

**Behnam Khatami**

Managing Partner

+98 21 2240 0434

behnam.khatami@namiassociates.com**Golsa Daghighi**

Partner

+98 21 2240 0434

golsa.daghighi@namiassociates.com**Mansour Vesali**

Senior Associate

+98 21 2240 0434

mansour.vesali@namiassociates.com**Nima Shojaei**

Associate

+98 21 2240 0434

nima.shojaei@namiassociates.com

New Directive on Specialised Court Branches for Commercial and Banking Disputes

14 September 2026

Background

While a dedicated courthouse for commercial disputes had already been formed and is currently operating in Tehran pursuant to a directive issued by the Head of the Judiciary in 2020, another recent directive provides for further development in this respect. In particular, in addition to extending the subject-matter purview of specialised court branches regarding commercial disputes, it also provides for the establishment of such branches in other provinces.

On 29 July 2026, the Head of the Judiciary approved the Directive on the Establishment of Specialised Branches and Courthouses for the Adjudication of Commercial and Banking Disputes (**Directive**). The Directive has been issued pursuant to certain legislative provisions including Article 29 of the Law on Continuous Improvement of the Business Environment 2011, the Note to Article 566 of the Criminal Procedure Code 2013, and Article 35 of the Law of Central Bank of Iran 2023 (**CBI Law**).

The Directive creates a dedicated judicial tier for commercial and banking disputes. This Directive is intended to increase the speed and accuracy of specialised adjudication, safeguard the business environment, support production and employment, and enhance economic security.

Establishment and Scope

Article 1 of the Directive mandates the establishment of a courthouse for specialised commercial and banking dispute resolution at each provincial capital, comprising courts of first

instance and courts of appeal. Such establishment is pursuant to the proposal of the Head of the Provincial Justice Administration and approval by the Head of the Judiciary, taking into account the number of cases, resources, and infrastructure in each province.

Reflecting an extension of subject-matter categories of disputes, compared with the old directive as applied in the specialised commercial courts in Tehran, the specialised court branches and courthouses under the New Directive are assigned the following categories of disputes (unless another court has exclusive statutory competence):

- commercial disputes between merchants, whether natural or legal persons;
- banking disputes under Article 35 of the CBI Law;
- disputes concerning the suspension of payments, bankruptcy, dissolution, and liquidation of commercial companies and merchants;
- disputes related to foreign investments;
- disputes arising from international commercial contracts;
- disputes concerning the recognition and enforcement of foreign judgments and foreign documents, where the subject matter relates to commercial or banking matters;
- intellectual property disputes;
- disputes under the Law on Implementation of General Policies of Article 44 of the Constitution 2007 and the Securities Market Law 2005, where jurisdiction lies with general courts;
- arbitration-related matters, including arbitrator appointment, annulment, and enforcement of domestic and international awards, subject to the International Commercial Arbitration Law 1997; and
- disputes under Article 9 of the Law on Growth of Knowledge-Based Production 2022, considering the provisions of the Directive on Specialised Science and Technology Courts 2023.

A caveat applies to jurisdiction over intellectual property disputes: under the Industrial Property Protection Law 2024 (**Industrial Property Law**) disputes related to the Industrial Property Law and its implementing regulations fall within the jurisdiction of the court branches of a courthouse based in Tehran, specialised for industrial property disputes, which has not yet been established to date. Accordingly, industrial property disputes are to be assigned to separate specialised court branches.

Integration of Alternative Dispute Resolution

Article 8 of the Directive mandates the Judiciary Dispute Resolution Centre to facilitate the use of arbitration, negotiation, and specialised mediation in the categories of commercial disputes enumerated in the Directive. Specialised conciliation branches will also be established specifically for commercial disputes. Provincial Justice Directors are required to coordinate implementation efforts.

This represents a concrete judicial endorsement and promotion of alternative dispute resolution (**ADR**) mechanisms in commercial matters, moving beyond aspirational language to structural integration.

Final Remarks

As the conferral of inherent jurisdiction upon courts must, as a matter of principle, be effected by legislation, this Directive only serves to establish specialised court branches from among the courts already possessing jurisdiction pursuant to the law, to which commercial and banking disputes are to be assigned.

The jurisdictional expansion of specialised court branches for commercial disputes to other provinces may draw on the experience gained in Tehran over more than five years. In addition, extension of the material jurisdiction of such court branches will be of significant effect in commercial and banking disputes so more expertise can be applied to their adjudication. The Directive's increased emphasis on ADR procedures in the Directive may also benefit the more efficient settlement of commercial disputes.

As far as it concerns foreign investors, although disputes related to foreign investments have been brought within the purview of these specialised court branches, nothing has materially changed with respect to the inherent jurisdiction over such disputes in case they are brought before Iranian courts. Nevertheless, commercial disputes involving foreign investors in Iran are covered by the Directive.

* * *

Disclaimer: The content of this article is provided for informational purposes only and does not constitute legal advice. While every effort has been made to ensure the accuracy and relevance of the information presented, Nami Associates Law Firm accepts no liability for any errors, omissions, or reliance on the content herein. Readers are strongly advised to seek professional legal consultation tailored to their specific circumstances before making any decisions or taking any action based on the information provided in this article. The content should not be interpreted as creating a lawyer-client relationship or as a substitute for personalised legal advice.

Nami Associates is a leading full-service law firm licensed by Iran's Central Bar Association and based in Tehran.¹ With decades of collective experience, the firm is widely recognised for its exceptional expertise in advising on complex and high-value legal matters in the Iranian market. Nami Associates provides comprehensive legal services across a broad spectrum of practice areas, including corporate and M&A, projects and finance, intellectual property, regulatory compliance, and dispute resolution.

For further information about our practice and experience, please feel free to reach out to us.

Nami Associates Law Firm

48 Moghadas Ardebili, Unit 5 South
Mahmoudieh, Tehran 19869 55699, Iran

+98 21 2240 0434 +98 21 2241 8899

info@namiassociates.com

www.namiassociates.com

¹ Central Bar Association licence number 26300099, registration number 53221 and national identification number 14010847783.