

Republic of Iraq
Ministry of Trade

Instructions No. 1 of 2000 on the Commercial Agency

In compliance with the provisions of Article (23) of commercial Agencies Regulating law no. (51) Of 2000 it is decided to issue the following instructions:

First- The applicant for obtaining a license to practice commercial agencies business should submit to the Department of companies Registration an application attached with the following documents:

- 1) The Iraqi Nationality certificate and civil affairs card (original and copy).
- 2) Chamber of Commerce card.
- 3) The trading name duly registered at the chamber of commerce.
- 4) Property instrument or lease agreement of the office legalized in the usual manner.
- 5) A commercial agency record according to the requirements of commercial business in order to register the commissions.
- 6) Inhabitation Card.
- 7) A commercial agency agreement on behalf of an Arabic or foreign company duly legalized should be submitted within (90) days from the date of his obtaining the license.

A written undertaking implies the following:

1. He should not be a government official or entrusted a public service.
2. Not convicted of honor-violating felony.
3. Not included in the two resolutions of Revolution command council No. 56 issued at 6/6/1996 and No. 143 issued at 19/9/2000.

Second- If the license applicant is a company, it should submit the documents above-mentioned in item (3 and 4) and it should be of Iraqi nationality with its capital fully owned by Iraqis only and to submit the following document duly legalized in the usual manner:

- 1) The company's certificate of registration.
- 2) The company's memorandum of incorporation.
- 3) Minutes of the general assembly meeting for the appointment of the managing director of the company.

Third- The agent should:

- 1) Submit an application to the registration of companies Department within one year for the date of the validity of the Commercial Agency Law No. (51) in 2/10/2000 to terminate all his commercial agencies registered in his name of behalf of the Arab and foreign companies which exceed three agencies according to his choice.
- 2) The commercial agent should submit an application to renew his license of practicing commercial agency business every two years within (60) sixty days for the date of its expiry whatever is the date of issuing the license of its previous renewal.
- 3) The agent must submit an application to the registration of companies department to register all his commercial agencies for the Arabic and foreign companies he is representing in Iraq duly legalized according to the law and in compliance with Article (9) of the Law and to inform the above mentioned office with amendment or change occur on the commercial agency, and by a duly legalized confirmation from the principle company.

Fourth- The agent must keep a special register to register his commissions according to the requirements of the commercial business provided that it should contain the following information:

1. Number and date of the granted license.
2. The name of the principle Arabic and foreign company
3. The net amount of the commission
4. Percentage of the commission
5. Number and date of letter of credit.
6. The received and not received commission
7. number and date of the bank notice
8. his name address , and signature

Fifth- the agent must organized a duplicate statement with his realized commission which were received and not received by him yet together with the bank confirmations which confirm that, in order to submit it to the registration of companies department within (60) sixty days from the beginning of each year according to provisions of item (3) article (10) of the law.

Sixth- the license of the commercial agent shall be cancelled in case of any provision of the provision mentioned articles (4,7) of the law is missing.

Seventh- 1- the Arabic or foreign company wishing to choose an agent can submit an application to the registrar with the duly legalized certificate and memorandum of incorporation implying the following:-

A- The full name address and nationality of the company

B- Its activity and the department it wants to contract with.

C- The name of the managing director who is authorized to sign mentioned.

2- The registrar of companies shall provide the following above:-

companies with the licensed commercial agents to practice the commercial agency business according to the law in order to choose its.

Representative commercial agent in Iraq.

Eighth – these instructions should be enforced since the date of its

Publication in the official newspaper .