Ministerial Decision (Labor) No (326)
of 2006
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The Minister of Labor;

Having perused Federal Law No (1) of 1972 concerning the Ministries’ competences and Ministers’ powers, as amended; and

Federal Law No (8) of 1980 regulating labor relations, as amended; and

Cabinet Decision No (19) of 2005 on the fees and bank guarantees system and the executive regulations thereof; and

Ministerial Decision No (1151) of 2005 on labor card penalty fees;

Ministerial Decision No (1252) of 2005 applying the procedural manual for regularizing the cases of un-issued and expired labor cards; and

Ministerial Circular No (14) of 1995 applying the manual of deduction from the balance of establishment labor; and

Acting upon the proposals of the Undersecretary;

Has decided:

Article (1)

The following cases shall be exempted from the fees charged for delay in obtaining or renewing labor cards:

(1) The case where a worker existing outside the State whose labor card expires after the departure date, and at least six months has elapsed since his departure, or his residence expires while being outside the state.
(2) The case where a worker leaving the state before 23/7/2005 and staying outside the state more than six months is not issued a labor card or his labor card expires before the departure date, without having been deleted from the establishment labor register.

(3) The case where a worker leaving the state after 23/7/2005 and staying outside the state more than six months is not issued a labor card or his labor card expires before the departure date without having been deleted from the establishment labor register. In such case, the fine shall be paid from the date of entry into the state or the expiry date of the labor card till the departure date at the time of deletion.

(4) The case where a worker’s name is repeated in the labor statement kept by the Ministry.

(5) The case where a worker existing outside the state is not issued a labor card or his labor card expires and there are no details on him in the statements of the competent Nationality and Residence Department, or his details are incomplete in respect of the date of entry or the collective dates of entry and exit.

(6) The case where a fugitive worker was not issued a labor card or his labor card expired and the establishment keeps a report of his escape issued by the ministry before 2002.

(7) The case where a worker is not issued a labor card was issued or his labor card expires and he leaves on an administrative or judicial banishment order of a competent authority before the issue date of the present resolution. For any subsequent banishment, a fine shall be calculated from the date of entry into the state or the expiry date of his labor card to the date of banishment.
(8) The case where a worker dies or gets infectiously diseased and no labor card is issued for him or whose labor card expires before or after the date of death or infection.

(9) The case where a worker has a labor suit referred by the ministry to a court and for whom no labor card is issued or whose labor card expires on the date of referral.

(10) The case where a worker is not issued a labor card or whose labor card expires after the rendering of a judicial ruling canceling, declaring as bankrupt, closing down or winding up the establishment employing the worker, or after an administrative decision is passed by a competent authority canceling or closing down the establishment. No administrative decision suspending the establishment or the cancellation by an economic or a municipal department of, or the expiry of the establishment licence or the failure by the establishment to pursue its activity shall constitute ground for exemption.

(11) The case where a worker is not issued a labor card or his labor card expires while he is being jailed or after he has been released, subject to the establishment having applied for regularizing his status not later than (3) months after his release.

(12) The case where a labor card issued in a partner’s, investor’s or shop officer's name, or in the name of a person working for his own account expires, provided that his name is registered in the licence, and that a copy of the residence permit is attached showing his capacity as a partner or an investor.

(13) The case where a worker is not issued a labor card or his labor card expires before or after he has obtained the passport of the state.

(14) The case where a worker’s status is reported by Form No (8) concerning the Deletion of Workers Staying outside the State for more than Six Months, and the fine due for his labor card is
paid on the date of reporting, but he is found to have been staying in the state at the time of deletion.

Article (2)

Directors of competent departments and those of labor offices shall, within their respective spheres of competence, approve the cases exclusively mentioned in Article 1 without the need for submitting them to the disposition committee.

Article (3)

Any other case not mentioned in Article 1 that can be examined and considered for the due fine shall be submitted to the competent department or labor office in preparation for submission to the disposition committee to determine whether it should be exempted from the fine.

Article (4)

This resolution shall supersede any prior decisions on fine exemptions.

Article (5)

This resolution shall be applied from the issue date thereof and strictly implemented.

Dr. Ali Abdullah Al Kaabi
Minister of Labor

Date: 26/4/2006

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