

A Legal Analysis of the Canadian Model: Enacting One Regulation Versus Repealing Two – Lessons from Regulatory Bargaining for the Development of Minab City

تشكيل المجالس المنتخبة وأثرها على فعالية الحكامة المحلية

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Abstract:

Nowadays, increasing regulation, conflicts, and complexities are known as some of the important obstacles to city development. Canadian governance can control the extension of these obstacles by executing deregulation models and simplifying rules by the name of "removing two regulations to execute one regulation." "This means that by executing a new law, two recent laws should be removed or modified. Minab town is faced with similar obstacles in its development. Based on that, this study analyzed the model of "removing two-to-one situations" in Canada's theoretical framework and legal system. The aim was to remove these obstacles for Minab town. Achievements, extending the execution of deregulation models and simplifying the "removing two-to-one situation" laws of Canada, preventing extra regulation, reducing regulation in economic fields, and modifying ownership systems are suggested.

Keywords: Deregulation, Simplification, City development, Opportunity prices, Two to one model in regulation.

الملخص:

تعد زيادة التشريعات والنزاعات والتعقيدات من أبرز العوائق التي تواجه تنمية المدن في الوقت الراهن. ويمكن لنظام الحوكمة في كندا الحد من تفاقم هذه العقبات من خلال تطبيق نماذج "إلغاء القيود التنظيمية" وتبسيط القواعد عبر آلية "إلغاء تشريعين مقابل تطبيق تشريع واحد"؛ أي أنه عند سن قانون جديد، يتعين إلغاء أو تعديل قانونين قائمين. وتواجه مدينة "ميناب (Minab)" تحديات مماثلة في مسار تنميتها؛ لذا هدفت هذه الدراسة إلى تحليل نموذج "إلغاء تشريعين مقابل تشريع واحد" (المعروف بـ "اثنان مقابل واحد") ضمن الإطار النظري والنظام القانوني الكندي، وذلك سعياً لإزالة تلك العوائق التي تعترض المدينة. وتتلخص الدراسة إلى مجموعة من المقترحات، منها: توسيع نطاق تطبيق نماذج إلغاء القيود وتبسيط القوانين الكندية القائمة على مبدأ "اثنان مقابل واحد"، ومنع الإفراط في التنظيم، وتقليص القيود التنظيمية في المجالات الاقتصادية، وتعديل أنظمة الملكية.

الكلمات المفتاحية: إلغاء القيود التنظيمية، التبسيط، تنمية المدن، تكلفة الفرصة البديلة، نموذج "اثنان مقابل واحد" في التنظيم.

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Introduction:

Nowadays achieving to city development is dependent on clear, efficiency and accordance law framework without any doubts. Suitable and purposeful laws can create a great framework for prosperity of city development and achieving to development goals. In a lot of cases, cities are faced to some challenges such as increasing regulations, law conflicts and law complexities instead of using high capacity of them and these are not only disturbed development process, but they have a huge amount of time prices and financial prices. In recent decades a lot of countries selected purposeful deregulation and simplification of laws for removing these kinds of obstacles. Canada government success to create satisfied revolution in improving business environments, reducing administrative prices and increasing clearance of law processes by executing a kind of regulation policy by the name of “regulation on the base of two to one”. It means that removing or modifying two recent laws in face of regulate a new law.¹ For example: new statistical shown that number of active startups (companies or inventions business; literature of language and literature approved “innovation assistants” instead of startup) in Canada are more than 3000 in 2024 and they employed about 250000 persons totally. This direct growth is related to deregulation policies and simplification of laws because it creates a lower price and clear environment for economic activities. Also, the amount of risk investments reached to 80000000000 \$ in 2023. It is expected that it reached to 100000000000 \$ in 2024.² In addition of that, by increasing start up programs, the purpose is that about 6000 persons, the purpose is that about 6000 persons are employed through this program till 2025.

This program which is a part of deregulation approach and simplification based on executing regulation is on the base of two for one and it is shown the governance goal for attract innovation entrepreneur and improving digital economic through deregulation and simplification of laws.³ In addition of that regulation model on the base of removing two to one situation in Canada has deep effects on decreasing price, simplification of business process, attract invests and improving clearance in law.⁴

At the result these experiences emphasized on essentiality on using this sample (deregulation and law simplifying)⁵ for solving some challenges such as abundant, conflicts and complexity of laws by having challenges such as deregulation and simplification. Minab town in Iran is a one of approach point for economical extending in the south of country for the reason of geographical situation and natural mineral. This city is located on the way of Makram orien and near the Shahid Rajaei and Shahid Bahonar ports and it can have a key role in economic and commercial development in Iran. The capacities of this city included agricultural and summer work in other seasons, shrimp farming, fisheries industry, environmental tourism and possibility of creating Petro refinery and sweeten water units. In addition of that, geographical situation of Minab became it to an important place for oil exportation and oil products in sanction conditions. Challenges caused by allocation water mineral, using cultural farms and downstream

industries development is sometimes in conflicts of natural capacities and economical needs of area. These conflicts not only reducing the development process, but it caused to un planning and wondering in executing key projects.

So, un development of this city can cause for law abundant, conflicts in polices and lack of according to local capacities and it can have a huge amount of prices for development of city. By noticing above, the basic question of this project is:

How is overcoming on challenges caused to abundancy, conflicts and complexity of laws as basic obstacles a development of Minab city by using deregulation mechanisms and simplification of laws and achieving to stable and purposeful extending by this way.

At the answer of that successful experiences of executing regulation model and simplification “removing two for one situation” in Canada legal system is analyzed by the aim of resolving similar obstacles in Minab city. It is clear that challenges caused by abundancy, conflicts and complexity of laws as basic obstacles a developing of Minab city; or in the other cities of Iran but the aim of this study is only analyzing and explaining the way of solving these obstacles in theoretical framework and legal process of Canada as a model for resolving these challenges and these can be used in other similar city.

Section I:

Definition of Aspects and Relations of Them

Offering exact definition of regulation modifying mechanism and simplification of rules is essential for identifying challenges and offering solutions of them. Explaining these two processes and related challenges are done in this part. It is should be noted that the aspect of regulation in this paper includes of regulation and making rules of executive branch, legislative branch and popular institution in this each shape and frames.

1- Definition of Deregulation and Simplifying:

Two aspects deregulation and simplification of regulation are similar two each other. But there is some important difference in executing of them.

A) Deregulation:

Deregulation means removing, decreasing and modifying complex and unessential regulations which are the obstacles of growth and development.⁶ Using modification mechanisms of deregulation in Canada specially in Ontario town in different fields especially in building and environment part are notices in recent decades. For example by aggregation of long and complexities process of building licenses for huge construction project, a unit window is created for exporting all of licenses and time and related prices of construction projects are reduced.⁷ In this alignment, legal changes in environment parts are a part of deregulation which caused acceleration of doing project and reducing prices. Align of this, law changes in environment part is one of the cases of deregulation

on⁸ which can acceleration in doing projects and decreasing prices by removing regulation.

B) Regulation Simplification:

Regulation simplification means modifying and reviewing of regulation by the aim of reducing regulation complexity and simplifying executing of laws.⁹ In fact simplification means that regulation should be adjusted which can be understandable and execute for all persons.¹⁰ For example in Sweden, government can reduce the time of creating a business, from some weeks to someday by simplifying new business regulation or in the Georgia the time of doing all of customs process reduced to 30 minutes by simplifying custom regulations.¹¹

2- Relations Through Deregulation and Regulation Simplification:

deregulation and regulation simplification are like each other in aspect viewpoint but there are some differences in execute viewpoints. Simplification can pay the way, and deregulation can fix the obstacles of acceleration or decrease them. Deregulation basic is for removing or decreasing the amount of law and regulation, but simplification available laws deregulation can be a part of simplification process, but simplification means modifying in structure and content of laws. As an example of complexity of deregulation and simplification, can be the experience of England country for using these two processes at a same time for simplifying construct processes and construction projects. At first government removed some old regulations which are the obstacle of accelerate executing od construction projects (deregulation) and after that, other process are simplified for a special group of people and execute team that be more practical and understandable.¹² These actions caused simple export process licenses of construction and more clearance of governmental processes.

Section II: Theoretical Bases

Nowadays, trying for development without theoretical framework is not ideal. Base of that for analyzing deregulation samples and simplification of regulation explaining theoretical support can be important:

1- Growth Economic Theory:

The emphasize of growth economic theory is on the importance of economic is on the importance of economic development as a basic part of city development. There are increasing production, income and more than them improving bio, social and cultural conditions of citizen by growth economics. This theory explain that economic condition should be simplified by simplifying and deregulation for totally development of cities. Bureaucrat and complex regulations can create obstacles for attract investment, local growth businesses and stable development in city¹³. At the result, simplification and deregulation can growth economic efficiency (in industry, commercial, and city development), increasing employment, improving social wealth and increasing achieving

city services. Based on this theory, basic precondition of achieving to city development is deregulation and simplification of economical laws.

Base of this theory, government should have a limited role and non interventor in economic, social and cultural aspects and it should be created a suitable platform for economic, social and cultural growth through decreasing bureaucracy and complex regulation. Comprehensive city development is only possible by decreasing unessential interventment of government in economic and social process. For example, deregulation in construction field, transfer and city services can be simplified infrastructure projects, improving achievement to city services and decreasing economic and social inequality. Small government can improve citizen's life situation by simplifying city deciding process.¹⁴

2- Good Governance Theory:

Good governance theory emphasized on clearance, responsibility and efficiency on city management. Good governance means clearance in deciding, decreasing corruption and increasing responses of government firms. This theory explained that city management process will do more efficient and effective by simplification legal system and regulation and it helps to comprehensive development of city. Comprehensive city development needs a good governance which is based on that; all of city life dimensions are managed effectively (economic, social, cultural and environmental). Simplification of regulation helps to clearance improvement in deciding process and at the result it can cause decreasing corruption and increasing citizen corporation and improving life quality. Good governance had direct effect on decreasing inequalities and improving social adjust specially in city programming and resources allocation.¹⁵

3- Innovation and Entrepreneurship Theory:

Tis theory emphasizes on innovation and entrepreneurship effects in comprehensive city development. Innovation and entrepreneurship are some of key factors in economic and social growth of city. Decreasing unessential regulation and simplification of legal processes can help to encourage innovation and attract investment and creating new businesses and finally it can cause improving social, economic and environmental situation.¹⁶ innovation in all of fields such as environmental process, intelligent transfer, social services and general healthy play a very important role in comprehensive city development processes. Of course, our goal is not every innovation but innovation with growth and improvement is our goal. Regulation simplification can create a suitable area for innovation and entrepreneur can enter to market by lower obstacles and trigger business and resolve city needs more effective and more stable. So, innovation and entrepreneur are doing as basic stimulus of city stable development.

These four theories emphasized on simplification and decreasing regulation in the light of good governance, small governance, innovation and economic growth lead to simplify and accelerating city development and improving life situation in cities.

Section III:

Presence of One-for-Two Regulation Model in Canada

Basic components of deregulation and simplification based on experiences of different countries in behavior mirror and legal process of them includes a set of actions and approaches by the aim of decreasing complexities and improving efficiency of legal system and execution. These components in a lot of countries are shaped based on special legal and economic structure and finally by the aim of economic, social and cultural activities, improving governance and improving legal process are followed in law and regulations. Experiences of different countries in deregulation process specially in legal system can be used as a valuable resource for designing similar approaches in other countries such as Iran in Canada country, deregulation are executed in different fields of social and economic 3xtendly, and this process is continued from past under different government programs specially in federal level (central government) and city governance. Canada has a success experience in deregulation process and simplification of regulation in different fields of city and construction specially in Ontario and Colombia Britania towns. These changes caused reducing the number of modified requests and increasing general satisfaction level in government systems. The most deregulation regulation in Canada are”

1- Executing Change Principle of Removing Two for One Rules:

This two for one rule is one of the most important deregulation rules and simplifying in Canada. In this rule government get a command that for each new rule or legal rule, two rules or recent rules should be removed or modified.¹⁷

This rule applied in federal government (central government) of Canada in 2012 at the name of “ regulation modification” base of this command the duty of, governance is by approving a new rules, at least two recent rules removed or modified. This theme is executed in governance level in some towns such as Britania Colombia and Ontario.

In the light of this principle complexity of regulation will be reduced by creating legal information banks and crating regulation for more clearance. This action caused to optimize social and economic parts, by satisfying in doing activities by the time and price viewpoints. For example, regulatory modernization act¹⁸ which are executed in different cities of Canada specially in Ontario and Britania Colombia. Regulation are reviewed and modified continuing which is prevented unessential complexities. The aim of this alignment is decreasing executing prices and processes will be accelerated and cleared. This principle is based on below components which are their policies.

2 - Corporation of Beneficial in the Light of (two for one model):

Deregulation process and simplification by corporation private part and other beneficial in different parts of society is done such as economic actives, civil parts and legal expert which is accorded to real needs of different economical parts¹⁹. In program such as “ consulation and regulatory modernization in Ontario town.” Companies and business owners has corporation as basic corporation in identifying and removing extra

regulation. This corporation guaranteed new regulation not only align new regulations by economic goals but by noticing “two for one” model it can help to simplifying legal and supervisory framework help to government by offering feedback for removing un efficiency on complex regulation and offering suitable and efficient replacement. This process by noticing “two for one” model not only cause improve clearance and reduce execute prices but it replaced new regulations instead of adding obstacles, economical and innovation stimulus. This corporate approach is a sample of advanced policies and based on interaction in Canada which can create a suitable environment for economic development, protection of general benefits and improving social justice by combining general consultation and simplifying regulation.

3 - Digitizing Systems under the ‘Two-for-One’ Model:

One of the most key approaches in alignment of digitizing “two for one” model (Digitalization, Numerization) execute programs and reviewing in administrative system. Using information technology especially in fields such as exporting license and monitoring in construction process caused acceleration and simplifying legal process and it caused productivity in addition of decreasing prices. As an example, implementing electronic system such as e permitting and e inspection in Canada, this possibility is caused for this aim that citizens and businesses can do their requests, payments and follow up by the online form. These changes reduced a dependency to manual and traditional processes and created more clearance in administrative interaction.

Reviewing in executing and monitoring process is on the alignment of digitalization from other important components of executing “two for one” model. Identifying and removing extra and unessential regulation creates a field for simplification monitoring processes. For example, digital system of exporting licenses and monitoring on construction prevents complex bureaucracy in addition of reducing wait time and executing prices and guaranteed more exact execution of regulation. Removing extra regulation in side of simplifying processes improves competitiveness of private part.

By digitalizing of processes, it is shown that this model not only on the number of rules by removing unessential regulation for each new rule, but it can cause to accordance new regulations with modern technologies and it helps to simplifying monitoring framework. This accordance creates a more clearance and more efficient environment for citizens and business and finally it leads to economic and innovation growth. Success samples of executing this approach is shown in some towns, such as Britania Colombia. Electronic systems of this town can simplify monitoring on construction and exporting licenses and it can reduce essential time for receiving licenses to 40 percent. Also, administrative prices related to execute process is reduced noticeably. Totally, executing this model is created suitable situation for economic and social development by simplifying executing matters and improving relation through government and private part.²⁰

Section IV:

Case Law on the ‘Two-for-One’ Deregulation Model in Canada and Beyond

Deregulation and simplification of them in a lot of developed and developing countries are done in responding to basic legal challenges includes of complexity, abundance of regulation, mismatching regulation to environmental conditions.²¹ In this city, some of important opinions of different countries court are studied generally and separately in Canada country as international experiences. By analyzing export opinions from courts and legal files, importance of simplification law and regulation in different countries are pointed and these experiences can be used for improving urban and economic regulation of Iran.

1- Deregulation and Simplifying them on Legal Process of Canada:

Analyzing approach and legal firm behaviors as a basic part and essential part of developing goal can be a good observer on understanding effects and obstacles and simplifiers for improving modifying processes. Some of important parts are studied by the aim of exact analyzing of subject and by the aim of achieving correct solutions.

A) Canada (Attorney General) v.J.C 2005 file:

Above file one of the most prominent cases which is showing the importance of “two for one rules” in deregulation and simplification of Canada regulation. “two for one” model is an essential tool for government as a politics effective tool which can remove or simplify at least two recent rules for each new rule or modifying available regulation. This approach is designed by the aim of reducing the amount of unessential rules and creating clearance in legal and administrative systems. In this file, negative effects of extra and complex regulation on government firm operation, citizen legal and economic of country are studied by high court of Canada. Court emphasized that complex regulation not only be administrative process more cost and more time but it can limit general availability to legal regulation. So continues reviewing of regulation and executing of policies such as “two for one model” iss essential.²²

This opinion is introduced reducing bureaucracy obstacles not only as an administrative essential but as a key principle for improving social justice and economic growth by emphasizing on “two for one model”. High court said that executing this principle can help to create a stable balance through citizen freedom and monitoring control. So this policy creates a possibility of focus government on legal and essential and effective regulations.

This file studied complex administrative legal and essential matters of bureaucracy and governmental clerks and executing firms should obey it. High court of Canada in their opinion emphasized that continues reviewing of complex regulations and removing unessential regulations not only is essential for simplifying administrative process but it can prevent negative effects of these regulation on economy, citizen legal and government efficiency. Clear message is sent to regulator and executor firms which deregulation policies specially “two for one model” is a powerful tool for removing legal obstacles,

improving clearance and improving usage in all of private and legal levels. This file showed that this principle creates more opportunities for economic growth in addition to reduce bureaucracy responsibility and it can guaranty justice and clearance in legal system.

B) File Lavigne V. Canada (Minister of Human Resources Development) (2002):

It is the most prominent that emphasized on regulation importance in social service system of Canada. In this file, high court of Canada checked the negative effects of laws and complex and extra regulation on wealth and social systems, and it emphasized on necessarily of this regulation.²³

This opinion explained that extra regulations should not be an obstacle in the way of more accelerate and more efficient of wealth services. Court explained in their opinion that extra regulation not only decreasing if system usage, but it can neglect citizen rights in availability to government services. The message of court to politics and execute firms was clear: reviewing and removing unessential regulation is key tools in developing social justice and creating trust in governmental system. The emphasize of this file is on the role of “two for one” principle in efficiency improvement of government because it shows continues reviewing of regulation and removing un efficiency regulation and hot it can lead to improve administrative process and resolve availability obstacles to citizen rights which administrative processes are not designed simpler but it is accordance to social needs.

In legal and social viewpoints, tis file is a growth point for defining government duties for offering clearance and justice services. Consequences of this opinion is more than case modification in wealth service system, inspiring more extended policies for social justice improvement, increasing usage and supporting citizen rights. This decide is the sign of power of legal system in identifying weak point of system and offering solutions for achievement government is better and more efficient.

C) File: Ontario V. Canadian Federation of Independent Business (2011):

Above file was a growth point in intervening and practicing in monitoring and environmental regulations specially in the medium and small business viewpoint. In this file, high court of Canada emphasized an essential simplification of regulation by studying the effects of monitoring complex regulation on the competency power and economic growth. Court explained that although monitoring regulations are essential for protecting environmental standards, but it should not be designed by the form of creating unessential obstacles for business.²⁴

The emphasize of court opinion is on vital balance through protecting general benefits and reducing regulation responsibility for economic activities. This decide showed the approach that is emphasized on protecting environmental standard, economic efficiency and simplifying monitoring process for medium and small business. This file emphasized essentiality of clear and flexible polices for effective protecting environment at the one hand and medium and small businesses could have activities in more suitable environment at the other hand. At the legal and economic viewpoint this opinion shows

the importance of noticing to regulation effects on all of social, environmental and economical dimensions and it is reminder of court role in balancing general and private benefits. In this alignment, the importance amount of “two for one” principle is detected because this opinion sent a clear message to regulators and supervisors firms: deregulation and removing unessential complexities in monitoring process is a key tool for supporting economic growth, simplifying of business and improving innovation.

D) File: Canadian National Railway Co.v Canada (Attorney General) 2000:

This file is related to check monitoring regulation of transfer industry which the emphasize of high court of Canada is on simplicity essential and clearance in supervising laws. Court checked monitoring regulation in this file and this question is defined “Are these regulation simple, clear and executable enough?” High court emphasized that unessential complexity in monitoring regulation not only caused to increase price and time in executing process, but it can be a sever obstacle for developing industry and economic. This opinion is emphasized on the importance of accordance through monitoring rules and operation needs and it proved that extra and complex regulation can have an effective role in usage of industrial parts.

Court said that clearance and efficiency of rules have vital role in simplifying industrial activities and economic growth.²⁵

This survey is aligned to “two for one” principle indirectly because the emphasize of that is reducing unessential complexities and optimizing monitoring regulation and it can be an effective step in the alignment of removing unessential regulation and simplifying executive process.

At the other time, file showed that monitoring regulations not only should support monitoring aims; but it should be clear, effective and executable for minimizing obstacle of economic and industrial development. Clear massage of high courts decide to regulator and monitor firms was that regulation and simplification of rules; should be key factor in achieving of stable development and economic growth in addition to help to improve efficient of transfer industry.

2 - Two-for-One’ Deregulation Model and Its Simplification Across Legal Systems:

Executing “two to one” model in a lot of legal systems are known as a tool for reducing complexity and resolving extra regulation. This principle helped to simplify accessing to justice, improving business environment and increasing clearance according studies shows that courts have basic role in simplifying of this process by using their legal process in removing extra rules and emphasizing on clear intervention and efficient of available rules for example R file: (Miller) v. secretary of state for exiting the European union (2017)²⁶ in Britania shows the importance of deregulation in politic macro deciding. High court of Britania believed that clearance of regulation and removing regulation which preventing executing of decided are necessary. This file showed that regulation complexities not only caused delay in processes, but it caused to reduce general trust.

Also, in *European commission v. Italy* (2000)²⁷, high court of European commission, Italy was forced to modify and simplify complex administrative rules which are obstacles of investing and creating business. This order cleared that deregulation can have an important law in improving economic environment and resolving legal obstacles directly.

File chevron USA Inc. V. Natural Resources Defense council. Inc (1984)²⁸ in USA is another example of executing “two for one” model in legal interpretation shape. High court of USA explained *cherron* rule and based on that interpretation of executing authorities from complex rules are admissions by according regulating aims. This approach emphasizes that simplification and flexible intervention of rules, caused acceleration of executing and efficiency.

Or, in India, *M.C Mehta V. union of India* (1987)²⁹ has special emphasizes on essential of removing unnecessary complexity in environmental laws. High India court believed that executing complex laws and lack of enough clearance caused delay in accessing environmental goals.

In addition of that in south Africa, *minister of finance v van Heerden* (2004)³⁰ emphasized on the importance of simplifying financial rules. High court of south Africa priorities clearance and removing executing obstacles by approving the negative effect of financial complex rules on economic development.

All of these results show that “two for one model” are used in a lot of legal systems by the aim of reducing execution prices, removing extra rules and simplifying legal process. Courts by this opinion has basic roles in support of this principle and deregulation became to an effective tool for improving clearance and general trust. Executing of this principle can be a model for other legal system and pay the way for basic modification.

3-Legal Components of the ‘Two-for-One’ Deregulation Model in Minab City Development:

Deregulation and simplification of laws at the first viewpoint is a promising solution for reducing complexities, increasing usage and create clearance in execution processes. This approach can create a suitable platform for improving investment, improving business and decreasing unessential bureaucracy. But in fact, a lot of fields such as city development in Iran are faced to two approaches with severe legal and executive challenge. One of the most important challenges in this field is abundance and lack of according of regulation. Existing conflict rules or old rules are only not accordance to now situation of society, but they are conflict to each other. For example, in financial and laborer field, there are some regulation which can disturb investing process by the reason of complexity and conflicts and it has negative effect on business usage.³¹

These challenges are more tangible and multi faces in Minab city. Minab had the ability to become a regional development pole by noticing to their capacities in commercial, agricultural and social fields but legal complexities and lack of accordance of regulation in these fields are some obstacles of full usages of these capacities.

Abundance of regulation about farms ownership, supplying water and supporting internal products are some challenges instead of simplifying for agricultures in agricultural fields. At the other hand, in commercial port, conflict of custom regulation conflicts and financial and lack of clearance mechanism for management of these conflicts are overshadowed the commercial opportunity of this region.³²

Complexity and lack of regulation clearance is one of the other sever obstacles. In Minab such as other towns, sometimes approving and executing new regulation is done without any accordance to previews regulation and checking legal effects. This problem not only caused to confusion of executive firms but it limited opportunities which can be used in the direct of growing and city development. At last, deregulation and simplifying of laws as a general policy although can have benefits such as reducing bureaucracy and simplifying of process, but they are not noticed by the below list.

A) Lack of Clarity, Conflicts, and Complexity in Ownership Regulation:

One of the most key challenges in the way of developing Minab town is lacking clearance component and conflicts and complexities of regulations about farm ownership. These factors hav effected on development process directly and a lot of construction projects and investments are faced to sever obstacles. Lack of clearance in regulation and process about assignment and property registration can caused confusion for owners and investors and it reduced the possibility of correct predicting of legal predicting of legal results for them.

In addition of that, regulation conflicts about ownership such as conflicts through national and local laws or conflicts through natural resources regulation and urban regulation can faced farm owners by abundant and complex problems. For example, national detection or exceptions of farms are caused to instability owner right or created extended legal conflicts based on natural resources laws and forests and grasslands. In a lot if cases, owner are forced for recording their farms as personal exceptions and removing their farm from national farms to ladge a claim or multi years follow up. This process not only time and price consuming, but it can be confused owners and reducing general trust by the reasons of lack of clearance and administrative process.

At the other hand, complexities and lack of regulation accordance creates another level of these challenges in deciding commission of 12 article of urban and land law. Even after proving exception of lands owner should defend their rights in commission for the aim of exiting their land from inclusion of barren lands. This process caused to face owners more and more by these rules and conflicts process especially in region by the limitation of city development such as Minab and owner stability should be at risk as a basic part of development. This situation is a clearance sample of lacking of stability and clearance in ownership right system which create basic obstacles in their way instead of simplifying development.³³

B) Lack of Opportunities for Local Regulation and Investment Alignment:

Attract regulation and encourage and supporting investment such as investment in economic commercial or social infrastructure are written as a unit script or as sewing a coat for all sizes. This deregulation limited local qualification for negotiation and bargaining to investor. Lack of granting essential qualification to local authorities for creating and executing regulation of city development and it leads to delay in deciding process and execute development themes. For example, some local firms in Minab can't apply quick and effective changes in regulation in order to simplifying investment and development process.³⁴

A city by high capacity commercial business needs to encourage investors and supporting them in order to develop infrastructures of economical commercial situation. Now, regulation has general roles but although they should accorded by situation and capacity such as any regulation.

Province policies, parliament of city and other resources should be noticed to abundant economic variables in regulation situation and worked for suitable model of capacities in three levels national, province or city, policies based on suitable model by noticing essentiality of city. Base of that, Minab city such as other cities of Iran is located on the light of business policies and investment sample of "one coat fit for all" and there is not any accordance principle of regulation in developing of this city. Other shapes are abundance and conflict of regulation. At result: lack of accordance of using from commercial investment capacities and economic challenges faced to challenges.³⁵

Section V:

Critique of Simplification and Deregulation from an Islamic Perspective

Islam is a comprehensive and complete religion which have special programs for all of parts of life and principles. For clearing Islam viewpoint we have:

1. Allah doesn't want difficulty for human and faced on unbearable hardships.

Yoridollah Bekomolyosr valayordio bekomolosr (Baghareh/ 185). God wants simplifying for you and doesn't want difficulty for you. This is divine tradition that should be noticed in all of legal processes.

2. Divine duty of all of officials, managers and brokers of Islamic system is that approving responsibility when they have suitable situation and there isn't any person more worthy than him and in appointment, correct person should be selected not good person. Otherwise it was betrayal. Without any doubt in there are a lot of differences, through different person in regulation problem, management and executing laws.

Islam prophet peace be upon him may be contrary of some of companions expectation, selecting a twenty year young person by law experiences by the name of: Attab Ebn Asid" for governorship of a sensitive center of Makkeh. Prophet answered to all of possible questions and said that:

“Attab do you know which of groups is under your governorship? You are became governor of “ Allah’s friends” (people of God’s holly place and Makkeh resinents” and if I found a more worthy person than you, he became governor in stead of you! (Ebne Asir 812: 1433). In other speech of prophet:

Manestamal gholaman fiesabat fia man ova Arziallah Menho Faghad khan Allah (Majlesi, 2023, issue 23:7). Every person who employed a young person for governing on a group by the way there is a person on that group which is more worthy in god’s viewpoints, it is betrayal to god.

By noticing to the reason of betrayal, this narration is used for everyone which approve responsibility and know that he is not worthy or there is a more worthy person for this responsibility, he betrayal to God. And assigning every non wealthy person for each responsibility is betrayal of trust.

3. Jusic is a basic and key problem in executing laws and possibility of usage capacities and it can’t neglect at all and it should be noticed in all of life matters such as reception of responsibilities, selections, assignment, managements, executing laws, monitoring, disturbance properties and wealth, justice, speech and behaviors. Justice in all of parts of Quran is noticed. (such as Baghareh / 222, Nesa/ 3, 58, 135, Maedeh/ 42, Anam/ 152. Araf/ 29, Hould/ 24, Asra/ 35, Hojorat/ 9. Hadid / 57, Momtaheneh/ 28, ...). This basic problem is one of the basic goals of prophets. They make a field of action people of justice (Hadid/ 25) and they are responsible of executing justice.

Amer to Leadela Baynakom. (Shora/ 15)

I am responsible for making justice through you. Believers are responsible for behaving by justice even in front of God’s enemy.

4. The rulers, official and regulator’s duty is creating essential platform for good and honorable life for people in addition of creating suitable fields for spiritual and religion growth. Justice should be executed in distribution of facilities and established the simplest methods and the best way of justice laws by the way of all of deserve can use available, capacity of business and commercial and the give profits accordance to their effort and sharing in development of material and spiritual advanced of them and county.

5. For every one justice and desirable using, and regulation should be explained by the simplest way and it is not complex and difference by the aim of all of people can obey it. It Is possible that creating some complexity in some situation by the reason of matters such as special religion, security or economic problems or by the reason of justice oriented or compatibility by other regulation and principles or for explaining different orients. In this situation they should use all of explanation and promotion capacities for exact and simple understanding to all of qualified applicants and it should program and practice by the aim of using facilities doesn’t for special group.

6. Beneficial of laws should not intervene in establish regulation because naturally the possible of unjust regulation probability and incorrect usage of them will increase by the way that regulator can't notice it.

7. For developing country and creating better situation, shortcoming laws should be monitored in execution level and modify or change regulation essentially. The essential part of achieving this aim is giving responsibilities to awareness, proficient, committed, associate persons that are suffer for doing divine and human duties and the goal of that was wealth and suitable comfort of the people.

8. It is noticed that two for one model (establishing a rule instead of removing or modifying two previous rules) in all of items are reasonable and intellectual or not and this needs explanation. Sometimes it is possible that new rule can be a good solution when the rule is silence or creating a challenge. Although previous rules are essential two and these are effective in economic development and business improvement. It is possible that new rule is effective and essential which is established instead previous rule and removing that, but other rules have essential efficiency of them. In these two forms, lack of establishing new rule by the reason of lack of removing possibility and modifying two previous law is not reasonable. In some items it is possible to create a new rule, and this rule can modify or remove two or more previous rules based of that it should be say that best of intelligent, reasonability or experience should remove or modify by all f items which establish new rules.

This correct and reasonable base can be approved that needs more effort continuously and change, remove or modify complex laws and cumbersome commercial and obstacle of growth and improving business and simplifier justice laws, motivation and encourage laws caused to growth, prosperity and improving industry and people livelihood laws should be noticed severely.

9. If resources and different face of regulation of related matter for properties and economic without notifying to high level laws and other laws, incompatible rules to each other should establish, and rules instead of simplifying and paying the way are obstacles of movement business and growth and prosperity of economic matters. In this item, basic solution is that all of these laws (except basic rules and high level rules) at least studied in final level in a proficient and unit group and they are approved by the situation of accordance y basic principle of religion, basic rules and high level rules. Of course it should be by the condition of acceleration product and simplification and economic prosperity of country.

10. By the way of efficiency good and efficient rules are on this situation lack of aware observer powerful and committed and dutiful and end to end supporting of them in execute level can face by problems. In official steps and referral of people, without effect of official and powerful and efficiency staffs on clerks are not achieved to desirable and development and ideal result. Simplifying and digitalizing all of steps or record companies, business and industries and production systems, buy and sale and stores are

the most effective step in acceleration of works, programming, achievement and preventing violations. The effective and desirable result can be simplified by regular accordance work, essential training, prominent monitoring and corporation and general empathy.

11. About above legal files three ports are pointed. The role of judiciary in economic advancement of comony by checking exact and acceleration to economic violation is not denial. The duty of justice based of available laws about violation regulation, execution and observation, justical and without any condescension regulation, export checking and verdict. Other wise different violation is happened by different shapes and it can cause discouragement of people and obstacle of economic advancement. Justice is not a proficient in economic matter as a justice which can do to understand these result of action or lack of location to laws in society by the opinion of their expert comment, unless himself is proficient in this item or used experts viewpoints.

12. All of valuable and usable world or regional experience should be used in accordance of basic and religion principle. Islam does not use each tool for achieving to economic goals and industrial and material advance. At the other word, aim can't justify the tool in Islam. For example imagine that usury is forbidden in Islam. (Baghareh 275-278, Al Emran, 130-131, Nesa, 161) and the aim of usurer in fact is war to god and prophet (Baghareh, 279) and it is a desirable and simplifier thing in a country and it has visible effects. But visible effect of that can't compare to it's deadly loss (Baghareh, 276, Room, 39). And if economic rules have desirable result in economic prosperity, but it is finished to the benefit of rich people or a special group of society and it isn't justice and desirable for Islam. Complete and comprehensive religion, Islam noticed world and hereafter, appearance and interior, material and meaning and body and soul by each other.

Conclusion:

The basic question of this study is how passing related challenges of abundant regulation, conflicts and complexities of laws as some obstacles of development in Minab City by using deregulation mechanism and simplification of laws. For answering of that, regulation model of Canada means “two for one” model (removing two rules as establish a new rule) are analyzed based on basic principle and politics based on legal process by other international success experiences. Results show that success of Canada country in passing obstacles of abundant regulation, conflict and complexity of regulation is by the reason of using above model, because usage increases and executing prices decreases. In addition of that reducing legal conflicts, development of legal clearance, legal system efficiency and improving general trust are other results of above example. Problems such as below matters are explained by noticing to Islam opinion:

Studies showed that development of Minab city is faced by similar obstacles, such as:

1. Abundance, complex and conflicts of regulation.

2. Lack of accordance of regulation by local capacities.
3. Un efficiency sample of investment in order to access to city development.

Base of that, this study suggests executing above sample as a comprehensive solution by analyzing challenges of Minab city and success experiences of Canada in executing deregulation model and simplification of laws by the title of “two for one”. These suggestions are:

1- Implementing Canada’s ‘Two-for-One’ Deregulation and Simplification Model:

- Removing two extra laws by each approving a new law.
- This action should apply in all of relation fields by city development specially in laws related to farms, construction and business licenses. Except in items which are not possible and not advisable based on professor’s ideas at least in now situation.
- Reviewing and refinement of available regulation:
- Extra regulation should identify and remove and other regulation should be simplified.
- Clearing and digitalizing of process.
- Using electronic system such as Bizpal for simplifying receiving licenses and reducing official confusion and lack of incorrect usage.

2- Reducing Regulatory Adjustments in Commerce and Business:

- Local council can act as a platform for identifying and remove extra regulation.

3- Reforming Urban Land and National Land Laws:

- Removing conflicts and complexities national and urban lands laws should simplify by the way that private ownership guarantee and prevents exiting investment from economic cycle.
- Removing old rules and inefficiency of agricultural lands and usage of water deregulation should be basic priorities in this field.

4- Preventing of Extra Regulation:

- Focus on economic and social simplifying.
- Instead of establish new rules and removing and identifying extra regulation as far as possible.
- Encourage innovation and development.
- Making capacity instead of making limitation for disturbing beneficial and innovation and motivation activities

5- Designing Continuous Evolution System for Monitoring on Modification:

- Active corporation of local communities and private part:
- Regulation problem and offering feedback from local beneficial should be identified.
- Continuous monitoring of regulation:

Creating mechanism for regulate and continuous evolution of deregulation effects.

6-Meritocracy and Justice in the Real Meaning, in Responsibilities and Official Matters:

- The best committed and experienced, associate and empathy should be selected for establishing suitable regulations.

- The best thing should be employed in different levels of official and monitoring and incompetent official and employees and obstacles of development should be removed without any condescension by continuous and exact monitoring.
- Justice should be noticed as an essential and key matter in all of situation and regulation, execution and monitoring level.

Final result is that: applying two for one model of deregulation and simplifying laws in Canada country and other countries can create a suitable platform for foundation revolution, stable economic growth and balance development of Minab city. Experiences of countries such as Canada shows that removing extra laws and simplifying official process creates a field for attracting internal and external investment in addition to increase clearance and reducing corruption and improve local economic capacities. Apart from this achieving to Minab city development is possible by executing approaches such as “two for one” model in reducing extra regulation, create focus electronic system for simplifying legal process and completion encourage policies in key fields such as agriculture and port development. These actions will increase usage official and economic system and general satisfaction. So that, exact and balanced programming by capacities of Minab plus active corporation of local communities and related firms lead to access stable and balance development.

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¹ - In 2017 report of Canada government, reported that executing prices in economical parts specially in export and import goods parts are 15% reduced. Canada can have 10% increasing in foreign investing in 2018. These polices can create international investors trusts by reducing law obstacles and create a clearance environment for businesses. The amount of new business and startups in Canada are increased 8% in 2012 to 2018 by the result of law modification and regulation simplifications. This growth shown that create a more suitable environment for entrepreneurs through simplifying record process and trigger businesses. Base of 2-19 report in Ontario city, 30% of related prices of administrative process and complex regulation in Ontario city. This can simplify business process inside of reducing law obstacles and Colombia and Ontario became to a more attractive destination for investors.

² - Some countries such as Singapore and Netherland success to solve these challenges. But at contrast some of developing countries conflicts safety standards of society without effective of unsuccessfully by more reducing investing attracts regulation and increasing innovation.

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Generally, deregulation and simplification of regulation by the aim of reducing bureaucracy, increasing clearance, attract investment and reducing design corruption, removing unessential in legal process. For example, environment in Germany are designed for executing and understanding for business and governmental parts. Investment attracts are the other result of this approach. Modifying tax and commercial process on Canada create an attractive environment for investors. In addition of that, simplification of regulation can reduce the corruption opportunity, using technology in administrative process can reduce corruption and increasing general trust in Denmark.

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