



Circular No. 4 of 2021

Date: 6th May, 2021

Unauthorized expansion of infrastructure in demarcated zone

The Financial Services Authority (FSA) would like to draw the attention of its licensees licensed under the **International Trade Zone Act, 1995 (ITZ Act)** specifically looking at the **International Trade Zone Regulations, 1995** which stipulates all regulations that need to be adhered by all licensees.

The **International Trade Zone Regulations, 1995** covers all the necessary obligations that an ITZ licensee needs to comply with, which includes obligations in terms of infrastructure and expansion procedures under section 5(1) which states:-

“5(1) No person shall –

- (a) erect any building or other structure;*
- (b) lease any movable or immovable property’*

in a zone for the purpose of carrying business in the zone except with the permission of the Authority granted on application made to it in the form approved by the Authority.

(2) For the purposes of an application under subregulation (1), the Authority may –

- (a) inspect the site of the proposed building or structure or the property sought to be leased or the premises in which the business is carried on or sought to be carried on, as the case may be;*
- (b) require the submission of a site or building plan;*
- (c) require any alteration to the plan submitted under paragraph (b) to ensure compliance with the written laws relating to building or structures.*

(3) Permission granted under the subregulation (1) may be subject to such term and conditions as the Authority deems necessary.

(4) Permission granted under subregulation (1) shall not relieve the holder of the permit from compliance with any written law relating to buildings or structures.

(5) Any person aggrieved by a refusal to grant permission under subregulation (1) may within 30 days after the refusal is communicated to the person appeal to the Minister who may affirm or revoke the decision of the Authority.

(6) Where the Minister revokes the decision of the Authority on an appeal under the subregulation (5), the Authority shall comply with the decision of the Minister.”

The Authority believe it is imperative to bring to the attention to ITZ licensees of the above quoted regulations so as to remind the licensees of the due process that is required if they desire to make any alteration/expansions or any other changes to the demarcated zones.

If licensees do not comply with the above regulation, they will be subjected to written procedures under the ITZ Act. Thus, we urge our licensees to comply with the law accordingly through the procedures set in place.

Financial Services Authority