
Commercial Agency Law

No. 120/1982
With Its Executive Regulations

May 2008

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Commercial Agency
And Certain Mediation Activities

In the Name of the People;

The President of the Republic;

The People's Assembly passed the following Law and it is hereby promulgated;

Article 1

The provisions of the attached Law on commercial agencies and certain mediation activities shall be enforced.

Article : 2

Law No. 107 of the year 1961 specifying certain provisions relating to the organization of commercial agency operations, Law No. 93 of the year 1974 on the Right of the Citizens to Represent Foreign Firms and Law No. 117 of the year 1975 regarding the fees of registration in the commercial agents register shall be cancelled and so shall be any provision violating any of the provisions of the present law.

Article : 3

This law shall be published in the Official Journal and shall be enforced after nine months as of the date of its publication.

This law shall be stamped with the seal of the State and shall be applied as one of its laws.

Issued at the Presidency of the Republic on 6 Shawwal 1402 (Islamic Calendar), corresponding to 26 July 1982 (Gregorian Calendar).

Hosni Mubarak

Law On Commercial Agencies And Certain Mediation Activities

Chapter — I

GENERAL PROVISIONS

ARTICLE (1)

For the purposes of this law a commercial agent shall mean any natural or juridical person who ordinarily, without being bound by an employment contract or service - rendering contract, offers bids, concludes purchase sale or lease or renders services in the name and for the account of producers, merchants, distributors or in his own name but for the account of any of these people.

The commercial mediator shall mean, for the purposes of this law, the person whose activity shall be confined-even if he executed only one transaction, to looking for a contractor or negotiating with such a contractor to convince him to conclude a contract and also any person who shall carry out an operation of commercial mediation agency even if he is not accustomed to such operations and only carrying it for once or if this person has concluded an employment contract with the manufacturer, the merchant or the distributor.

ARTICLE (2)

Without prejudice to the provisions of Law No. 34 of the year 1976 in respect of commercial registration, any commercial agency or commercial mediation activity shall not be practiced except by a person whose name is recorded in the register for commercial agent and mediators prepared to this effect at the Ministry of Economy and Foreign Trade.

ARTICLE (3)

Recording in the register stipulated in the preceding article shall not be effected except after fulfilling the following conditions

First: Natural Persons

- A) He shall be of Egyptian Nationality. If he has acquired the Egyptian nationality, a period of at least ten years shall have elapsed as of the date he acquired the Egyptian Nationality,
- B) He shall be fully qualified.
- C) He shall be of good reputation, not sentenced in connection with a felony or was liable to a freedom restricting penalty because of a crime of dishonour, dishonesty or any of the crimes stipulated in the present law or in the laws of importation, exportation, foreign exchange, customs, taxes, supply, companies or trade unless he has been rehabilitated.
- D) He shall not have been declared bankrupt, unless he has been rehabilitated.
- E) He shall not be a civil servant nor works in any of the local government units, public organizations or the public sector companies and units. As regards to the former officials of such organs, two years at least shall have elapsed after quitting service due either resignation or any disciplinary reason.

He shall not be a member of the People's Assembly, the Shura Council or any Municipal Councils nor shall be dedicated to political work. Such prohibition shall be valid during the period of his membership or dedication unless he has been practicing such activity before his membership or dedication.

- G) He shall not be a relative of first degree to a person occupying a political position or a person of the categories stipulated in the preceding item.
- H) He shall not be a first degree relative to any of the principal officials of the State occupying the post of director general or those of higher portions, or those occupying the same positions from among the members of purchase, sale and adjudication committees or in any of the bodies referred to in item (E) above.

SECOND: COMPANIES

The Company's head office shall be in Egypt.

- (A) Acting as an agent or carrying out commercial mediation operations shall, according to the company's articles of incorporation or statutes, be among its purposes.
- (B) The company's capital- shall be completely owned by Egyptian partners provided that ten years shall have elapsed, in case they have acquired the Egyptian nationality.

In case the partner is a juridical person, it shall be of an Egyptian nationality and most of its capital shall be owned by Egyptians, otherwise ten years at least shall have elapsed since they acquired the Egyptian nationality.

- (C) All joint partners, managers or members of the board of directors of joint stock companies, as the case may be, shall fulfill the conditions stipulated in item (A) of the present article.
- (D) The capital in case of partnerships shall not be less than twenty thousand pounds (LE. 20,000) and this shall be proven by the last balance sheet submitted by the firm to the Taxation Authority for the previous financial year, or the firm may otherwise submit a certificate issued by one of the accredited banks proving the deposit of the said amount in case the company has already started its activity.

The Public sector companies shall be exempted from the provisions stipulated in items (c) and (d) above in case the importation operation shall be related to their activity.

The limited liability companies shall, in the application of the provisions of the present law, be treated in the same way as partnerships,

ARTICLE (4)

The following procedures shall be adopted with regard to recording in the register of commercial agents and mediators:

- (a) The contract of commercial agency or mediation, as the case may be, shall be submitted, provided such contract shall detail the nature of the work of the agent or mediator, the responsibility of the contracting parties, the percentage of commission agreed upon, and the conditions of its payment, in particular the currency for payment.
- (b) As regards the foreign companies or the bodies issuing the agency, the contract shall, in addition to the preceding conditions, be notarized by the concerned chamber of commerce or the official body replacing such chamber and shall be ratified by the competent Egyptian consulate. The contract shall also stipulate an obligation on part of the foreign company or body to provide such consulate with every agreement including any amendment to the contracts data.
- (c) The foreign company or body shall not have as a trade agent one of the companies belonging to the public sector unless such agency contract has not yet terminated.

ARTICLE (5)

The executive regulations shall specify the following:

- (A) The measures and documents required for recording, renewing or amending any data contained in the commercial agents and mediators register.
- (B) Dues to be paid in return for recording, renewing or amending any data or for giving true copies of the registration sheets shall not exceed the following rates :

L.E. 1000	registration deposit.
LE. 500	dues of registration for the first time.
L.E. 200	dues of renewal.
L.E. 20	dues for amending the data of registration.
L.E. 10	a copy extract.

In case the agent or the mediator obtains another agency, only the dues stated for amending the data of registration shall be accrued.

³ Corrected by the rectification issued in the Official Journal, issue No. 42 — dated 21/10/1982,

On the renewal of registration, only one fee shall be due even if the registration was for more than one agency.

The commercial mediator, in case he concluded an employment contract with the manufacturer, the merchant or the distributor, shall pay only one half of the amounts determined in the present article.

ARTICLE (6)

Registration shall be renewed every five years as of the date of recording or as of date of the last renewal, provided the application to this effect shall be submitted ninety days before the expiration of the period above-mentioned. However, such application may be accepted within the ninety days following the expiration of validity in case the applicant pays the amount specified in double.

The registration of the Commercial agent or mediator shall be cancelled in case he fails to submit the application for renewal within the period of ninety days referred to.

ARTICLE (7)

Foreign companies or institutions shall not be allowed to establish scientific, technical, consultative office or other offices unless such companies and institutions have a commercial agent in Egypt in conformity with the provisions of the present law.

These companies, institutions or their offices referred to in the previous clause shall not carry out any commercial agency or mediation operations except through the commercial agent or mediator recorded in the register stipulated in article (2) of the present law.

ARTICLE (8)

The approval of the Ministry of Economy, which prepares a special register to record such offices, shall be obtained prior to the establishment of the offices referred to in the preceding article.

The executive regulations of this law shall specify the amounts to be paid for recording, renewing and amending the data in such register and

the currency used in paying these amounts, provided they shall not exceed the following:

- L.E. 1000 recording deposit.
- L.E. 500 recording dues.
- L.E. 200 renewal charges.
- L.E. 20 the amendment charges.

Chapter - 2

Obligations of Commercial Agents, Mediators And Others

ARTICLE (9)

The provisions organizing the rules of deducting for the account of the tax, and paying such tax as well as the penalties resulting from the violation of these provisions as stipulated under the Income Tax Law which is promulgated by law No. 157 of the year 1981, shall be applied to all natural and juridical persons, establishments of manufacturers, merchants or distributors as regards their dealings with commercial agents and mediators concerning the amounts paid to the commercial agents and mediators whether as a brokerage, commission, compensations or as any other form.

The executive regulations of the present law shall organize the procedures of notification, dates and measures for paying the deducted amounts for the account of the tax.

In case the proportion referred to in the first clause of the present article is not deducted, the entity failing to do so shall pay same to the Taxation Authority without prejudice to the right of such entity to claim the said amount from the party concerned.

In case the notification stipulated in the first clause of the present article is not sent, then the entities which paid the above-mentioned proportion shall be, together with the commercial agent or mediator as the case may be, responsible for the payment of the taxes, fines and compensations due on such proportion.

ARTICLE (10)

The commercial agent shall notify the competent department within the commercial agents and mediators register with each amendment to the data related to the commercial agency/agencies entrusted to him, in particular any amendment or separate agreement about the percentage of

the commission within at least thirty days as of the date such an amendment or agreement is made.

In case a commercial agent obtains an agency other than that recorded in the register, he shall record the new agency in the register stipulated in article (2) before starting activity based on such a new agency.

ARTICLE (11)

A commercial agent shall keep regular books of accounts that include true data, and he shall record in these books all the commissions due to him and the banks where such amounts are deposited.

He shall further advise the concerned department within the commercial agents and mediators register when he ceases the activity of commercial agency within (30) thirty days as of the date of such cessation.

In this case the deposit shall be refunded to him.

ARTICLE (12)

Any person carrying out one of the activities of the commercial mediation shall advise the Taxation Authority of all the amounts paid in return for such services within thirty days of the date of payment.

ARTICLE (13)

The ministries and departments thereof, local government units, public organizations and public sector companies and units shall, in case they have discovered in the course of carrying out their activities the existence of any commercial agency or mediation activities, advise the Taxation Authority to this effect within thirty days as of the date of such discovery, together with detailing the name of the agent or mediator, the work carried out by him, the amounts he received and in general all the information in this respect.

Chapter - 3

Provisions Related To Contracts Concluded By The Government And The Public Sector

ARTICLE (14)

The ministries and departments thereof, local government units, the general organizations and the public sector companies and units shall observe, when laying down the rules of contracting, that the bid shall stipulate the amount of brokerage or commission to be paid to the commercial agent or mediator in case of the bids adjudication, and the person(s) receiving this amount. Such amounts shall be deposited at the account of the people entitled to them with a bank operating in the Arab Republic of Egypt and under the Supervision of the Central Bank of Egypt in the currency agreed upon by the contracting parties.

The bodies referred to in the first clause of the present article may increase or decrease the bid's value as the case may be. This increase or decrease shall amount to the value of the commission or mediation, provided that these bodies shall pay to the commercial agent or mediator the commission or mediation fee, according to the conditions agreed upon.

ARTICLE (15)

The contracts concluded by ~~any~~ any of the parties referred to in the first clause of the preceding article and a foreign party shall stipulate that the foreign party shall notify the contracting party of all the amounts due in respect of this contract, whatever these amounts are, to a commercial agent, mediator or any other person, whether such amounts were due before, or after the conclusion of the contract, or associated with it. In case the foreign party fails, to send the said notification, the person received such amounts shall be responsible; together with the foreign party, for the payment of taxes, compensations and fines due in this respect.

Chapter – 4 **PENALTIES**

ARTICLE (16)

Without prejudice to a stricter penalty stipulated in any other law, a penalty of imprisonment for a period not less than six months and a fine not less than five hundred Egyptian pounds and not exceeding ten thousand Egyptian pounds or any of these two penalties shall be inflicted upon any person who practices the profession of commercial agency or carries out any activity of commercial mediation without being recorded in the register stipulated in article (2) of the present law.

The maximum limit of the penalty shall be reduced by one half in case of the infraction of the provisions of the second clause of article (10) of this law. The sentence of court shall result in the cancellation of the registration and the forfeiture of the deposit.

ARTICLE (17)

Without prejudice to a stricter penalty stipulated in any other law, the same penalty stated in the first clause of the preceding article shall be inflicted on any person who is recorded or his entry renewed in the register referred to in article (2) of this law on the basis of deliberately-reported untrue information concerning the fulfillment of the conditions of entry in the said register which are stipulated in article (3) of the present law.

His conviction shall result in cancelling his registration and forfeiting his deposit.

ARTICLE (18)

If any of the conditions stipulated in article (3) of the present law is not anymore fulfilled, and the commercial agent or mediator continues intentionally to practice his activity, he shall be liable for imprisonment for a period not more than six months and a fine not more than five thousand Egyptian pounds or one of the two penalties.

His conviction shall result in the cancellation of his registration and the forfeiture of his deposit.

ARTICLE (19)

In case any of the crimes referred to in articles (16, 17 and 18) of the present law is committed by any company, then the joint partner, the manager or the member of the board of directors in charge as the case may be, shall be liable to the penalties stipulated in these articles.

ARTICLE (20)

The sentences passed by the court of law as regards the crimes stipulated in articles (16, 17, 18 and 19) of this law shall be published in one of the daily newspapers and in the bulletin prepared by the competent department within the commercial agents and mediators register at the expense of the condemned person.

ARTICLE (21)

In case the commercial agent violates the provision of the first clause of article (10) of this law, he shall lose his right to recover the deposit, and he shall, within a period of thirty days as of the date of his being notified of forfeiting the said deposit by means of a registered letter with acknowledgment of receipt sent to his address kept by the competent department within the register referred to in article (2) of this law, pay double the stated deposit.

In case of repeating the violation of the provision of the first clause of article (10), the registration of such violator shall be cancelled by a decree of the Minister of Economy, and his right to recover the doubled deposit shall be forfeited.

ARTICLE (22)

The registration of the commercial agent or mediator shall be cancelled by virtue of a substantiated decree issued by the Minister of Economy in the following cases:

- (a) The violation of the provisions of clause one of article (10); paragraph one article (11) or article (12) of the present Law. The cancellation of registration in this case shall result in losing the right to recover deposit.
- (b) In case any of the conditions required for recording in the commercial agents and mediator register is not fulfilled by the commercial agent or mediator.
- (c) In case of the death of the natural person or the liquidation of the juridical person.

ARTICLE (23)

Any convict, with regard to any of the crimes stipulated in the present law, may not work at any firm or company exercising any of the activities of commercial agency or mediation. Moreover, the person whose entry in the register of commercial agencies and mediators is cancelled, in application of articles (21 and 22) of the present Law, may not be rerecorded in the said register unless five years have lapsed as of the date of canceling his entry. He may not during this period work in any capacity whatsoever in a firm or company exercising the activity of commercial agency or mediation, neither shall he be permitted to participate in the establishment or management of any company carrying out the activities of commercial agency or mediation.

ARTICLE (24)

The worker responsible for the violation of the provisions of article (13) of the present law shall be referred to a disciplinary committee and penalized accordingly if any.

In case the violation is proved to be deliberately committed and in participation with the commercial agent or mediator, such worker shall be jointly with the commercial agent or mediator, under the obligation to pay the tax dues, compensations and fines. This shall be effected without prejudice to a stricter penalty stipulated in any other law.

Chapter – 5

Concluding Provisions

ARTICLE (25)

The commercial agents and offices stipulated in article (7) of the present law practicing their activity upon the enforcement of this law, shall adopt the procedures stipulated therein for recording in the registers prepared for this purpose within the period specified in the executive regulations.

ARTICLE (26)

The officers supervising the enforcement of the provisions of this law, who are to be specified by a decree of the Minister of Justice in agreement with the concerned Minister, shall have the capacity of investigation officers to discover the violations of the provisions of the present law or the executive regulations.

ARTICLE (27)

The confidentiality of the data included in the commercial agents and mediators register shall always be observed. Persons other than those implementing the provisions of the present law may not review such data. Whoever reviewed, ex-officio, the commercial agents and mediators register, the data related thereto, the correspondence exchanged between the registration, amendment or renewal applicants and the competent department in the register referred to in article (2) of the present law, or between the said department and the commercial agents or mediators, shall observe the confidentiality of such data. In case of violating the aforementioned, the violator shall be liable to the penalty prescribed in article (310) of the penal code.

ARTICLE (28)

The executive regulations of this law shall be issued by a decree of the Minister of Economy and Foreign Trade within a period of four months as of the date of publishing this law in the Official Journal and shall specify, in particular, the validity of the registration period, provided this period shall not be less than one year and not more than five years.

The penalties resulting from the violation of the provisions of the present registrations shall not exceed a fine at a maximum of one hundred Egyptian pounds. The regulations shall also specify the cases where the cancellation of the entry from the register stated in article (2) shall be effected by means of a decree of the Minister of Economy for a period not exceeding three years.

Al-Waka e Al-Mesre a I Government Bulletin - Issue No. 27S (Supplement)

Dated 4 December 1982

& Foreign Trade

Ministerial Decree No 342 Of The Year 1982

On The

Executive Regulations

Of Law No. 120 Of The Year 1982 atin Law On

Commercial Agency And Certain.

Mediation Activities

As Amended B Decrees Nos. 111/2000 And 362/2005

Minister of Economy and Foreign Trade;

Having reviewed law No. 137 of the year 1974 stipulating certain provisions relevant to Importation, Exportation and Currency;

And law No. 118 of the year 1975 concerning Import and Export; And law No. 34 of the year 1976 regarding the Commercial Register; And law No. 157 of the year 1981 promulgating Income Tax Law ;

And law No. 159 of the year 1981 promulgating the Law on Joint Stock Companies, Partnerships Limited By Shares and Limited Liability Companies;

And law No. 120 of the year 1982 promulgating the Law on commercial agency and certain mediation Activities;

And the decree of the President of the Republic No. 1770 of the year 1971 establishing the General Organization for Exports and Imports Control;

And decree of. the Minister of Trade No. 1083 of the year 1961 by the Minister of Economy promulgating the executive regulations of law No. 107 of the year 1961 organizing commercial agency activities;

And decree No. 1036 of the year 1978 of the Minister of Trade regarding the unified decree concerning the executive regulations of the Law on import and export;

And upon the views adopted by the State Council.

DECREES THE FOLLOWING

CHAPTER: 1

General Provisions

ARTICLE (1)

The General Organization for Exports and Imports Control shall keep the following two registers:

- a) Commercial agents and mediators Register.
- b) Register for scientific, technical and consultative services offices of the foreign companies and firms.

ARTICLE (2)

The following categories shall be recorded in the register stipulated in item (a) of the preceding article:

- 1) The person who habitually submits bids, conclude purchase, sale or lease transactions or renders services in the name and for the account of producers, merchants or distributors or in his own name but for the account of any of such people, provided that he shall not be bound by an employment contract or a contract for leasing services.
- 2) The person whose activity is confined-even if he executed only one transaction - to looking for a contractor or negotiate with him to conclude a contract and any person who has carried out any of the commercial agency acts even for one time or concluded an employment contract with the producer, the merchant or the distributor.

ARTICLE (3)

Scientific, technical, consultative offices or any other service offices of foreign firms or companies shall be recorded in the register stipulated in item (b) of article (1) of the present executive regulations.

ARTICLE (4)

The party concerned shall mean the individual merchant or whoever shall be entitled to sign for and manage partnerships or limited liability companies, whether he was a partner, or an appointed manager, a chairman of the board of directors or his deputy or the manager in charge in the associations of capital as it is stipulated in the entry page of the concerned commercial register.

ARTICLE (5)

The person acting on behalf of the person concerned (the agent and mediator) shall be of Egyptian nationality and shall be authorized by virtue of a power of attorney. In case he is a civil servant, or works at any of the public organizations or authorities or in local

government units, such entity shall be notified.

ARTICLE (6)

Recording in the two registers above-mentioned shall be effected using the forms prepared for this purpose by the General Organization for Exports and Imports Control.

ARTICLE (7)

Whoever is recorded in one of the two above-mentioned registers, shall be handed a statement proving his entry on the form prepared for this purpose by the said Organization including his name, his registration number and commercial data.

ARTICLE (8)

The commercial agent or mediator already registered shall state his registration number in all his documents and correspondence.

ARTICLE (9)

CANCELLED

ARTICLE (10)

Producers, merchants and distributors from among natural or moral entities and firms shall advise the Taxation Authority of any dealings concluded between them and the commercial agents or mediators. Such advice shall be effected within one month after the date of paying the commission, brokerage, remuneration or any other amounts. The tax due on the said producers, merchants and distributors shall be deducted from such amounts according to the provisions of Law No.175 of the year 1981 and shall be paid to the Taxation Authority within three months as of the date of deduction.

ARTICLE (11)

The documents written in a foreign language which are required to be submitted with the application for recording in the register concerned shall be accompanied by an approved Arabic translation.

ARTICLE (12)

The commercial agency or mediator contract and the scientific, technical and consultative service offices authorization shall stipulate the geographic and commodity scope for the activity of the agent, the mediator or the office.

ARTICLE (13)

A foreign company having already one of the public sector companies as a commercial agent shall not issue a power of attorney to a commercial agent unless the agency contract of such public sector company terminates.

² Amended as D No. 84/1988, then cancelled as per D. No. 362/2005..

ARTICLE (13 Bis - 1)

Either party of the commercial agency contract may terminate the contract at any time according to the procedures agreed upon in the contract. However, compensation shall be due only if the contract was terminated without a prior notice or in an untimely manner. If the contract is for a specific period, the compensation shall not be due unless its termination was based on a serious and acceptable reason.

ARTICLE (13-Bis-2)

The principal may not terminate the indefinite agency contract with no error or default having occurred on the part of the agent in the performance of the contract, or else the principal shall be obligated to compensate the agent for the damage suffered thereby in consequence of the dismissal thereof and the termination of the agency contract. Any agreement to the contrary shall be void.

Likewise, the agent shall be committed to compensate the principal for the damage suffered thereby if the agent assigns the agency in an untimely manner and with no acceptable excuse.

ARTICLE (13-Bis-3)

In the event of the principal declining to renew the definite agency contract with no error or default having occurred on the part of the agent in the course of performing the agency contract, the principal shall be obligated to compensate the agent for the damage suffered thereby as a result of this, if the agent's activity had led to obvious success in promoting the commodity or in increasing the number of customers.

The Industrial Control Department shall approve the service or maintenance centers where the articles to be imported require an Egyptian commercial agent or a service centre in Egypt.

Added as per D. No. 362/2005.
Added as per D. No. 362/2005.
Added as per D. No. 362/2005.

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Chapter : 2

Recording In The Commercial Agents And Mediators Register

1... Article: 15-1

The application for recording in the register shall be submitted by natural persons to the General Organization for Export and import Control, on the form provided for this purpose, to which the following documents shall be attached, after settling the prescribed amounts and fees ⁶.

1) An approved official copy of the commercial agency or mediation contract including the nature of activity of the commercial agent or mediator, the responsibility of the contract parties, the percentage of the agreed commission, the conditions and the currency of its payment.

1-Bis⁷ If the agency had earlier been rescinded or struck off because of the agency having expired without being renewed or prior to the expiry thereof, it shall be required for the new agency to be registered that an evidence be provided that the compensation due whether to the principal or to the former agent as a result of the agency contract had been settled according to the provisions of the articles Nos. 13 (Bis) (1), 13 (Bis) (2) and 13 (Bis) (3), or that sixty days have lapsed with the former agent having not furnished the Authority with a copy of the notice of action or the arbitration request filed thereby to claim such compensation.

2) In case the agency shall be issued by a foreign company or body, the agency contract shall be notarized by the concerned chamber of commerce, or by the equivalent official body in the foreign country and approved by the competent Egyptian Consulate. The agency contract shall oblige the foreign company or body to provide the said consulate with any amendments to the data of this contract upon its introduction.

⁶ Substituted as per D. No. 111/2000.

⁷ Added as per D. No. 362/2005.

categories stipulated in the preceding item or holding a post of a general manager or above or one of those in equivalent positions from among the members of purchase, sales or adjudication committees in the government, public organizations or authorities, local government units or companies belonging to the public sector.

Article :

The application for recording in the register, with regard to the companies, shall be submitted on the form provided for the purpose, to which the following documents shall be attached, after settling the prescribed amounts and fees ^{1°}.

- 1) An extract from the company's commercial register detailing the company's head office and the activities of commercial agency or mediation.
- 2) An official copy of the company's articles of incorporation and the amendments introduced to it. As regards the joint stock companies, partnerships limited by shares and limited liability companies, also a copy of the company's Journal where the company's contract and statutes have been published.
- 3) A statement by the director in charge who has the right to manage and to sign on behalf of the company, board chairman or the managing director - as the case may be - proving that the company's capital is fully owned by Egyptian Nationals. In case one of the partners is a foreigner, then ten years shall have elapsed since acquiring the Egyptian nationality.
- 4) In case the partner is a corporate person, thus it shall submit documents proving that it is Egyptian and that the majority of capital is owned by Egyptians and that the specified period of ten years have elapsed since acquiring the Egyptian nationality, as regards those partners or shareholders of foreign origin.
- 5) The company shall submit the latest balance sheet submitted to the Taxation Authority for the preceding year in order to prove that its capital is not less than twenty thousand pounds. In case the company has already started its activities, then a certificate proving that such

¹⁰ Substituted as per D. No. 111/2000.

amount is deposited with one of the approved banks shall be submitted. The other documents required from an individual merchant shall also be submitted as regards all the joint partners, the chairmen of the board of directors, the managers, the members of the boards of directors and the founders.

Article : 17

Companies belonging to the public sector shall be relieved from submitting the documents stipulated in items (3, 4 and 6) of the preceding article in case the commercial agency or mediation is related to their activities.

Article : 18

Application for the renewal of registration shall be submitted on the form prepared for this purpose to the General Organization for Exports and Imports Control by the party concerned or his official agent during the period stipulated in article (6) of law No. 120 of the year 1982 referred to. The documents proving that the registration is valid shall be attached to the renewal application.

The amounts to be paid for the registration, renewal, amendment to data or reproducing copies shall be as follows

Article : 19

Description

Registration deposit

Registration for the first time

Registration renewal if the application is submitted within the prescribed period

Registration in case the application is submitted within the ninety days following the five years of the registration or its renewal

Registration amendment

Reproducing a copy

S. N.	Duty I LE.
1	1000
2	500
3	200
4	400
5	20
6	10

Article : 20

A commercial mediator shall pay only one half of the amounts specified in the schedule of the preceding article whenever he concludes with the producer, the merchant or the distributor an employment contract. Such contract shall be proved to exist by submitting its official copy accompanied by the social insurance card.

Chapter 3

The Registration Of Scientific, Technical And Consultative Service Offices Or Other Offices

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NQamaasomm

Article : 21¹¹

The Director in charge of the Scientific or Technical Office, or the Consultant or others of the foreign companies shall submit to the General Organization for Export and Import Control his application for the approval of establishing the office, on the form provided for the purpose, after settling the prescribed amounts and fees.

Article 22 1

The following documents shall be attached to the application for recording in the register:

. The approval of the General Organization for Exports and Imports Control as to the establishment of such an office.

An extract from the commercial agents and mediators register commercial at the said Organization proving that the company or the foreign entity desiring to establish the office has an Egyptian commercial agent.

Article : 23_J

The recorded services offices referred to shall be entitled to obtain document proving their entry in the register and the serial number of recording.

Article : 24

Entry in such register shall be renewed after a period of five years as of the date of recording or as of the last entry renewal.

A Substituted as per D. No. 111/2000.

Article : 25

The entry renewal application shall be submitted within the period of 90 days preceding the end of the five years referred to. However, the entry renewal applicant may within ninety days after the end of the said period of five years, submit his entry renewal application provided he pays the duties in double.

Article : 26

The entry of scientific, technical, consultative service offices or other offices shall be deleted from the register in case the agency contract in Egypt is terminated without renewal, or the agency capacity ceases for any reasons, or if any of the abovementioned offices shall exercise any commercial agency or mediation activities in a manner violating the laws in force.

article : 27^{1 2}

The service offices referred to may only be re-registered after the lapse of a period of not less than five years from the date on which their registration was struck off because of carrying out any commercial agency or mediation activities in a manner contrary to the provisions of the law.

Article : 28

The manager in charge of the office shall be fined a sum of L.E. 100 if he does not notify the General Organization for Exports and Imports Control of the termination or suspension of the agency within a period of 60 days after the termination or suspension of the agency.

Article : 29

The amounts to be paid on recording, renewing or amending the data in the register are specified according to the following table in terms of free American Dollars on basis of the declared exchange rates at the time of submitting the application, and the fractions shall be rounded up in favor of the said Organization.

¹² Substituted as per D. No. 362/2005.

S. N.	Description	Duty L.E.	In
I	Registration deposit	1000	
2	Registration for the first time	500	
3	Registration renewal if the application is submitted within the prescribed period	200	
4	Registration in case the application is submitted within the ninety days following the five years of the registration or its renewal	400	
5	Registration amendment	20	
	Re • roducing copies	10	

Chapter :

L - 7 Final provisio

Article : 30

The Organization shall issue a periodical comprising the court rulings issued in respect of the violations stipulated in articles (16, 17, 18 and 19) of Law No. 120 of the year 1982 referred to. The periodical shall elaborate therein, the names recorded in the two registers referred to in article (1) of the present decree and the entities they represent.

Article : 30 Bis ¹³

The registration of agency in the Commercial Agents and Mediators Register may, by a decree of the Minister of Foreign Trade and Industry, be struck off for a period of not more than three years upon violating provisions of articles Nos. 13 (Bis) (2), 13 (Bis) (3) and 15 (item 1) (Bi s).

Violators of the provisions of the articles provided for in this decree shall be liable to a fine of not more than one hundred pounds.

Article : 31

The commercial agents and mediators and the scientific, technical and consultative service offices or others operating at the time Law No. 120 of the year 1982 was promulgated, shall submit applications for being recorded in the two registers referred to within at most five months as of the date of publishing the present regulations.

Article : 32

This decree shall be published in Al-Wakaye Al-Mesreya / Government Bulletin and shall come into force as of the date Law No. 120 of the year 1982 is enforced on may 5 1983. All provisions contrary to this law shall be cancelled and so shall be the decree of the Minister of Economy No. 1083 of the year 1961 as of the date of enforcing Law No. 120 of the year 1982.

Dr. Mostafa Kamel Al Said
Ministry of Economy and Foreign Trade

**An Entry or Re-entry Application For Registration in The
Con Agents**

And mediators Register

*Source : The General Department for Commercial Agents and Mediators **Required Documents***

**First - Required documents for local merchant in the
Commercial Agents and mediators Register:**

1. A filled-up entry application (Form 10 Agents) signed by the person concerned before the competent clerk or by his proxy via a power of attorney or via an authorization on which the signature of the person concerned is legalized by an accredited bank.

An official certified copy of the commercial agency or mediation contract that includes the commercial agents or mediators nature of work / the geographic and commodity scope / the contracting parties responsibilities / the commodities subject of transaction / the applicable commission percentage, the terms of collection and currency thereof, in addition to the agent's commitment to notify the Egyptian consulates overseas of any amendments regarding the contract.

3 If the agency contract is issued by a foreign company or entity, it shall be certified by the chamber of commerce concerned or any other official body in the said foreign country and authenticated by the Egyptian consulate concerned. A translation of the contract shall be attached according to the applicable rules. The agency contract may not be issued by a foreign company that has an agent from among the public sectors companies, unless the said contract terminates.

4. Locally issued contracts (individuals — public business sector) shall be notarized by the Real Estate and Notarization Department, while contracts issued by governmental entities (public sector) shall only need the official stamp.

5. A valid extract from the entry sheet in Commercial Register certificate indicating that commercial agency is the core business of

- the agents scope of work.
- An 6. official certificate of experience in the field of commercial activities issued by the competent. chamber of commerce and authenticated by the General Federation of Chambers of Commerce only upon the first time registration.
- The 7. registration acknowledgement according to Ministerial Decree No. 362 of the year 2005_
- A 8. copy of a completely filled-up tax card and conformable to the commercial register data.
- A 8. copy of an identity document, a copy of the birth certificate, or a military status certificate. If the applicant is of a foreign origin, he shall submit a certificate proving his acquisition of the Egyptian nationality, provided ten 9. years shall have lapsed from the date of acquiring the Egyptian nationality (to prove his Egyptian nationality).
10. The approved resignation or service termination documents if the applicant used to work in a governmental entity, a public authority or institution, a local government unit or a public sector company and the applicant decides to resign or terminate the service and two years shall have lapsed as of the date of quitting work,
11. Declaration forms of the Commercial Agents and mediators Register shall be signed before the competent clerk by the person entitled to manage and to sign.

Note

1. In case of re-entry the above mentioned documents shall be attached to the security transfer application.
2. All copies of the required documents shall be enclosed with the original copies for verification.
3. Entries are valid for 5 years regardless the duration of agency contract, and shall be renewable every 5 years upon filing the entry renewal application within 90 days prior to the date of expiry to avoid paying double fees in case of renewal within the 90 days following the date of expiry, else the entry shall be revoked administratively.

Commercial Agents and mediators Regt_vk_ry

I. A filled-up entry application (Form 10 agents) signed by (the person concerned/ the director in charge / the board chairman / the managing director) before the competent clerk or by his proxy via a power of attorney or via an authorization on which the signature of the person concerned is legalized by an accredited bank.

An official certified copy of the commercial agency or mediation contract that includes the commercial agents or mediators nature of work / the geographic and commodity scope / the contracting parties responsibilities / the commodities subject of transaction / the applicable commission percentage, the terms of collection and currency thereof, in addition to the agent's commitment to notify the Egyptian consulates overseas of any amendments regarding the contract.

3. if the agency contract is issued by a foreign company or entity, it shall be certified by the chamber of commerce concerned or any other official body in the said foreign country and authenticated by the Egyptian consulate concerned. A translation of the contract shall be attached according to the applicable rules. The agency contract may not be issued by a foreign company that has an agent from among the public sectors companies, unless the said contract terminates.

Locally issued contracts (individuals — public business sector) shall be notarized by the Real Estate and Notarization Department, while contracts issued by governmental entities (public sector) shall only need the official stamp.

5. A valid extract from the Commercial Register indicating the company's headquarters and proving that the commercial agency or mediation is the core business of the company, and that the company's capital is not less than L.E. 20000.

6. An official copy of company's article of incorporation and all related amendments that are registered and publicized. in case of joint stock companies, partnership limited by shares and limited liability companies a copy of the companies journal in which the company's articles of incorporation and articles of association were published

shall be submitted, provided that such data shall be conformable to the commercial register data.

7. A copy of a filled-up tax card whose data is conformable to the commercial register data (public sector companies shall be exempted).

8. The company shall present the latest balance sheet submitted to the Taxation Authority for the preceding financial year, proving that the total company's capital exceeds L.E. 20.000 (Twenty thousand Egyptian pounds). In case the company has been established for one or more years and commenced its scope of work, a certificate indicating the deposit of the said amount at one of the certified banks in the name of the company shall be submitted (public sector companies shall be exempted).

9 An official certificate of experience in the field of commercial agency issued by the competent chamber of commerce and authenticated by the General Federation of Chambers of Commerce (public sector companies shall be exempted).

10 The following documents shall be submitted by all joint partners, directors, board chairman and members and other persons authorized to manage and to sign and whose names are listed in the commercial register (public sector companies shall be exempted):

a- Registration declaration according to the Ministerial Decree 362/2005.

b- A copy of an identity document — a certificate of birth or the military status certificate proving the nationality. If the applicant is of a foreign origin, more than ten years shall have lapsed as of the date of acquiring the Egyptian nationality. The said condition shall be applied to the partners of the companies in comrnen.dams while the limited liability companies shall be treated as the partnerships.

c- The approved resignation or service termination documents if the applicant used to work in a governmental entity, a public authority or institution, a local government unit or a public sector company, and two years shall have lapsed as the date of quitting work. (if applicable).

11. Declaration forms of the Commercial Agents and Mediators Register shall be signed by the authorized person before the competent clerks or a certificate of a legalized signature issued by the bank.

Note:

1. All copies of the required documents shall be enclosed with the original copies for verification.
2. Entries are valid for 5 years regardless the time duration of agency contract and shall be renewable every 5 years upon filing the entry renewal application within 90 days prior to the date of expiry to avoid paying double fees in case of renewal within the 90 days following the expiry date else the entry shall be revoked administratively.

Procedures of the Service Provision

1- Submitting documents according to Law No. 120 of the year 1982.

2- Verifying the documents.

3- Auditing and collecting duties.

4- Having a temporary number, then recording in the register with a permanent number.

5- Technical revision of the documents.

6- Copies of the cards.

7- Reviewing cards.

8- Receiving cards.

9- Keeping the file in the Archive.

10- Enter the cards to the computer.

Presidential Decree No. 1906 Of The Year 1974
Concerning
Certain Provisions Related To The
Commercial Aene

As Amended B Ministerial Decree No. 14/1976

The President of the Republic; Having reviewed the Constitution;

Law No. 107 of the year 1961 concerning certain provisions relate to the re-organizing of trade agency activities;

Law No. 93 of the year 1974 on the right of the citizens to represent the foreign companies, in the Arab Republic of Egypt upon the approval of the Cabinet;

And upon the view adopted by the State Council,

DECREES

Article

natural

Egyptian
and
corporate

persons who fulfill the following conditions may enter in the register of the commercial agency activities provided at the Ministry of Trade:

A) First: Natural Persons:

1. He shall be of an. Egyptian father.
2. His residence in the Arab Republic of Egypt shall complete five years prior to applying for registration. Egyptians working abroad by virtue of work permit or a decision from the competent authorities shall be excepted from this condition.
3. He shall have experience in the field of commercial agency. Such experience shall be evidenced by a certificate from the concerned Egyptian chamber of commerce or the concerned

professional association, provided it shall be approved by the Ministry of Trade.

4. He shall be capacitated, of a good reputation and no court sentences have been passed in connection with moral turpitude, unless he has been rehabilitated.

-14

. He shall not be a civil servant or works in a public authority, or in a public sector organization or company. Former workers in any of the above-mentioned organizations shall, in case of resignation, have left the service since two years at least.

6. He shall not be a member of the People's Assembly or devoted to political work, during the whole period of his membership, or the period during which he is devoted to political work, unless he was originally working in that field before membership .

7. He shall not be a first-degree relative of any civil servant or of a worker of public organization a public sector companies of senior categories and those in their status.

Second: Corporate Bod from anion ci private sector compai whether joint stock comualanies commendam or partnerships limited by shares:

¹⁵. The Capital of the company shall be fully owned by Egyptians of Egyptian fathers, and shall prove their residence in the Arab Republic of Egypt during the five years preceding their application for registration, except those who are working abroad with a work permit or by virtue of a decision of the competent authority.

2. The head office of the corporate body shall be in the Arab Republic of Egypt.

3¹⁶. The members of the board of directors and the managers shall be Egyptians, in partnerships limited by shares, joint stock companies or limited liability companies.

The directors and those in charge of

¹⁴ Substituted as per D. No. 14/1976.

¹⁵ Substituted as per D. No. 14/1976.

¹⁶ Substituted as per D. No. 14/1976.

managing partnerships or companies in commend= shall also be Egyptians.

4. Its purpose shall include exercising activities in the field of commercial agency in accordance with the company's articles of association or articles of incorporation.

Article : 2

the representation shall be conditional on:

1) The agency contract shall be concluded by the original producing or distributing company, and shall stipulate the company's responsibilities regarding the agent's representation of the company, in addition to the agent's commission.

2) The agency contract may not be concluded by a foreign company that has a commercial agent from among public sector companies unless the agency contract of the public sector companies is terminated.

Article : 3

The agent shall keep regular accounts comprising the commissions due to him and the banks where such commissions are deposited.

Article : 4

Public sector companies may participate in a joint activity to serve the agency purposes.

Article : 5

Foreign companies practicing a commercial activity may not establish offices for scientific, technical, consultative or other services , unless they have a commercial agency in Egypt and are recorded in a register provided for this purpose at the Ministry of Trade.

Article : 6 – I

The Minister of Trade, or whoever he mandates, may cancel, with justifying reasons, the entry of a commercial agent in the register, if such an agent has violated the country's laws or the commercial practises, or intentionally submitted false data.

Article : 7



This decree shall be published in the official journal and shall come into force as of the date of its publication.

Issued at the presidency of the Republic on 1 Zul Hija 1394 (Islamic Calendar) corresponding to 15 December, 1974 (Gregorian Calendar).

Anwar Al Sadat

Dated 16 December 1975

Ministerial Decree No. 733 Of The Year 1975

On The Powers Of Ad 'udication Committees

The Minister of Trade;

Having reviewed Presidential Decree No. 1752 of the year 1973 on the establishment and Organization of the Higher Council for Foreign Trade and the Decrees amending it; Presidential Decree No. 1906 of the year 1974 concerning certain provisions organizing commercial agency activities;

Presidential Decree No. 101 of the year 1975 organizing the Ministry of Trade;

The approval of the Cabinet at its meeting on 419/1974 And Ministerial Decree No, 499 of the year 1975:

D E C R E E S

Article a 1

Adjudication Committees shall not be authorized to accept any offer submitted by a foreigner, whether a natural or a judiciary person, unless the offer is presented through a public sector trading company or an Egyptian commercial agent entered in the commercial agents register and in the commercial register.

Article : 2

The offers of the beneficiary firms shall be submitted by a public sector company or an Egyptian commercial agent recorded in the commercial agents register or in the commercial register.

Article : 3

Ministerial Decree No. 499 of the year 1975 is hereby superseded.

Article : 4

The present decree shall be published in the official journal and shall come into force as of the date of its publication.

Issued on 17 Ragab 1395 (Islamic Calendar) corresponding to 26 July, 1975 (Gregorian Calendar).

Minister of Trade
Zakaria Tawfik bdel Fattali

Official Journal - Issue No. 5 - Dated 5th January, 1977

Ministerial Decree No. 1815 Of The Year 1977 Concerning The Procedures Of
Registration Renewal In The Commercial Agents And

The Minister of Trade and Supply;

Having reviewed Law No. 93 of the year 1974 on the Right of the citizens to represent
foreign companies in Egypt;

Law No. 117 of the year 1975 on the duties of registration in the commercial
agency activities registers;

And on the view adopted by State Council.

DECREES

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Article

Recording in the register of commercial agents and services offices shall to be
renewed every year on the date of registration or of the last renewal, the renewal
application shall be submitted within the last month preceding the end of the registration
period.

Article : 2

The renewal application shall be submitted on the form provided for this purpose in the
commercial agents and services offices section in three copies signed by the person
concerned in conformity with the established rules in the form, accompanied by the
receipts proving the payment of the fixed duty and the documents proving the
continuance with his agency of the delegating foreign companies.

Article

The renewal application must include LileLb911owinta a. Date and number of filing.



- b. The name and the title of the commercial agent and his trade name if he was a natural person or the name of the company and its commercial address if the agent is a company or if the registration is of a services office.
- c. The entry number in the register of agents and services offices, its date and date of the last renewal if applicable.
- d. The name, title and quality of the person concerned, and if a moral personality the trade name and the legal status .



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The forms shall be filled in Arabic and in clear handwriting without abbreviations or corrections, or erasing or deleting. Each addition or correction shall be mentioned in the margin along with the applicant's signature. The number of the added or deleted words shall be calculated and the competent official at the agents and services office register shall revise such addition or deletion and affix his signature thereto:
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An annotation shall be made on the right margin of register that the entry has been effected, in addition stating the number and date of the application. The date of renewal in the register shall be on the day following the end of the period of one year.

The applicant shall be given his due copy on which the registration renewal is proven.

Article 6

j

if the registration is not renewed during the 60 days succeeding the end of the year it shall be cancelled, provided that a notice has been given to the agent by a registered letter with acknowledgment of receipt within the first 30 days of the said time limit.

Article : 7

Without prejudice to clause 1 of article 5 of this decree, applications for renewal submitted by the registered agents shall accepted within 60 days from the date of publication of this decree After the expiry of this interval, the provisions of the two preceding articles shall be applied to the late applications and which have not been renewed until the publication date of the present decree.

Article : 8

This decree shall be published in the Official Journal and shall come into force as of the date of its publication.

Issued on 17 Moharam 1398 (Islamic Calendar) corresponding to 27 December 1977 (Gregorian Calendar).

Zakariya Mohamed Tawfik Abdel Fattah