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In the name of the People,

The Revolutionary Command Council

Resolution No. (39)

Date : 15th. Dhulquida 1419 H.

3-3-1999 A.D.

In accordance with the provisions of Para.

(A) of Article (42) of the Constitution,

The Revolutionary Command Council have decided to promulgate the following law:

Law No. (4) of 1999

Agency of the Registration

Article - 1 -

This law aims at Organizing the agency of registration and developing it and promoting its standard through the way of securing the experience and specialization in a side of the advocacy's profession as a guaranty to the clients rights and facilitation the function of the authorities concerned.

Article - 2 -

The provisions of this law shall be valid on the practices of works relating to the registration of the companies, names, trade marks industrial samples, Patents, and whatever arising therefrom of the lawsuits and the procedures.

Article - 3 -

- 1- The registration agent shall specialize in the works connected with the registration's agency stipulated in Article (2) of this law.
- 2- It is not permissible to practise works of the Registration's agency except of whoever his name has been registered in a record of the registration's agents before the registrar of the companies in Ministry of Trade.

Article - 4 -

It is stipulated on the applicant of the registration to be:

- 1- An Iraqi residing in Iraq
- 2- A lawyer having absolute competence for a period not to be less than three years.
- 3- To be well known with straightness, good conduct, and has not been convicted with a crime derogatory to honour by a confirmation from Bar Association.
- 4- To be registered in the General Body of Taxes by presenting a confirmation of his remission of debt.
- 5- Should have an advocacy bureau specialized for him.

Article - 5 -

A committee shall be formed by an order from the minister in the name of (committee of granting licence of registration's agency) by a chairmanship of Director general of the Registration department and the membership of:

- 1- A representative (whose his post not to be less than a director) from each of the following authorities:
 - A- The Central Organization for Standardization and Quality Control.
 - B- Iraqi Industries Federation.
 - C- Iraqi Federation of Chamber of Commerce.
- 2- A representative of Bar Association; provided that he should be an agent for registration for a period not less than (5) five years.

Article - 6 -

1. A- The Committee shall consider in requests of Registration on the record within 30 Thirty days from the date of registering the date of registering the request by it, and it has the right to refuse the application by a causative decision to be informed in writing.
- B- Whoever his application is refused he shall have the right to submit a new request if the reason of the refusal has been refuted

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- 2- The committee shall consider in the contraventions resulted from application of the provisions of this Law.
- 3- The committee shall hold its sessions by attendance of all the members and its decisions shall be issued by the majority and subjected to the approval of the minister.

Article - 7 -

There shall be written off from the register by a decision from the committee, the name of whoever has lost one of the conditions stipulated in Article (4) of this Law .

Article - 8 -

The agent of registration should inform the department with address of his office and any changing occurred on it during (30) thirty days from the date of the registration or the changing.

Article - 9 -

- 1- The authorities concerned shall undertake to notify the department with the contraventions committed by the agent upon the provisions of this law, and the department should carry out the investigation on these contraventions.
- 2- The Contravener shall be referred by a decision from the Director General of the Department to the committee formed under Article (5) of this law.

Article -10-

Without prejudice with the penalties stated in the other laws, so the contravener to the provisions of this Law, shall be punished with one of the following penalties by a decision from the committee:

1. Admonition
2. Warning, which causing on him the deprivation from the liabilities (obligations) in any new act covered by the provision of this law for a period of (30) days as from the date of directing the penalty.

- 3 The deprivation from practising the work with the agency of registration for a period not less than (3) three months and not exceeding (2) two years.
- 4- Written off the name from register of the registrations' agents:

Article - 11 -

- 1- The agent may complain from the decision of the minister on the refusal of request of the registration or towards punishing him with a penalty of Deprivation or the writing off during (10) Ten day from the date of notifying him with the decision.
- 2- The minister may insist on his decision or amending it or reverting same by a causative decision.
- 3- If the minister does not decide in the complain during (30) Thirty days from the date of registration the complain in his office therefore it will be considered as virtually refusal .

Article - 12 -

The decision of Minister with the approval on the committee's decision of refusing request of the registration or by the Deprivation or by writing off shall be liable to objection before the Administrative Judicial Court during (15) fifteen days form the date of notification with the result of the complain actually or virtually

Article - 13 -

The Bar Association should be supplied with a copy of committee's decision or the court which has been acquired the final stage.

Article - 14 -

- 1- The agent should renew his licence during a period of (90) ninety days beginning from each year no matter how much was the date of granting or renewing the licence.
- 2- In case of not making the renewal during the period stipulated in Item (1) of this Article, therefore registrar of the

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companies should impose a fine amounting (100) hundred dinar for each delay day and for a period of not exceeding (90) ninety days.

3 If the agent delayed from renewing the licence after terminating the period stipulated in Item (2) of this Article, so, the registrar of the companies should cancel the licence.

4. It is not permissible to renew licence of the agent unless after payment the duties and fines imposed on him.

Article - 15 -

The licensed agent prior coming into force of this law, should renew registration of his licence during a period of (90) Ninety days from the date of its coming into force, otherwise his licence shall be deemed void.

Article - 16 -

Without prejudice to any penalty specified in any other law, there shall be punished with imprisonment for a period not exceeding a year, every person practises registration's agency without a licence or uses publications or signs, or any other means of propaganda, if these affairs shall induce the public to believe (creed) that he has right in exercising the agency of registration.

Article - 17 -

The following dues shall be collected from the agent:

- 1- (5000) Five thousand Dinar for registering his name in the record.
- 2- (300) Three thousand Dinar for renewing his name in the record.

Article - 18 -

The Law of Practising Profession of Registrations' agents No. (60) of 1955 shall be repealed.

Article - 19 -

The Minister may issue instructions to facilitate execution of provisions of this Law.

Article - 20 -

This law shall become effective after elapsing 90 Ninety days as from the date of its publication in the Official Gazette.

Saddam Hussain

Chairman of the

Revolutionary Command Council

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