Cabinet Decision No (18) of 2005
Concerning Transfer of Sponsorship, Secondment of Sponsored and Fees Prescribed Therefore

The Council of Ministers,

Having perused Federal Law No (1) of 1972 concerning the Competences of the Ministries and the Powers of the Ministers and the amending laws thereof;

Federal Law No (6) of 1973 concerning Immigration & Residence and the amending laws thereof;

Federal Law No (8) of 1980 concerning the Regulation of Labour Relations and the amending laws thereof;

Ministerial Decision No (30) of 2001 regarding the transfer of sponsorships, categories allowed to transfer their sponsorships, and the conditions required;

Decision of the Minister of the Interior No (360) of 1997 issuing the Executive Regulations implementing Federal Law No (6) of 1973 concerning Immigration & Residence;

Cabinet Decision No (466/9) of 2005 approving a new system of sponsorship transfer for all categories of workers, secondment of construction labourers, and levying fees therefore; and

Based on what was submitted by the Minister of Labour & Social Affairs and approved by the Council of Ministers,

Decided as follows:

Article (1)

Sponsorship may be transferred pursuant to an approval obtained from the Minister of Labour & Social Affairs or whomever he authorizes subject to the following conditions:

1. The worker or officer must have a valid residence visa stamped in his passport.

2. The post to which transfer of sponsorship is requested cannot be filled by a GCC or a UAE national registered with the competent authorities in the State.

3. The worker or officer must serve a certain period of time with the current employer as follows:
   a) At least one year for those holding a PhD or MA. They shall be allowed to transfer their sponsorships several times with no restrictions.
b) At least two years for those holding a BA or equivalent. They shall be allowed to transfer their sponsorships twice while they are permanently staying in the State.

c) At least three years for the other categories. They shall be entitled to transfer their sponsorships for one time only while they are permanently staying in the State.

The Minister of Labour and Social Affairs or whomever he authorizes may grant exemption from the above service period provided that a payment of AED3000.00 per case should be made in addition to the fee prescribed in Article 2 herein.

**Article (2)**

A fee for transfer of sponsorship shall be levied as follows:

1. AED1500.00 for transferring the sponsorship of those holding a PhD or MA.
2. AED3000.00 for transferring the sponsorship of those holding a BA or equivalent.
3. AED5000.00 for transferring the sponsorship of all other categories.

**Article (3)**

The Minister of Labour and Social Affairs or whomever he authorizes may allow for the transfer of sponsorship for all categories of workers in the event that such transfer was from one firm to another owned by the same employer within the same emirate and may exempt them from the service period referred to in Article 1 herein provided that a payment of AED500.00 is made for each worker.

In the event of transferring the sponsorship from one emirate to another, payment should be made of the fees referred to in Article 2 herein.

**Article (4)**

The Minister of Labour and Social Affairs or whomever he authorizes may allow for the secondment of construction labourers from one firm to another subject to the following conditions:

1. The number of labourer should not be less than twenty.
2. The firm seeking such labourers should have actual need of them according to the information available to the Ministry of Labour and Social Affairs.
3. The current employer should consent to the secondment of workers to the applicant establishment.

4. The new employer should submit an application to the Ministry of Labour and Social Affairs accompanied by receipt(s) proving payment of the following fees:

- AED1500.00 for each labourer in the event of secondment for a period not exceeding (3) months.
- AED2000.00 for each labourer in the event of secondment for more than three months but not exceeding six months.
- AED2500.00 for each labourer in the event of secondment for more than six months but not exceeding nine months.
- AED3000.00 for each labourer in the event of secondment for more than nine months but not exceeding one year.

In the event of violation of the secondment conditions, the prescribed fees for any transaction filed by the owner of the violating establishment with the Ministry of Labour and Social Affairs shall be doubled. He shall not further be permitted to bring new labourers unless after the expiry of six months from the date of settlement of the doubled fees. The Minister of Labour and Social Affairs shall issue the decisions regulating the secondment system after coordination with the Minister of the Interior.

Article (5)

The Minister of Labour and Social Affairs shall be authorized to lay down the rules required for implementing the provisions of this Decision.

Article (6)

Ministerial Decision No (30) of 2001 regarding the transfer of sponsorships, categories allowed to transfer their sponsorships, and the conditions required shall be repealed.

Article (7)

All concerned bodies shall implement this Decision each within its jurisdiction. This Decision shall take effect from the date of issuance thereof.

Deputy Prime Minister

Issued by us in Abu Dhabi
On 13th Jumada II 1426 A.H.
Corresponding to 19th July 2005