies in its decision the period necessary for executing each phase considering it as a separate project.
- C- If the periods stipulated in Paragraphs (A) and (B) of this Article are exceeded, the Authority shall be entitled to reclaim the Land according to the provisions of Article (14) of this Regulation.
- D- For the purposes of this Article, “establishment of the project” shall be taken to mean “completion of the execution of the project and the preparation for its operation”.

Article (9)

The Authority or the Developing Entity shall, as the case may be, obtain the approval of the Council of Ministers if the area of the Land to be sold for one or several juridical persons affiliated with one person exceeds 100 Dunums whether such sale is concluded in one contract or more.

Article (10)

- A- Any lease contract to be concluded with the Authority shall include the following:
 - 1- Determining the rent and method of payment.
 - 2- Determining the objectives for which the lessee is prohibited to use of the leased property, the violation of which shall be considered a reason for evacuation or compensation.
 - 3 - The guarantee to be provided for the compensation for damages caused by the lessee in violation of the provisions of this Regulation and the contract.
 - 4- The right of the Authority to acquire the facilities, plants, additions and any improvements on the leased Land after the termination of the lease contract for any reason, or the right to ask the lessee to remove all or any of the aforementioned within a specific period, through a notice served by the

registered mail provided that such removal shall be on the lessee's expense and without obtaining a court order.

- B- Where the lease contract stipulates a certain renewable period, any of the contractual parties must notify the other, in writing, of its wish not to renew the contract at least three months prior to the date of its expiration or the period of its renewal. Otherwise, the contract shall be renewed automatically under the same terms unless the parties agree to modify such.
- C- The forms of the Land lease contracts shall be determined pursuant to instructions issued by the Board.

Article (11)

Without prejudice to the provisions of the contract concluded with the Authority, the Board may allow the lessee to sublease the leased Land or any part thereof, according to the following conditions:

- A- The lessee shall pay, prior to subleasing, all amounts due to the Authority until the date of leasing the Land to a third party.
- B- The term of the subcontract signed between the lessee and the third party shall not exceed the remaining period of the lease contract concluded between the lessee and the Authority. If the term of the subcontract exceeds such, it shall be limited to the remaining period.
- C- The third party shall not use the subleased Land except for purposes of establishing the agreed upon projects, provided that the provisions of zoning are taken into account.

Article (12)

Sale and lease of the Lands of the Authority shall be through auctioning unless the Board decides otherwise for justifiable reasons, provided that the auctioning procedures are undertaken according to the instructions issued by the Board for this purpose.

Article (13)

The Authority shall monitor the compliance of any person, who was contracted with for purposes of selling or leasing any of the Lands, according to the conditions of the contract and the provisions of this Regulation.

Article (14)

Where the provisions of Articles (7) and (8) of this Regulation are violated, the Authority shall have be entitled to take any of the following procedures according to instructions issued by the Board for this purpose:

- A- After notifying the purchaser, reclaim any of the Lands which was owned by it against the price received from the purchaser for selling the said Land, or against the like price at the time of the reclaiming, whichever is less.
- B- 1- Remove any facilities on the reclaimed Land at the purchaser's expense, unless the Board deems that the public interest requires purchasing of such against the like price.

- 2- Where the violator does not remove the violation within the period set by the Authority for this purpose, the Board shall undertake necessary procedures to remove the violation on the expense of the violator.

Article (15)

The Board shall be entitled to form special committees for consultations therewith on the assessment of the selling prices of Lands, rental rates, or any other matter. The formation of these committees, their functions and all other matters related thereto shall be determined in accordance with instructions issued by the Board.

Article (16)

Without prejudice to any contract concluded for the management and development of the Aqaba Marine Park, it shall be prohibited to dispose of the Lands located in the Aqaba Marine Park area.

Article (17)

For the purposes of implementing the provisions of this Regulation, the Authority may take the necessary arrangements with relevant entities, particularly the Lands and Survey Department, for purposes of facilitating the execution of the decisions of the Board regarding the sale, apportionment, mortgage and dismortgage, ratification of records, collection of fees stipulated in the Law and any other procedures related to the registration of Lands.

Article (18)

Whoever violates the provisions of this Regulation shall be punished with the penalties stipulated in Article (54) of the Law, in addition to the administrative penalties or measures taken against the violator in accordance with the provisions of this Regulation.

Article (19)

The Board shall issue the instructions necessary for implementing the provisions of this Regulation which shall be published in the Official Gazette.