

## **New Expat law (End of kafala system)**

Qatar's new labour law no 21 of 2015 regulating the entry, exit and residency of expatriates has come into force on 14<sup>th</sup> dec, 2016. The new labour law has replaced the existing kafala system with contract based system which from now onwards will govern the employer- employee relationship besides cancellation of the existing Exit Permit System.

The new regulations are aimed at making it easier for migrant workers to change jobs and leave the country. It is a step forward towards improving and protecting the rights of every expatriate worker in Qatar.

Kafala system required foreign workers to obtain their employers consent to travel abroad or switch jobs, a measure that Rights Groups say leaves workers prone to exploitation and forced labour.

The salient features of new labour law are summarized below;

- **Removal of two year ban:**

The new law has removed currently existing two year period ban required for an expatriate worker to return to Qatar to take up a new job after his departure on completion of his contract.

- **Job contracts to decide Employer-Employee relationship:**

There will be a job contract to be signed by every expatriate worker with his employer which will rule the relation between both sides. Both sides are obliged to respect the contract period whether it be two years or five years.

- **Exit Permit not required:**

An exit permit from the sponsor will no more be required for an expatriate worker to leave the country. He only needs to inform the employer that he is leaving. To leave the country, an employee needs to apply its departments concerned through Metrash 2 App and inform

his employer three days in advance. The employer has no right to stop the worker from leaving the country and in case of any objection from the employer both sides can approach the grievances committee to be set up under the new law to look into such cases by the Ministry of Labour. The law also stipulates that in cases of emergency, the worker can leave immediately after notifying the employer and by approval of the authorities concerned.

The new law has raised fine on employees or keeping the passports from 10,000 to 25,000 Qatari Riyals.

- **New contracts to be signed:**

With implementation of new labour law, there will be a new contract for every employer based on new system. The contract would be different from the one based on kafala system.

However, The law will be applicable only to new contracts and not be applicable to contracts signed before its implementation.

- **Change of jobs:**

The law also allows expatriate workers to change jobs subject to conditions.

Expatriate workers with fixed job contracts can change their work and sign new contracts if they wish so at the end of the contract period. For this, they don't need approval from their current employer. However, an approval is needed from Ministry of Interior and Ministry of Labour. On the other hand, if job contract is open ended a worker can change job after five years with approval from both ministries.

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## **Effects of new labour law on Pakistani workforce in Qatar and those who want new jobs in the state of Qatar.**

The changes in the new labour law will have positive effect on the current Pakistani workforce working in the state of Qatar as they would not only be benefited from the facilitation of change of sponsorship but it would also help them do away with the current Exit Permit System. Similarly, they are also in a better position regarding the control of their travelling documents that would make them feel independent and employers would no longer use it as a weapon of harassing workforce which was previously considered the main twisting point in the hands of employer to usurp the rights of common workers. Workers now can come immediately back to the state of Qatar on completion of their contract without waiting for a period of two years in case they find a new job that again is an added advantage to the workers.

The overall impact would be elevation in independence level of workers, smooth Employer-Employee relationship etc. The perception of Horrors of kafala system would change that would result in the rise of motivation level of workers.

Those who want new jobs have the option to either be a part of short term contract or long term contract. They also have the option of change of sponsorship at the end of contract period which again is a positive sign for those who want to join new jobs in the state of Qatar.