

**Statute
of the „Starachowice” Special Economic Zone**

On the basis of article 10 point 2 of the decree of 20.10.1994 about special economic zones (Journal of Laws 1994 no.123, item 600, amended)^{1/} the present document is issued, as the compulsory one on the territory of the „Starachowice” Special Economic Zone.

**Chapter 1
General Provisions**

§ 1

1. The Statute establishes ways of managing of the „Starachowice Special Economic Zone” hereinafter referred to as „the Zone”, by the „Starachowice” Special Economic Zone S.A., having its place of business in Starachowice, hereinafter referred to as the „Administrator”.
2. The „act”, whenever mentioned hereinafter, means the indicated above act about special economic zones.

§ 2

The statute is in force on the whole territory of the Zone, which was described in the enclosure to the Act of the Ministry Council of 14.09.2004 about the starachowicka special economic zone (Journal of Laws 2004 no. 222, item. 2253 amended)^{2/}.

**Chapter 2
Rights and duties of the administrator**

§ 3

1. The administrator in particular is entitled to:
 - 1) hold tenders or negotiations in order to assign entrepreneurs, who will obtain permit of economic activity within the Zone, according to the Regulation of the Minister of the Economy and Labor^{3/} of November 15, 2004 concerning a way of execution, terms and conditions of tenders or negotiations and criteria of projects assessment when it comes to economic activities, which are to be undertaken by investors on the „Starachowice” Special Economic Zone (Journal of Laws 2004 No. 254, item 2547), issued on the basis of article 17 point 1a of the act.
 - 2) give permits of economic activity in the Zone on behalf of the Minister of Economy and to have current control on economic activities of entities, who have received the permit, according to the Minister of Economy’s Act of June 13, 2001 about giving to the „Starachowice” Special Economic Zone Inc. a permission for an economic activity and a current control of businesses’ activities in the „Starachowice” Special Economic Zone as well as an establishment of the control scope (Journal of Laws 2001, No. 67, item 703), issued on the basis of article 20 point 1 of the act,
 - 3) give opinions for the Minister of Economy about the entities applying for a permit of economic activity in the Zone, in cases foreseen in article 17 point 2 of the act,
 - 4) giving opinions before the Ministry of Economy’s decision, concerning withdrawal or limitation of the permit, according to article 16 point 6 of the act,
 - 5) enjoy pre-emption of property right and perpetual use of land located in the Zone, according to article 8 point 2 of the act,
 - 6) register entrepreneurs conducting activity in the Zone.
2. Upon separately made agreements the administrator has a right to hold tenders concerning sale, perpetual use or lease of real estates situated in the Zone, and not being a propriety of the administrator. For such activities the administrator is entitled to commissions.

§ 4

1. Administrator’s register of entrepreneurs, conducting activities in the zone, according to § 3 clause 1 point 6 has the following purposes:
 - a) establishment of entrepreneurs’ localisation,
 - b) holding and updating situation maps of the Zone,
 - c) information service about the Zone,

- d) settlement and execution of all payments resulting from expenses, incurred by the administrator, mentioned in § 12 and 13 of the statute.
2. Dependent users or owners of real estates located in the Zone are obliged to submit to register plans for undertaking activities not included in the permit.
3. The entrepreneurs register constitutes basis for making agreements with them, rendering services and administration by the administrator in the Zone as well as settlement of expenses connected with the Zone administration and general infrastructure maintenance.

§ 5

1. The administrator indicates development directions for the Zone. To the accomplishment of which:
 - 1) he collects and provides land-survey information, in order to help potential investors to make decision about localisation of business activities in the Zone,
 - 2) he provides information service in order to help investors to choose partners in business, for investments realised in the Zone,
 - 3) he helps entrepreneurs in contacts with owners of the infrastructure in order to obtain access to media.

Chapter 3

Media and other infrastructure elements use

§ 6

1. Entrepreneurs having at their disposal land and infrastructure of the Zone are obliged to assure utilisation of necessary communication and infrastructure facilities to other entities, conducting economic activity in the Zone.
2. Entrepreneurs having their business in the Zone obtain access to media such as electricity, natural gas, water, and heating, phone services, as well as to sewage and industrial wastes systems, and other infrastructure elements on conditions described in contracts with media providers.
3. Contracts concerning access to the media, described in point 2, may depend on construction, according to investment localisation of the relevant infrastructure. Contracts about carrying away sewage or industrial wastes may depend on construction of purification plants or other similar constructions, on basis of relevant legal permits.
4. Construction of connections to infrastructure is executed on the entrepreneur's expenses, unless a contract between the supplier and the entrepreneurs stays otherwise.

§ 7

Plans for the infrastructure and land development, including architectural projects for buildings, in which economic activity is to be performed, are presented to the administrator by the investor for acceptance.

Chapter 4

Environment and the Zone territory protection

§ 8

1. The administrator gives opinions on entrepreneurs applications to state administrations units for issuing decision about the maximum allowed emission.
2. The entrepreneur, conducting his activity in the Zone, receiving a decision of a state administration unit about the allowable emission concentration in the air is obliged to present the decision to the administrator.
3. Entrepreneur's infringement of the decision conditions, mentioned in point 2, may constitute basis for a withdrawal of a permit for economic activity in the Zone.

§ 9

1. The Zone territory is a territory with a limited access, safeguard is organised by the administrator.
2. Owners, perpetual users and dependent users are responsible for safeguard and protection of their lands and buildings situated in the Zone.
3. Each owner, perpetual user or leaseholder of an estate, on which there are situated roads, squares, pavements and greens, located in the Zone, is responsible for their maintenance in right shape.

§ 10

In case of lease or perpetual use termination, regarding an estate situated in the Zone, the entrepreneur finishing his activity in the Zone is obliged to make up all damages in the Zone, resulting from his activity and to recultivate the land, to the extent described in separate regulations. The same applies to each estate owner in the Zone.

Chapter 5

Expenses connected with the Zone administration and maintenance of its infrastructure

§ 11

1. Entrepreneurs, having at their disposal real estates, situated in the Zone are obliged to cover expenses incurred by the administrator or entities rendering services on the administrator's request, connected with the Zone administration and maintenance of its infrastructure.
2. Participation in the costs will be established by the administrator, taking into account an area belonging to each entrepreneur, kind of conducted activity, labour force, operations and intensity of goods traffic.

§ 12

The Zone administrations costs include:

- 1) entrepreneurs register and co-ordination of their localisation,
- 2) information service,
- 3) monitoring of the entrepreneurs, regarding compliance of conducted activities with given permits,
- 4) costs of other activities resulting from general administration services, including safeguard of the territory and maintenance of the Zone infrastructure.

§ 13

Costs described in § 12 do not include expertise, costs of evaluation, analyse, documentation, work performance, maps updating and others which were created because of the entrepreneurs' individual needs.

§ 14

Liabilities on costs described in § 12 and 13 shall be paid in advance, on a quarterly basis and could be lumped. The first payment is made by an entrepreneur in an amount calculated according to terms described in § 11 point 2, a settlement will be made after the first period of activity, stipulated between the entrepreneur and the administrator.

Chapter 6

Final provisions

§ 15

This statute will be in force on the day of its approval by the Ministry of Economy.

1/ The amendments to this Act were published in Journal of Laws of 1996 No. 106, item 496, of 1997 No. 121, item 770, of 1998 No. 106, item 668, of 2000 no. 117, item. 1228, of 2002 No. 113, item 984 and No. 240, item 2055, of 2003 No. 188, item 1840, of 2004 No. 123, item. 1291.

2/ The amendment to this Act was published in Journal of Laws of 2005 No. 56, item 489

3/ Minister of the Economy and Labor manages the economy, that is a department of government administration, pursuant to par. 1 section 2 item 1 of the regulation of the Prime Minister of June 11, 2004 concerning a detailed scope of the activity of the Minister of the Economy and Labor (Journal of Laws No. 134, item 1428).