

DRAFT AU MODEL LAW ON SPECIAL ECONOMIC ZONES GUIDELINES

**5th SYMPOSIUM ON SPECIAL ECONOMIC ZONES -
AFRICAN UNION COMMISSION**

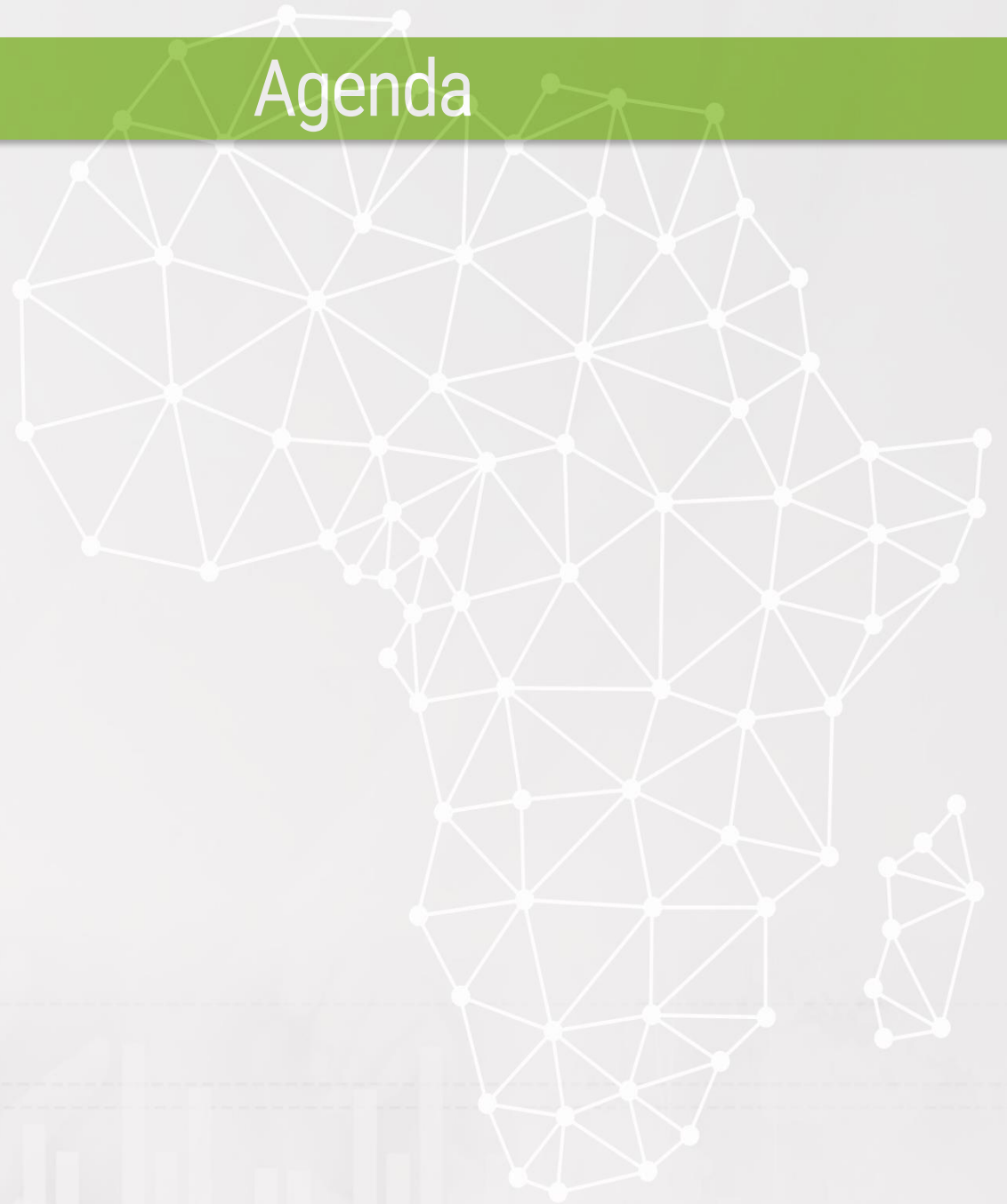
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Abuja-Nigeria

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Agenda

1. Guidelines for AU Model Law on SEZ



SEZs Laws we looked at

We mainly looked at the following SEZ Laws in Africa: South Africa; Rwanda; Egypt; Niger; Gabon; Ethiopia; Senegal; Togo; Cote D'Ivoire; Nigeria; Ghana.

Model Law based on best practices from those laws and a few elements we thought appropriate.

Purpose of Model Law:

- Off the shelf model
- Tailored to Africa
- Harmonisation – AfCFTA issues



Purpose of Guidelines

- Offers policy makers detailed rationale for each provision of the Model Law
- Guidelines highlight the different options open to policy makers and legislators to incorporate in their law
- Practicalities of adopting the model law



Key provisions

Guidelines have the following key provisions:

- Application is to all SEZs on the continent
- Definition of SEZ intended to be wide in coverage – a geographic zone; with specific legal framework.
- Categories of SEZ- Public/Private
- Variation in terms – e.g. Minister could be different in other countries
- Objectives of the SEZ law - options



Key Provisions 2

- Governance, Establishment, Development and Operation
- Relationship between SEZ law and international law explained – AfCFTA discussion
- Options for regulatory body – Government or non-government
- Governing body – which Govt departments would sit on board/authority ?
- Types of SEZ
- Key focus areas of SEZ



Key Provisions 3

- Types of SEZ
- Key focus areas of SEZ
- Incentives that can be granted and why/notes on WTO implications
- Administrative sanctions/penalties – need for Regulations as they are subject to national system
- Dispute prevention and settlement
- International Arbitration –Optional
- ESG issues
- Regulations

