

National Assembly  
In the Bolivarian Republic of Venezuela  
Hereby acknowledged  
The organic Law of Special Economic Zones

**Chapter 1**

**General measures**

**The purpose**

**Article 1**

This law's purpose is to regulate the formation, organization, performance, and administration of special economic zones, as well as economic, tax, and other incentives that can be applied in relation to the system of sovereign economic development and national production that ensures the productive chain, judicial security, social justice, and environmentally sustainable fields.

**Scope of application**

**Article 2**

This law applies to legal, public, private, mixed, community, national or foreign entities that participate in special economic zones, as well as to state agencies and entities related to their development directly or indirectly.

### **Article 3**

This law is subject to the principles of economic sovereignty, judicial security, social justice, human development, national economic and social development, sustainability and feasibility, economic and environmental balance, tax sustainability, external revenues, public, popular and participatory planning, effectiveness, production, and integration, simplification of administrative procedures, joint responsibility, integrity, transparency, and solidarity.

### **The definition**

### **Article 4**

The following terms shall have the following meanings for the purposes of this law:

1- Development zones: the geographical areas that comprise the special economic zones and production hubs. Scopes of development may include provinces that drive development and are delineated in the Special Economic Zone Formation Decree.

2- Economic Activity Agreement:

An agreement concluded between legal and national entities or foreigners, from the public, private, mixed or community sectors, wishing to participate in the Special Economic Zone or the National Control Authority for Special Economic Zones.

The agreement includes the economic, tax, financial and other incentives provided for in this law, in accordance with Provisions of the development plan in the special economic zone, work requirements, objectives, committed investments, and other obligations to be fulfilled.

### 3- SEZs engines of development Provinces:

It is a special form for the sub-region specified in the decree forming the special economic zone and within its development zones to activate and enhance the policies, plans, and projects of the SEZs under a specific plan. In addition to guarantee the comprehensive development of the sub-region based on physical-natural and geographical-historical variables, processes, production capacities, and the system it includes for cities and mobility.

### 4- production linkages

Interaction mechanism that allows SEZs to participate in coordination and integration strategies for the production, transformation, manufacturing, trade, and distribution of goods and services exported within SEZs.

### 5- Economic, Tax, And Other Incentives

A set of guarantees, benefits, tax, financial, and other incentives provided by the Bolivarian Republic of Venezuela to legal, national, or foreign entities from the public, private, mixed, or community sectors operating within special economic zones.

### 6- Development Plan for Special Economic Zones:

A set of policies, programs, and projects for productive and social development in the Special Economic Zone, with priority elements and economic activities organized and determined in accordance with the region's sectoral capabilities. The development plan should include the productive development poles, development scopes, and sectors driving the applicable development.

### 7- Strategic promotion plan:

A set of programs, projects and guiding principles that define the policy of national and international promotion and dissemination of

plans for the development of the Special Economic Zone, as well as qualify the participating energies to develop the corresponding economic activities.

## 2- Production development poles

The geographic areas stipulated in the decree establishing the Special Economic Zone are those areas where the economic systems that constitute the development domains regulated by this law are registered and regulated, which will be specified under the system of coordinates and development plans and participation projects and linking those areas with industrial and production structures.

## 3- An economic activity project

a project designed, defined, and submitted by legal, national, or foreign entities, public, private, mixed, or community, in which it offers its economic participation and submits its file to develop one or more productive activities within a special economic zone.

## 4- Special Economic Zone

### **Objectives**

Special economic zone: Geographical delineation with a special and unusual socio-economic system where the strategic economic activities set forth in this law are developed, in accordance with the objectives set forth in the National Economic and Social Development Plan.

## **A Strategic Character, Benefit and Public Interest.**

### **Article 5**

Development in the Special Economic Zones, in which economic activities are included, shall have a strategic character, benefit and public interest.

Thus, the legal entities, goods, services, and activities formed by the regulation of the SEZs are exclusively dependent on guarantees, incentives, and economic, financial, tax, legal, and commercial protection.

As well as the duty to adhere to and comply with the guidelines. The recommendations, policies, rules, and procedures stipulated in this law and in the decree establishing the Special Economic Zone, including those related to the issues of sovereignty, independence, right to self-determination, security, defense, and national development.

The organs and entities of the state and the municipal public authorities, within the framework of the principle of cooperation, will seek to adopt, within the limits of their competence, measures of necessity to support and facilitate the implementation of the provisions of this law and the application of the incentives provided for in the decree establishing the Special Economic Zone.

## **Objectives**

### **Article 6**

SEZs have the following basic objectives

- 1- Developing a new national production model
- 2- Promoting national and foreign productive economic activity within the national territory.
- 3- Diversifying and raising exports
- 4- Participating in updates, production chains and the global market.
- 5- Driving industrial development in the country.
- 6- Promoting the selective replacement of imports.
- 7- Contributing to the diversification of the state economy.
- 8- Ensuring technological transfer.
- 9- Ensuring the full utilization of comparative advantages.
- 10- Driving the development of competitive advantages
- 11- The creation of new jobs
- 12- Raising the level of revenue generation in order to distribute it equitably throughout the country.
- 13- Caring for environmental sustainability in productive pathways

## **Chapter 2**

### **Special Economic Zones**

#### **Creation or Cancelation**

##### **Article 7**

The President of the Republic with exclusive validity to establish or abolish special economic zones by virtue of a decree approved by the Council of Ministers, after the submission of a report by the Minister of People's Power with authority in the fields of planning, economics, and finance, or the minister with authority in the articles related to the activities stipulated for the Special Economic Zone

#### **Terms of establishment**

##### **Article 8**

The establishment of the Special Economic Zone shall meet a number of following conditions:

1. Geographical opportunities in the development area to use or establish land, sea, river, and air communications to facilitate access to national and global markets and manufacturing centres
2. It is important that the geographical area has the natural resources that allow it to be manufactured for export and to meet national needs.
3. Geographical and economic conditions that promote the integration of production paths at home and abroad by increasing the participation of domestic and foreign actors:

1. Industrial and productive structures that facilitate the establishment of production chains within or linked to the special economic zones.
2. Possibility of having an economic and service infrastructure for productive development

### **Decree of establishment**

### **Article 9**

The decree establishing the Special Economic Zone shall include the following:

1. Name and type of SEZ.
2. The national-interest economic activities that justify their formation, as well as the productive social development that will occur within them.
3. Coordinates of the geographical range of the polygons that define the special economic zone.
4. Development poles, development ranges, and engine districts for applicable development, according to each case, and their geographical delineation.
5. The economic, tax and other related incentives considered in this law, according to each case, which can be applied after the

economic and financial evaluation from the ministries of the People's Power with authority in the field of planning, economy and finance, and also those that have powers in topics related to the prospective activities of the economic zone.

6. The only authority in the Special Economic Zone that carries out policies, plans, and projects in the economic field that are dealt with within the polygons in the region in accordance with the provisions of this law.

## **Procedure**

### **Article 10**

The decree announcing the formation of a special economic zone shall be submitted by the President of the Republic to the National Assembly within the framework of the eight consecutive days following the decree that was dictated in the Council of Ministers for consideration and approval. The National Assembly shall express its opinion on the approval of the decree forming the Special Economic Zone within the next ten working days. After the entry into force of this period without any declaration by the National Assembly, the Decree of the Plenipotentiary shall be deemed acceptable.

## **SEZ Development Plan**

### **Article 11**

The development plan in the special economic zone shall refer to the conditions that justify the formation of the region, and to the nature of public, private, joint, community, national or foreign economic activity, and the sectoral competence of national and

regional production, In addition to the priority sectors that correspond to them.

The development plan should be prepared by the National Supervisory Authority in the Special Economic Zones, in coordination with the Ministries of People's Power with powers in the field of planning, economy and finance, as well as those that have competence in materials related to the foreseeable activities of the Special Economic Zone.

The development plan for the SEZ shall be approved by the President of the Republic during a session of the Council of Ministers.

## **Sectors and Activities in the Special Economic Zones**

### **Article 12**

Special economic zones are limited to the development of the following sectors and activities:

1. Industrial: Includes the sectors of production of goods and manufactures, the strategic agricultural industry, export and re-export, and air navigation and energy in all categories.
2. Technological: includes the preparation of technological parks for the development and production of systems, parts, components and parts in wired communication, computing, telematics, applications and computer systems, the recycling of solid and technological waste, scientific research and development activities in the field of outer space, scientific development and military technology.
3. Financial services: Includes the establishment of banking and financial services under a preferential tax system.
4. Non-financial services: Includes the establishment and production of logistics sectors for the provision and export of tourism, hotel, leisure and entertainment services.

5. Primary agricultural production: Includes primary production activities for the agricultural, fishing, livestock, fisheries and aquaculture sectors with the aim of exporting and securing food sovereignty in the country.

The type of special economic zone is defined starting from the sectors or activities specified here and from any other sector or activity considered necessary for the development of the country.

## **Formation of Driving Districts**

### **Article 13**

SEZ development-driving districts may be formed by the President or the President of the Republic Riya under the SEZ Formation Decree, with the aim of promoting the sub regional development scheme that allows for the achievement of the historical objectives in the socio-economic development plan of the country

## **Driving Sector Objectives**

### **Article 14**

The sectors driving development aim to activate and develop productive synergies within the special economic zones with an integrated vision and as a dynamic axis for integration and regional development.

The economic competence strategies that constitute the sectors driving development in the SEZs examine the potential of their geographical area.

In the same way, actions are undertaken within the SEZs' development-driven zones to promote business and basic services in the sub-regional areas with relatively less development, reduce spatial inequalities, and democratize access and support structure

## **Productivity Links**

### **Article 15**

The Special Economic Zones area shall establish productive links in order to participate in an economic complementation strategy, covering final goods needs and providing strategic services to the country.

## **Chapter 3**

### **Institutional control and management in the Special Economic Zones**

#### **National Supervisory Authority for the Special Economic Zones**

### **Article 16**

The National Supervisory Authority for Special Economic Zones shall be constituted as a public institution of technical and competent character, legal personality and private property, subordinate to the Office of the President of the Republic.

The National Supervisory Authority of the Special Economic Zones shall enjoy the privileges and exemptions from the financial and procedural system granted by law to the Republic and shall have its headquarters in Caracas.

## **Terms of reference**

### **Article 17**

The National Supervisory Authority for Special Economic Zones shall have the following powers:

1. Managing, coordinating, controlling and inspecting the Special Economic Zones in accordance with the provisions of the corresponding Decree of Establishment and the guidelines issued by the Affiliate Authority.
2. Preparing the projects of the development plan in the special economic zones, in coordination with the ministries of the People's Power with authority in the field of planning, economy and finance, as well as those ministries with competence in the areas related to the foreseeable activities of the Special Economic Zones.
3. Participating with the Global Center for Productive Investment in the evaluation of participation projects and submitting them for work within the special areas.
4. Submitting the participation projects for approval, with the International Center for Productive Investment, the Minister of the People's Power concerned in matters related to the planned activities of the Special Economic Zone.

5. Working with the International Center for Productive Investment to evaluate participants' commercial files in order to develop economic activities in Special Economic Zones.
6. Issuing a declaration of participation in the development of economic relations in Special Economic Zones
7. Conducting an annual evaluation on the strategy and general directives of the development plans in the SEZs and providing the affiliate with appropriate guidance to contribute to their application
8. Coordinating with the state agencies and entities in facilitating, simplifying, accelerating, and administrative effectiveness necessary for the proper functioning of the special economic zones.
9. Approve the Economic Activity Agreement, if necessary, with the prior authorization of the Affiliate
10. Contributing to the proper functioning of the single window system for the SEZs that will unify and simplify the procedures carried out by the 12 bodies and the various entities in the national, state and municipal public administration related to the work of the SEZs. This system will be integrated into a single window.
11. Assisting with the International Center for Productive Investment in the development of the strategic promotion plan in the Special Economic Zones
12. Establishing and organising the offices of individual authorities in the SEZs in their respective fields of competence and supervising their work.
13. Coordinating with the organs and entities of the Republic in the application of policies that guarantee quality and efficiency in the provision of the necessary public services to promote optimal conditions for productive development in the Special Economic Zones.

14. Providing advice on special economic zones to national, state, municipal and community bodies that require it.
15. Taking measures that encourage the participation of the People's Power in establishing and strengthening the productive sectors concerned with development and carrying out the activities stipulated in this law, in coordination with the Ministry of People's Power competent for the affairs of communes and social movements.
16. Recommending through the Affiliate Authority the establishment, amendment, or abolition of a special economic zone.
17. Cancellation of the Economic Activity Agreement, by virtue of non-fulfilment of the performance requirements, objectives, committed investments and other obligations, as well as for other reasons stipulated in the relevant agreement and laws.
18. Managing a detailed register of national, foreign, public, private, and mixed or community companies implementing approved participation projects.
19. Submitting quarterly reports to the Affiliate on its management, results and achievements by the Special Economic Zones, as well as such other reports as may be required, in accordance with the policies and guidelines issued by the Affiliate.

20. Receiving the report of the Single Authority on the implementation of the policies, plans, and projects of the Special Economic Zone assigned to it.
21. Contributing to the formation of grass-roots organisations of people's power through programmes designed for this purpose
22. All other powers specified in the executive regulations of this law.

## **Prosperities**

### **Article 18**

The property of the National Supervisory Authority of the Special Economic Zones shall consist of the following:

1. Resources allocated in the budget for the corresponding fiscal year and extraordinary resources approved by the National Executive.
2. Assets transferred by the Republic or its entities to achieve its purposes.
3. Gifts granted to it
4. Rates and fees established for the provision of services by the National Supervisory Authority for Special Economic Zones.
5. Other revenues permitted by law.

### **Article 19**

The National Supervisory Authority of the Special Economic Zones shall be directed and managed by a Board of Directors consisting of the Superintendent, who shall preside over it, and six principal members, together with their alternates, who shall be freely appointed and removed by the President of the Republic.

## **Government regulations**

## **Article 20**

The Deputy Chief Executive Officer shall regulate, through a decision, the powers of the Board of Directors and the supervisor, in addition to the rules of advocacy, quorum, work, and decision-making in the Board of Directors.

## **Operation, Organization and Management Standards**

### **Article 21**

It is the responsibility of the Board of Directors of the National Authority for Supervision of Special Economic Zones to fill in the rules related to its organization and management, in addition to those that regulate the management of the Supervisory Authority with the prior approval of the Affiliate Authority.

## **Supervisor Authorities**

### **Article 22**

The National Supervisor of the Special Economic Zones shall operate under the following powers:

1. Representing the Supervisory Authority before administrative, governmental or institutional authorities, public or private offices, large companies, institutions, national or foreign offices in coordination and cooperation work carried out in accordance with the purposes set forth in this Law.
2. Implementing the decisions adopted by the Supervisory Authority.
3. Adhering to the general policies of incentives, operation, marketing and management in the special economic zones.
4. Concluding contracts or agreements that allow for ensuring the progress of work and achieving the objectives set for the Special Economic Zones and approved by the Board of Directors.

5. The formulation and proposal by the Board of Directors of strategies and options for operational and commercial management that allow the possibility of national, foreign, public, private, mixed or community participation in the special economic zones.
6. Calling and directing the regular or extraordinary sessions of the Board of Directors of the Supervisory Authority.
7. Submitting a quarterly management report to the Affiliate on the extent of compliance and the scope of the objectives set for the Special Economic Zones, in addition to other reports that are required of it, in accordance with the policies and guidelines issued by the Affiliate Authority.
8. Any other authority stipulated in the law and government regulations of the supervisory body.

### **Individual authority**

#### Article 23

The only authority in the SEZs is responsible for implementing the guidelines of the policies, plans and projects referred to in the decree establishing the SEZ, and for completing the duties and powers determined by the decree appointing it. As well as what is determined or delegated by the National Authority for the Control of Special Economic Zones, in accordance with the provisions of this law and its regulations.

The sole authority for national control of the SEZ shall report on the progress and compliance with the policies, plans, and projects assigned to it, under the quarterly reports or those that are requested of it in advance of this period.

### **Appointment**

#### Article 24

The President of the Republic shall be appointed responsible for the exercise of the individual authority in the Special Economic Zones.

## **Coordination and Consultation Mechanisms**

### **Article 25**

The exclusive authority of the SEZ shall establish coordination and consultation mechanisms with the concerned governmental, municipal and community representative authorities that form part of the geographical areas of the SEZ, for applying joint development policies that contribute to the achievement of the objectives of the zone.

## **Terms of reference of the International Center for Productive Investment ( ICPI)**

### **Article 27**

For the purposes of this Law, ICPI shall exercise the following powers:

1. Encourage the recruitment of potential participants to develop economic activities in the SEZs, in coordination with the National

Supervisory Authority for the SEZs and in accordance with the Strategic Promotion Plan.

2. Establishing technical conditions, requirements, and procedures for the presentation, study and evaluation of participation projects.
3. Evaluate the commercial file of potential participants to develop economic activities in the SEZs, in coordination with the National Supervisory Authority for the SEZs.
4. Evaluating participation projects submitted by national or foreign legal entities, as well as licensing them to work in the SEZs, in coordination with the National Supervisory Authority for Special Economic Zones.
5. Evaluating amendments to agreements reached for work in special economic zones, as well as monitoring the procedures established for the evaluation and approval of participation projects.
6. Other powers that are provided for under the legal system.

## **Chapter 4**

### **Incentives to Invest in Special Economic Zones**

#### **Incentive Beneficiaries**

#### **Article 27**

For the purposes of this Law, legal entities that implement participation projects in SEZs and that have signed the relevant Economic Activity Agreement shall be considered as beneficiaries of incentives.

## **Tax and customs incentives**

### **Article 28**

Legal entities, public, private, mixed and community, national or foreign, operating in the Special Economic Zones shall be entitled to the benefit of the tax and customs incentives described below:

1. Refund of import (BACK DRAW) in accordance with the criteria determined by the National Executive Power in the Decree of Establishment, which will be subject to their identification, verification, ratification, payment procedures and the competent authority for their implementation, the provisions of legislation related to customs matters, the system related to release and suspension and other special customs regulations, As well as the decisions regulating this field issued by the Ministry of People's Power concerned with the economy, finance and foreign trade. This redemption does not apply to final consumer goods, those that replace national production or those that affect the objectives of the import substitution strategy.
2. Tax refund in other matters of national taxation, in accordance with the criteria determined by the national executive in the decree of establishment, whose identification, verification, approval, and payment procedures will be carried out in accordance with the provisions of the Organic Tax Law. As well as in accordance with the decisions issued for these purposes by the Ministry of the People's Power for Economic Affairs, Finance and Foreign Trade, and the recovery of taxes related to the Special Economic Zones.

The Ministry of People's Power competent for economic, financial and foreign trade affairs shall determine by ministerial decision the maximum limit of the total of all incentives granted for the development of participation projects in the special economic zones referred to in this law, based on the amount collected under income tax in in the relevant previous fiscal year.

## **Single window for SEZs**

### **Article 29**

The procedures required by the competent authorities in relation to the functioning and operation of the Special Economic Zones shall be managed through an integrated system in a single window with a view to simplifying, standardizing and automating the procedures

For the purposes of this article, the Ministry of People's Power competent in matters of economy, finance, and foreign trade shall incorporate into the Single Window System for Foreign Trade of the Bolivarian Republic of Venezuela, an exclusive technological platform for the Special Economic Zones.

## **Temporary acceptance of active optimization**

### **Article 30**

Legal entities and persons from the public, private, joint and community sectors, both local and foreign, operating within the Special Economic Zones shall, upon importation into the national territory, enjoy supplies, raw materials, parts or pieces which by their nature or because of its critical need it is considered essential and necessary to be able to implement its economic activity project with the highest benefits granted by the customs legislation and its regulations, which indicate the temporary acceptance of effective improvement and are in accordance with the provisions dictated by the National Tax Administration.

### **Tariff system**

Goods from Special Economic Zones, as well as goods, parts, and accessories thereof, brought into the national territory for local consumption, are subject to the customs legal system included in the customs tariff and the legal system in force on the date of the expression of will or customs declaration,

All this is according to the customs destination granted by the consignee for the goods and according to the provisions issued by the National Tax Administration.

### **Facilitation and coordination of multimodal transport**

#### **Article 32**

Depending on the potential of the SEZ, corridor systems may be established in the multimodal transport infrastructure: by road, air, river, lake or rail with a preferential loading and unloading area for goods.

The National Supervisory Authority for Special Economic Zones shall coordinate the necessary activities for these purposes through

the Ministry of People's Power in matters of transportation, implementation of operations; loading, unloading, transit, transshipment, processing, and stowage drawing; packing, storing, sending and other related or inherent activities to move goods or merchandise committed to the implementation objectives of relevant partnership projects for special economic zones.

## **Educational Incentives**

### **Article 33**

The National Supervisory Authority for Special Economic Zones, in coordination with the ministries of the People's Power concerned with issues of education, science, technology, innovation, tourism, and communes, shall establish rehabilitation and research centers that promote the development of a comprehensive qualification model for human talents that participate in productive activities that are involved in the various production activities and priority sectors developed in the SEZs .

## **Inclusion in the list of tourism investment options**

### **Article 34**

The Ministry of People's Power for Tourism shall include the Special Economic Zones with tourism potential in its plans to encourage investment for attracting national and foreign investors in this field.

## **Banking institutions and financial system in the region**

### **Article 35**

The regulation and operation of banking institutions and the financial system, licensed for the development of the financial services sector in the Special Economic Zones, shall be subject to an exceptional and preferential tax system, in accordance with regulations dictated by the Ministry of People's Power competent for economic, financial, and foreign trade affairs.

### **System of free transfer.**

#### Article 36

The economic activity carried out in the Special Economic Zones, without prejudice to the guarantee of the monetary unit of the Bolivarian Republic of Venezuela, shall be subject to a system of free transfer. As well as the financing plans provided by the specialized banking institutions for the development of the real and productive economy, in accordance with the regulations issued by the Central Bank of Venezuela and the Ministry of People's Power for Economic Affairs, Finance, and Foreign Trade.

### **Temporary measure**

Solely Special economic zones formed before the entry into force of this Law shall be evaluated by the National Executive Power to determine their feasibility, revoke them or adapt them, if necessary, in accordance with the following decrees, to the system of organization, management and work contemplated in this Law within a period not exceeding 180 days.

### **Repeal measure**

Solely The articles relating to the Special Economic Zones provided for in the Decree on the Level, Value and Strength of the Law of Integrated Regionalization for the Social and Productive Development of the Nation, published in the Official Gazette of the Bolivarian Republic of Venezuela in Issue No. 6.151 ( Unusual) dated November 18, 2014 shall be repealed.

**Final measure.**

Solely: This Act shall enter into force as of its publication in the Official Gazette of the Bolivarian Republic of Venezuela.

It was given, signed and stamped at the Federal Legislative Palace, at the headquarters of the National Assembly of the Bolivarian Republic of Venezuela, in Caracas, on the 30<sup>th</sup> of June of the year two thousand and twenty-two, in 212 for independence, 163 for federalism and 23 for the Bolivarian Revolution.

Jorge Rodríguez Gómez President of the National Assembly

Maria Iris Valera, First Vice-President,

Vanessa Unit Monteire and López, Second Vice-President,

Rosalba Hill Pacheco, Secretary,

Ante Alejandra Enohosa Coronado, Assistant Secretary