

THE SPECIAL ECONOMIC ZONES
(AMENDMENT)
REGULATIONS, 2021

1. These Rules may be cited as the Special Economic Zones (Amendment) Regulations, 2021.
2. Regulation 2 of the Special Economic Zones Regulations, 2016 hereinafter referred to as “the principal Regulations” is amended —
 - (a) by inserting the following new definitions in proper alphabetical sequence—

“special economic zone business permit holder” means a person issued with a Special Economic Zone Business Service Permit;

“special economic zone investor” means an individual or business licensed by the Authority to carry out business as a developer, operator, enterprise or business permit holder within a special economic zone;

“special economic zone resident” means any individual who resides within a special economic zone and has been registered as a resident by the Authority, developer, operator or enterprise;

“special economic zone visitor” means any individual who has been issued with a pass in accordance with regulation 50(E) to be temporarily present in the special economic zone;

“special economic zone worker” means any individual working for a developer, operator, enterprise or resident, whether as an employee or independent contractor;
 - (b) in the definition of “special economic zones end user” by deleting the word “and” immediately after paragraph (e);
 - (c) inserting a new paragraph immediately after paragraph (e); (f) “special economic zones business service permit holders”, and
3. Regulation 11 (1) of the principal Regulations is amended by inserting the following new sub paragraph immediately after sub paragraph (d)—
 - (da) evidence of the capability to finance the planned development outlined in the feasibility study which may include but not limited to financial analysis, track-record, organizational systems and procedures;
4. Regulation 13 of the principal regulations is amended by inserting ‘(1)’ after ‘13’
5. Regulation 13(1) of the principal Regulations is amended;
 - a. by inserting, in subsection, ‘(a)(i), “as provided for under the First Schedule,” after, ‘environment’.

6. Regulation 13(2) is amended by deleting this Regulation in total.
7. Regulation 14 of the principal Regulations is amended by deleting paragraph (3) in total.
8. Regulation 19(5) of the principal Regulations is amended by; deleting, ‘in the Gazette’
9. The principal Regulations are amended by deleting regulation 20 and substituting with the following regulation;
 20. A person intending to apply for a special economic zone developer or operator licence shall make an application to the Authority in Form A as provided in the Third Schedule.”
10. Regulation 21 of the principal Regulations is amended,
 - a. In subsection (1) by inserting; ‘as provided for under Eighth and Ninth Schedules’
 - b. In subsection (2) by; deleting ‘agreement’ and, inserting, ‘respective licence’ after ‘described in the ‘,
 - c. Insert a new subsection,
 - (2a) The Developer ‘s and Operator’s licence shall be renewable annually upon application using Form A as provided for under Third Schedule.
 - d. In subsection (3) by; inserting, “eligible for renewal’ after ‘remain’ and deleting, ‘valid ‘.
 - e. In subsection (4) by; deleting this section and replacing with;
The standards and procedures for suspension, revocation and reinstatement of respective licences shall be as detailed in the licences.
11. Regulation 26 of the principal Regulations is amended by deleting paragraph (1) and substituting with the following:
 - (1) A person intending to apply for:
 - (a) a special economic zones enterprise licence shall make an application to the Authority in Form B provided for under the Fourth Schedule; and
 - (b) an applicant for a business service permit may make an application in Form C as set out in the Seventh Schedule.
12. Regulation 28 of the principal Regulations is amended in paragraph (1) by;
 - (a) Deleting the words “publish a’ and substitute with the words “review the’;
 - (b) Inserting the words; “as provided for under the Second Schedule,” immediately after the word ‘activities’.
13. Regulation 30 of the principal Regulations is amended in;
 - (a) subsection (a) by inserting the words “as provided for under the Fifth Schedule,” after the word “enterprises”; and
 - (b) Subsection (c) by inserting the words “as provided for under the Sixth Schedule,” after the word “purposes”.
10. Regulation 32 of the principal Regulations is amended —
 - (a) in paragraph (1) by deleting sub-paragraphs m,n,o,p,q,r and s;

- (b) by inserting a new sub-paragraph (m) as follows:
 - “(m) any other services as deemed necessary by the Authority”.
- (c) by inserting the following new paragraph immediately after paragraph (1) —

(2) The Authority may enter into service-level agreements with government or private entities to effect the following —

- (a) ensure availability of representatives dedicated to the one-stop shop from other relevant government entities;
- (b) ensure that all representatives from other relevant government entities receive the necessary training and possess the technical competence to fully resolve all submissions that require resolution by their respective entities;
- (c) offer utility services and assistance, whether provided by government or private entities through the one-stop shop. including but not limited to connection and payment services, via website, phone, email and through in-person representatives at on-site service centres.

11. Regulation 34 of the principal Regulations is amended by;

- (a) deleting the word “residents” and substituting with the words “end users” “;
- (b) inserting the words “as appropriate” immediately after the words “shall”;
- (c) in paragraph (c) by inserting the words “or registration granted” immediately after the word “issued”;
- (d) in paragraph (d) —
 - (i) by inserting the words “ or permit” immediately after the words “ date the licence” ;
 - (ii) by inserting the words “ or permit” immediately after the words “ in the licence”;
- (e) in paragraph (j) by inserting the words “operator or developer” immediately after the word “enterprise”.

12. Regulation 38 of the principal Regulations is amended;

- a) in paragraph (1) by inserting the expression “, any relevant national government agency” immediately after the word “planning”.
- b) In paragraph (4) by deleting the paragraph in total.

13.0 Regulation 39 of the principal Regulations is amended;

- a) in section (1) by deleting, ‘within one year of its operationalization’.
- b) by deleting section (3) in total.

14.0 Regulation 40 (1) of the principal Regulations is amended by the section in total and replacing with; ‘Requirements relating to; Building Code, development and construction permits, certificates of occupancy, procedures and criteria for the approval of development and construction works for special economic zones shall satisfy the conditions set out by relevant Government agencies’.

15.0 Regulation 41 of the principal Regulations is amended in paragraph (2)(b) by deleting the word “enterprises” and substituting with the words “end users”.

16. Regulation 42 of the principal Regulations is amended by deleting, paragraphs (1) and (2).

17.0 Regulation 43 of the principal Regulations is amended by deleting paragraph (7).

18. Regulation 44 of the principal Regulations is amended by deleting paragraph (5).

19. Regulation 45 of the principal Regulations is amended by deleting paragraph (4).

20. The principal Regulations are amended by deleting regulation 46.

21. Regulation 47 (2) of the principal regulations is amended by deleting the words, ‘Á special economic zone’, and replacing with ‘Án

22. The principal Regulations are amended by inserting the following new Part IXA immediately after Part IX —

PART IX A – CONDITIONS FOR ENTRY INTO SPECIAL ECONOMIC ZONES

- 50A. (1) Access to a special economic zone is restricted and shall be subject to the —
- (a) presentation of a special economic zone pass at the entry point of the special economic zone;
 - (b) terms and conditions applicable to the respective special economic zone pass.
- (2) The developer in collaboration with other end users , shall establish the type and form of special economic zone pass for —
- (i) special economic zone workers;
 - (ii) special economic zone visitors;
 - (iii) special economic zone residents; and
 - (iv) relevant government agencies staff.
- (3) A person who wishes to enter a special economic zone shall apply for a special economic zone pass in an application form formulated by the developer.
- (4) The holder of a special economic zone pass shall be subject to specific terms and conditions as may be determined by the issuing entity.

50B. (1) The special economic zone developer, shall grant a special economic zone worker’s pass to a worker of any nationality where the worker is legally employed by a special economic zone developer, operator, enterprise or business service permit holder.

- (2) An application for a special economic worker’s pass shall be accompanied by —
- (a) a certified copy of the worker’s employment contract; and
 - (b) any required authorizations relating to labour or immigration.

- (3) The issuing entity shall have the power to request for additional information and where necessary, summon the applicants and require the production of supporting documents before granting a special economic zone pass .
- (4) The issuing entity shall determine the validity of the special economic zone pass .
- (5) The issuing entity may revoke the special economic zone pass if the worker is in contravention of any provisions of the Act or these Regulations.

50C. (1) The developer in collaboration with other end users shall grant a special economic zone resident pass to special economic zone residents.

- (2) An application for a special economic zone resident pass shall be accompanied by a certified copy of a lease or other document validating a right to the residential property.
- (3) Where a special economic zone resident has acquired and maintained a special economic zone resident pass, the special economic zone resident's spouse and dependants shall be issued with individual resident passes during the period that the principal resident maintains his or her status as a special economic zone resident under these Regulations.
- (4) The resident pass shall allow holders access to their place of residence.
- (5) The issuing entity shall determine the validity of the special economic zone resident pass

50D. (1) The developer in collaboration with other end users may grant a special economic zone visitors pass to a special economic zone visitor.

23. The principal Regulations are amended by inserting the following new regulation immediately after regulation 53 —

- 54. (1) All persons intending to invest, in a special economic zone shall register with the Authority.
- (2) The developers shall for the purposes of this regulation maintain an up to date electronic register of all end users