

## **Regulations concerning the Article 180 of the Act on the Third Plan of Economic, Social and Cultural Development (2001)**

Ministry of Interior, Ministry of Intelligence, Ministry of Labour and Social Affairs, Management and Planning Organization

Based on the letter, Ref. No. 14/10903 dated September 26, 2000, of the Ministry of Interior and the Art. 180 of the Islamic Republic of Iran's Act on the Third Plan of Economic, Social and Cultural Development, adopted in the year 2000, and on the joint motion of Ministries of Interior and Intelligence, the Regulations concerning the Article 180 of the above Act was adopted at the Council of Ministers meeting on 25 February 2001.

**Article 1.** The meaning of "Foreign Nationals", subject of the Article 180 of the Act on the Third Plan of Economic, Social and Cultural Development, hereafter called "the Act", is those persons (passport holders, refugees, migrants and displaced persons) who are not Iranian nationals and are applying for entry visa to enter Iran under the following titles and their foreign nationality has been accepted by the Government of the Islamic Republic of Iran.

- A. Refugee : A person who owing to well-founded fear of persecution for the reason of race, religion, nationality, membership of a particular social group or political opinion is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of the government of Iran.
- B. Displaced Person: A person who owing to outbreak of civil or international war, without any formalities, leaves or is driven from his or her country of origin but is not able to prove his well-founded fear of persecution on the basis of Geneva 1951 Convention and 1967 Protocol.
- C. Migrant: A person who has applied for residence in Iran and his request has been accepted by the Government of Iran.
- D. Passport-holder: A person who within the frame of domestic and international laws and regulations and under a special permit enters Iran.

**Article 2.** Administrative Co-ordination Council of Foreign Nationals, hereafter called in these Regulations "the Council" holds meetings, with the chairmanship of the Minister of interior and participation of other members every three months at the premises of the Ministry of Interior.

*Note 1.* The meetings of the Council are held at the invitation of the chairman of the Council. In case of necessity, particular sessions shall be held at the request of one of the members and with the approval of the chairman.

*Note 2.* Meetings of the Council has a quorum with participation of at least two third of its members and any resolution in the Council needs at least approval of five of its members.

*Note 3.* In case of expediency, the council shall call on the representatives of other organisations, without franchise, to acquire information, and for investigation and exchange of views.

*Note 4.* The Secretariat of the Council, located at the Ministry of Interior, shall provide and present the holding and the agenda of the sessions by its Secretary.

*Note 5.* The chairman appoints the secretary of the Council every two years.

**Article 3.** Centralisation of policy-making in foreign nationals affairs means determination of administrative policies dominating the foreign nationals' affairs, provision and ratification of plans and programs, allocation of funds required for the plans, monitoring of perfect execution of adopted policies of the Council and formation of unanimity in views and manners regarding promotion of the affairs relating to the foreign national.

*Note 1.* The regulations to be approved for the perfect execution of the decrees of the Council shall be prepared by the Council and after adoption by the Council of Ministers, they shall be implemented.

*Note 2.* All the related organisations which have some role in the affairs related to the foreign nationals should submit their proposals to the Council, prior to raising them in the National Security Council, the Council of Ministers and the Supreme Council of National Security. Regarding the military forces, any form of co-ordination and co-operation between the Council and the General Staff of the Army shall be on the basis of the Regulations to be proposed by the two above authorities to the Supreme Leader ( Commander-in-chief of the Armed Forces).

*Note 3.* All the organisations that are subject of Article 180 and all other entities related to foreign nationals are required to present their functioning report to the Council for ratification.

**Article 4.** For the purpose of proposing administrative projects and the required instructions and for performing studies and planning appropriate to the laws, regulations and policy of the Islamic Republic of Iran, and also for establishing administrative co-ordination among executive organisations, the Permanent Committee of Foreign Nationals, headed and supervised by the secretary of the Council shall be established in the Ministry of Interior. Meetings of the Committee shall be held with participation of the Directors General or other concerned directors in the Ministries and the member institutions introduced by the highest administrative authorities of each entity twice a month.

*Note 1.* The meetings of the Committee shall have a quorum that is established with presence of related majority of main members and its decision should be approved at least by five participating members.

*Note 2.* The Sub-Committees of Foreign Nationals shall be established in the provinces, in case of necessity and after being approved by the Council, with the presence of provincial managers of the Ministries and the member entities under the chairmanship of the governor general of each province for the purpose of implementation of the regulations approved by the Council.

*Note 3.* The Committee, in case of necessity, establishes specialised commissions relating to foreign nationals under the responsibility of one of the members of the Committee.

*Note 4.* The number of members of the specialised commissions and the manner of holding of its meetings shall be determined by the Committee.

**Article 5.** The scope of authorities of the Committee and its secretariat and Sub-Committees in the provinces and also the specialised commissions and the manner of discussing issues at the meetings of the Committee and their follow-up and supervision on the referred issues shall be carried out on the basis of the instructions to be prepared and approved in the first meeting of the Committee by observance of these Regulations.

**Article 6.** The authorities of the Committee, subject the Regulations relating to the Refugees (1963) are to be transferred to the Committee to be established under these Regulations during the Third Plan.

**Article 7.** The Management and Planning Organisation within the framework of the plans to be ratified by the Council shall provide the required budget during the Third Plan under the budget line of the concerned administrative entities in the annual budget of the country.

**Article 8.** According to Article 138 of the Constitution of the Islamic Republic of Iran, the authorities of the Council of Ministers, subject to the latter part of Article 180 of the Third Plan, shall be vested for two years in the majority of the Ministers who are members of the Council. Ratified regulations of the Council can be notified to the relevant entities under the Article 19 of the Internal Regulations of the Council of Ministers.