

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 14th 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.

Hafiz Junaid Amir Sial
Community Welfare Attaché

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.

LABOUR LAW STATE OF QATAR

We, Hamad Bin Khalifa Al-Thani, The Emir of the State of Qatar,

After perusal of the Amended Provisional Constitution and in particular Articles (23), (34) and (51) thereof and,

Labour Law No. (3) of the year 1962 and its amending Laws , and,

Law No (11) of the Year 1962 on the Establishment of the Commercial Register System and its amending Laws, and,

Law No.(3) of the Year 1963 on Regulating the Entry and Residence of Aliens in Qatar and its amending Laws, and,

Law No. (3) of the year 1984 on the Regulation of the Sponsorship of the Residence and Exit of Aliens, as amended by Law No.(21) of the year 2002,

Law No. (14) of the Year 1992 on Regulating the Recruitment of Workers from abroad for others, and,

Law No (23) of the Year 1994 on Regulating the rules of Compounding of Offences provided for in Law No (14) of the year 1992 on the Regulation of the Recruitment of Workers from Abroad for Others, and,

Law No (7) of the year 1999 on Regulating the Ministry of Civil Service Affairs and Housing and defining its competence, and

The Commercial Companies Law Issued by Law No (5) of the Year 2002, and,

The Proposal of the Minister of Civil Service Affairs and Housing, and,

The Draft Law Submitted by the Council of Ministers, and,

After taking the opinion of the Advisory Council, We have decided the following:

Article (1)

The Provisions of the Labour Law accompanied with this Law shall be applied.

Article (2)

The Minister of Civil Service Affairs and Housing shall, in coordination with the other competent authorities, issue the necessary Decisions for the implementation of this Law and until these Decisions are issued, the Decisions for the time being in force shall continue to be applied to the extent that they do not contradict with the provisions of the accompanying this Law.

Article (3)

The Laws Nos. (3) for the Year 1962, (14) for the Year 1992 and 23 for the Year 1994 referred to together with any provision contradicting with the provisions of the accompanying this Law are hereby repealed.

Article (4)

All concerned authorities, each within its competence, shall implement this Law. This Law shall come into force six months after the date of its publication in the Official Gazette.

Hamad Bin Khalifa Al-Thani , The Emir of the State Of Qatar

Issued at Emiri Diwan on 30 /3/1425 AH Corresponding to 19/ 5 /2004 AD.

Part One

Definitions and General Provisions

Article (1)

In the application of this law the following words and expressions shall, unless the context otherwise requires, have the meanings respectively assigned to them:

1. Ministry
Ministry of Civil Service Affairs and Housing
2. Minister
Minister of Civil Service Affairs and Housing
3. Department
Labour Department at the Ministry.
4. Employer
Any natural or juristic person employing one or more workers in return for a wage.
5. Worker
Any natural person who works in return for a wage for an employer or under his control or supervision.
6. Apprentice
Any natural person having an apprenticeship contract with an employer for his being instructed on the origins of a trade or craft or increasing his knowledge and skills thereon.
7. Juvenile
Any natural person who has reached the age of sixteen but has not reached the age of eighteen.
8. Labour
Any human effort, whether intellectual, technical or physical exerted in return for a wage.
9. Service Contract
An agreement between an employer and worker, whether of a definite or indefinite duration, whereby the worker undertakes to perform a certain work for the employer, under his direction or supervision in return for a wage.
10. Basic Wage
The rate of payment for the work done by the worker in a certain period of time or on the basis of piece or production and includes periodic increment.
11. Wage
Basic wage plus all increments allowances and bonuses paid to the worker in return for or in respect of work of whatever kind and means of calculation.
12. Vocational Training
Educating the trainee on the origins of a trade or craft or increasing his knowledge or skills there on or qualifying the worker to change his trade by the necessary practical and theoretical means and programs.

13. Licensed Physician
The person licensed to practise the medical profession in Qatar.
14. Corporation
Any establishment in which the Qatari share capital is not less than 51 % and whose main place of business is in Qatar.
15. Establishment
Any project managed by a natural or juristic person and employing a worker or more.
16. Continuous Service
The uninterrupted service of the worker with the same employer or his legal successor. This continuous service will not be interrupted in case of periods of leave, permitted or agreed absence or stoppage of work in the establishment for reasons not related to the worker.
17. Temporary Work
The work whose nature necessitates its performance in a limited period or which is limited to a certain work and ends upon its performance.
18. Casual Work
The work which is by its very nature not included in the activities carried on by the employer and the performance of which does not take more than four weeks.
19. Work Injury
Suffering by the worker from any of the occupational diseases listed in schedule No. (1) to this law or any injury resulting from an accident happening to the worker during the performance of his work or by reason thereof or on his way to or back from his work provided that the journey to and from the work is made without any break lingering, or diversion from the normal route.
20. Workers Organizations
The Workers' Committees, the General Committee for the Workers in a trade or industry and the General Union for the Workers of Qatar.
21. Competent Medical Authority
The Authority to be specified by the Ministry of Public Health.

Article (2)

This Law shall apply to the employers and workers, and prescribe their rights and obligations and regulates the relationship between them.

Article (3)

Except as otherwise provided for in any other law the provisions of this law shall not apply to the following categories:-

The employees and workers of the Ministries and other governmental organs, public institutions, corporations and companies which are established by Qatar Petroleum by itself or with others, and the workers whose employment affairs are regulated by special laws.

The Officers and members of the armed forces and police and the workers employed at sea.

The workers employed in casual works.

The persons employed in domestic employment such as drivers, nurses, cooks, gardeners and similar workers.

Working members of employer's family. These are the wife, ascendants and descendants who are residing with and wholly dependent on him.

The workers employed in agriculture and grazing other than the persons employed in the agricultural establishments processing and marketing their own products or those who are permanently employed in the operation or repair of the necessary agricultural mechanical appliances.

The provisions of this law or any part thereof may by a resolution of the Council of Ministers upon the recommendation of the Minister be applied to categories 3, 4, 5 & 6 referred to in this Article.

Article (4)

The entitlements prescribed by this law represent the minimum entitlements of the workers and any stipulation contradicting the provisions of this law shall be void even if it was made prior to the date of application of this law unless the said stipulation is more advantageous to the workers and any release, compromise or waiver of the entitlements prescribed for the worker by this law shall be deemed void.

Article (5)

The sums due to the worker or his heirs under this law shall have priority over all movables and immovable properties of the employer and shall have a privilege over all other debts including the debts due to the State.

Article (6)

If the employer entrusts any natural or juristic person with the carrying out of the employer's original work or any part thereof such any natural or juristic person shall equally treat his workers and the workers of the original employer whom he employs for the carrying out of that work in regard to entitlements and privileges. The employer and any such natural or juristic person shall be jointly liable for the payment of these entitlements and privileges to the extent of the sums for which the employer is liable to the person entrusted with the work.

Article (7)

The employer shall before the commencement of the work in his establishment notify the Department of the following particulars:
The name of the establishment, its location, its type of activities, its correspondence address and its telephone number.
The nature of the work which the establishment carries on.
The number of workers employed by the establishment, their professions and nationalities.
The name of the authorized manager of the establishment.

Article (8)

The periods and dates indicated in this law shall be calculated according to the Gregorian Calendar. A calendar year means 365 days and a calendar month means 30 days.

Article (9)

All contracts and other documents and written instruments provided for in this law shall be made in Arabic.
The employer may accompany such contracts, documents or written instruments with translations into other languages and in case of any difference the Arabic text shall prevail.

Article (10)

All lawsuits filed by the workers or their heirs claiming the entitlements accruing under the provisions of this law or the service contract shall be dealt with urgency and shall be exempted from judicial fees.

Subject to the provisions of Article 113 of this law, the right to file a lawsuit for a claim of the entitlements accruing under the provisions of this law or the service contract shall lapse by the expiry of one year from the date of expiry of the contract.

PART TWO VOCATIONAL TRAINING

Article (11)

The vocational training shall be carried out inside the establishments or in the institutes and centers which are to be designated for this purpose.

The Minister shall by a decision, specify the theoretical and practical programs for the training, its maximum duration, the rules and conditions to be followed in respect thereof the method of examination and the certificates to be granted to the trainees upon completion of the training.

Article (12)

Any employer employing fifty employees or more shall provide training on the technical works to 5% of his Qatari workers to be nominated by the Department in accordance with the training program approved by the Ministry.

Article (13)

The Apprentice shall contract by himself with the employer unless the age of the Apprentice is below eighteen years in which case the Apprentice shall contract through his guardian or trustee as the case may be.

Article (14)

The vocational training contract shall be in writing and therein shall specify the type of the trade or craft on which the Apprentice is to be trained, the period of the training, its consecutive stages and the wage to be paid to the apprentice provided that the wage to be paid to the apprentice in the last stage of the training shall not be less than the minimum wage prescribed for similar work. The wage of the apprentice shall not be fixed on the basis of the piece or production.

Article (15)

The vocational training contract shall be made out in three copies, each party shall retain one copy and the third copy shall be filed with the Department for its registration and attestation within one week from the date of conclusion of the contract. If the Department does not object to the contract within ten days from the date of its being filed the contract shall be deemed to be approved from the date of its being so filed.

Article (16)

The employer may terminate the vocational training contract before its expiry date in the following instances:-

If it has been proved that the apprentice is not capable of learning the craft or trade.

If the apprentice commits a breach of any of his essential obligations under the contract,

The apprentice, his guardian or trustee may terminate the vocational training contract at any time provided that the termination is based on legitimate grounds.

The party intending to terminate the contract shall notify the other party in writing at least seven days prior to the date he fixes for the termination.

Article (17)

The parties to the vocational training contract may agree that the apprentice shall work with the employer after the expiry of the apprenticeship period.

PART THREE

REGULATION OF THE EMPLOYMENT OF WORKERS

Article (18)

Priority in the employment shall be given to the Qatari workers. Non-Qatari workers may be employed in case of need.

Article (19)

The employer shall provide the Department every six months with a report containing particulars of the names of the workers working with him, their sex, nationalities, and the works they are carrying out, their wages and ages and the particulars of their work permits.

Article (20)

The Department shall, in respect of regulating the employment of the Qatari Nationals, perform the following:-

Collection of the information concerning the supply and demand for manpower and preparation of studies on the status of employment.

Registration of the Qatari Nationals who are unemployed and those who are looking for better employment in a register to be prepared for this purpose. The registration shall be made at the instance of the Qatari Nationals. The employment applicant shall be given a registration certificate, free of charge, his age, his trade, his qualifications and his previous employment shall be specified.

Nomination of the registered applicants to the employers for the posts and works that are suitable for them and suit their ages and technical capabilities with the employers.

Article (21)

Non Qatari National may be employed unless he is in possession of the registration certificate referred to in the preceding Article. The persons occupying positions the occupiers of which are deemed to be empowered to exercise the powers of the employer and those who carry out casual work are exempt from the application of this Article.

Article (22)

The employer shall notify the Department of the vacant posts and work available with him, the conditions which the persons who may occupy or carry out these posts and works must satisfy, the wages fixed for any of these posts or works and the dates fixed for the occupancy or carrying out thereof within a period which shall not exceed a month from the date of the creation or availability of a vacancy or the provisioning of the work.

The employer shall return to the Department within seven days of contracting the registration certificate of the worker with whom he has" contracted accompanied by a statement including the type of work and amount of wage and the date fixed for the commencement of the employment.

Article (23)

Non-Qatari workers may not be employed otherwise than after approval of the Department and their obtaining of permits to work in the State in accordance with the rules and procedures to be specified by the Ministry.

The work permit shall be issued to the non-Qatari subject to the following conditions:-

The non-availability of a qualified Qatari worker registered in the registers of the Department and to carry out the work in respect of which the work permit is applied for.

The non-Qatari applying for the work permit shall be in possession of a residence permit.

The non-Qatari national shall be medically fit.

The validity period for the work permit shall be limited to the permitted residence period so that it may not exceed five years unless the approval of the Department is obtained.

The provision of this Article shall apply to the categories provided for in Sub Articles (3), (4),(5) and (6) of Article (3) of this law.

Article (24)

The form of the work permit and the necessary particulars therein shall be issued by a decision of the Minister.

Article (25)

The Minister may cancel the work permit granted to a non-Qatari worker in the following instances:-

1. If the worker fails to satisfy either of condition (2) or (3) provided for in Article (23) of this law.
2. If the worker discontinues the employment for a cause related to him without acceptable excuse for more than three months.
3. If the worker works for an employer other than the employer the worker has been granted the work permit to work with.
4. Dismissal of the worker on disciplinary grounds.

Article (26)

The proportion of the non-Qatari workers to the Qatari workers shall be determined by a decision of the Minister in each of the work. The Minister may prohibit the employment of non-Qatari workers in any of these sectors as the public interest may necessitate.

Article (27)

The employer who employs foreign experts or technicians shall train an appropriate number of Qatari workers to be nominated by the Department on the work carried out by the experts and technicians or employ assistant Qatari workers for them for the purpose of training and gaining expertise.

Article (28)

The employer may not recruit workers from abroad except through a person authorized to do so. As an exception to this provision the employer or his authorized representative may recruit workers from abroad for his own account after obtaining the approval of the Department. This exception includes (householders) who shall be exempted from obtaining the approval of the Department in respect thereto.

Article (29)

A natural or juristic person may not recruit workers from abroad for others unless he has obtained a license to do so.

The license shall be valid for two years renewable for a similar period or periods. The conditions of obtaining the license shall be determined by a decision of the Minister.

Article (30)

The application for the license to recruit workers from abroad for others shall be submitted to the Department on a form to be determined by a Decision of the Minister accompanied by the documents supporting the same in accordance with the provisions of this law and its implementing Decisions. The Department shall examine the application and its attachments and submit it to the Minister for his decision thereon within a period of 30 days from the date of its submission. The expiry of the said period without a decision on the application shall be deemed to be a refusal thereof.

Article (31)

The granting of the license to recruit workers from abroad for others shall be made by a Decision of the Minister and the Department shall notify the concerned party of the approval or disapproval to grant the license within one week from the date of its issuance.

If the application for the license is refused or the period provided for in the preceding article expires without a Decision on the application being made the applicant may appeal to the Minister within 15 days from the date of his being notified of the refusal decision or the expiry of the period referred to. The appeal shall be decided on within thirty days from the date of its submission. The decision of the Minister on the application shall be final and the expiry of this period without a decision on the appeal being made shall be considered as a refusal of the appeal.

Article (32)

The person who is licensed to recruit workers from abroad for others shall obtain the necessary commercial license for this purpose.

Article (33)

The person who is licensed to recruit workers from abroad for others shall be prohibited from doing the following:

1. To receive from the worker any sums representing recruitment fees or expenses or any other costs.
2. To carry out in the office any other business other than the recruitment of workers from abroad for others.

Article (34)

The recruitment of workers from abroad for others shall be made in accordance with a written contract between the licensed person and the employer in accordance with a model to be determined by a decision of the Minister.

The task of the licensed person shall be considered to have been completed immediately on the arrival of the workers and their delivery to the employer without prejudice to the obligations specified in the recruitment contract.

Article (35)

The person licensed to recruit workers from abroad shall be subject to the supervision of the Ministry and shall keep in the office the particulars, registers and other documents which shall be specified by a Decision of the Minister.

Article (36)

The procedures of licensing the recruitment and the rules and conditions of the works of the offices of recruitment of workers from abroad for other shall be determined by a decision of the Minister.

Article (37)

Fees shall be imposed on the following:-

The granting of the work permit and the renewal and replacement thereof.

The granting of the license to recruit workers from abroad and renewal and replacement thereof.

The attestation of the seals of companies and establishments, the service contract, the certificates and the other documents which are to be attested by the Ministry.

The fixing of these fees and the exemption therefrom shall be made by a resolution of the Council of Ministers.

PART FOUR

THE INDIVIDUAL LABOR RELATIONSHIPS

Article (38)

The Service Contract shall be made in writing and attested by the Department and shall comprise three copies, one copy to be delivered to each of the parties and the third copy to be deposited with the Department.

The Service Contract shall specify the terms concerning the labor relationship between its two parties and in particular shall contain the following:-

The name of the employer and place of his work.

The name, qualifications, nationality, profession and residence of the worker and the proof necessary for his identification.

The date of conclusion of the contract.

The nature and type of the work and place of contracting.

The date of commencement of the work.

The period of the contract if the contract is of a definite duration.

The agreed wage and the method and date of the payment thereof.

If the service contract is not made in writing the worker may prove the labor relationship and the rights which have arisen therefrom by all means of proof.

Article (39)

The service contract may contain a provision subjecting the worker to a probation period to be agreed on between the two parties provided that the probation period shall not exceed six months.

The worker shall not be subjected to more than one probation period with the same employer.

The employer may terminate the contract within the probation period if it has been proved to him that the worker is not capable of carrying out the work provided that the employer shall notify the worker thereof before at least three days from the date of termination.

Article (40)

If the service contract is of a limited duration, the duration thereof shall not be more than five years. This period may be renewed for a similar period or periods by agreement of the two parties.

If the contract has not been renewed and the parties thereto continue to abide by it after expiry of its duration without an explicit agreement, the contract shall be considered to have been renewed for unlimited duration on the same conditions provided for therein.

The renewed duration shall be considered to be an extension of the previous duration and the period of service of the worker shall be calculated as starting from the date of his entering the service of the employer for the first time.

Article (41)

If the subject-matter of the contract is the performance of a specific work, the contract shall expire on the performance of that work.

If the work is by its nature susceptible of being renewed and the performance of the contract continues after performance of the agreed work, the contract shall be considered to have been renewed for similar periods by agreement of the two parties.

Article (42)

The worker shall undertake the following:-

To perform the work by himself and exercise the care of the ordinary man in its performance.

To carry out the orders of the employer concerning the performance of the work if these orders do not include orders which contravene the law or the contract and if the carrying out of these orders does not subject the worker to danger.

Not to work for third parties for or without a wage.

To take care of the raw materials, means of production, products etc. which are in his possession or under his disposal and to take the necessary steps for their safe keeping and maintenance.

To carry out the safety and professional health instructions prescribed in the establishment.

To cooperate in the prevention of the occurrence of accidents in the place of work or in the alleviation of the results thereof.

To continuously procure the professional and cultural development of his skills and expertise in accordance with the regulations and procedures prescribed by the employer in participation with the concerned authority within the limits of available facilities.

Not to disclose the secrets of the employer even after expiry of the contract.

Not to use the work tools outside the place of work without permission of the employer and to keep such tools in the places designated therefore.

Not to accept gifts, remuneration, commission or sums in respect of performance of his duties otherwise than from the employer.

To return on the expiry of the contract the non-consumed tools or materials at his disposal.

Article (43)

Any condition in a service contract shall be void when it contains an undertaking by the worker to work for the rest of his life with the employer or to abstain from carrying out any craft or profession which may be carried out after leaving the work even if the contract is agreed before the coming into force of this law.

If the nature of the work allows the worker to know the clients of the employer or the secrets of the business of the establishment, the employer may stipulate that the worker shall not compete with him or participate in any undertaking competing with him after expiry of the contract. Such stipulation shall be valid only if it is restricted as to its duration and place and to type of the work to the extent necessary for the protection of the legitimate interests of the employer. The period of such undertaking shall not exceed two years.

Article (44)

The employer shall undertake to enable the worker to perform the work and to provide him with all things necessary therefore, and if the worker attends the place of work and is willing to perform the work but could not do so for reasons beyond his control, he shall be considered to have actually done the work and be entitled to the advantages accruing therefrom.

Article (45)

The employer may not ask the worker to perform other than the work agreed upon unless necessity so requires for the prevention of an accident or repair of what arises therefrom or in case of force majeure provided that the worker shall be paid the entitlement accruing therefrom.

As an exception from the foregoing, the employer may ask the worker to perform work other than the work agreed upon if it is temporary or if the work does not basically differ from the original work and if the request to perform that work does not entail an insult on the worker provided that the wage of the worker shall not be reduced.

Article (46)

The employer who employs ten or more workers shall make regulations for the organization of the work in his establishment. The coming in to force of these regulations and any amendments thereto shall be conditional on their production to the Department for the approval thereof. If the Department does not notify the approval of such regulations within one month from the date of their submission they shall be considered to have been approved.

Such regulations shall be posted at a conspicuous place in the establishment for the perusal thereof by the workers and shall not be effective against them until the expiry of 15 days from the date of the announcement thereof.

The Minister may by a decision determine the form of the regulations regulating the work for the guidance of the employers.

Article (47)

The employer shall keep a special file, for each worker where he shall deposit all papers and certificates concerning the worker and the decisions and instructions related thereto. The employer shall keep the said file for a period of at least one year after the expiry date of the service of the worker with him.

Article (48)

The employer shall maintain the following registers:-

1. The workers' register which shall in particular contain the names, nationalities, jobs, amounts of wage, date of commencement of work, marital status, academic and professional qualifications, leaves of the workers and the penalties inflicted upon him.
2. The wages' register, where the names of the workers in the order of their engagement in the work, the amounts of daily, weekly or monthly wages, or piece or production wages and their additions in respect of every worker, the additional wages paid to them, the amounts of deductions and the net wages received by every worker.
3. The register of total penalties where the monetary penalties are inflicted upon the workers and the total amount thereof shall be entered.
4. The register of work injuries where the work injuries sustained by every worker shall be entered.
5. The end of service register where the names of the workers whose services have been terminated, the dates and causes of the termination and the entitlements paid to them or to their heirs shall be entered.

Article (49)

If the service contract is of an indefinite duration any of the two parties thereto may terminate it without giving the reasons for the termination. In this case the party intending to terminate the contract shall notify the other party in writing as follows:-

1. In respect of the workers who receive their wages annually or monthly, the notification shall be given not less than one month prior to the date of the termination if the period of service is five years or less. If the period of service is more than five years, the notification period shall be at least two months prior to the date of termination.
2. In all other cases the notification shall be given in accordance with the following periods:
 - A) If the period of service is less than one year the notification period shall be at least one week.

- B) If the period of service is more than one year and less than five years the notification period shall be at least two weeks.
- C) If the service period is more than five years the notification period shall be at least one month. If the contract is terminated without observing these periods, the party terminating the contract shall be obligated to compensate the other party for an amount equivalent to the wage for the notice period or the remaining part thereof.

Article (50)

The employer shall pay the worker his wage in full for the notice period provided for in the preceding article, if the worker performs his work in the usual manner during the said period.

The employer shall give permission to the Qatari worker to absent himself from work for reasonable times to enable him to register his name in the register of the Department in order that the worker can avail himself of new employment. The worker shall notify the employer of the new employment immediately on obtaining there of and shall continue with the work thereafter till the expiry of the notification period.

Article (51)

The worker may terminate the service contract before its expiry date if the contract is of a definite duration and without giving reasons for the termination if the contract is of an indefinite duration and retains his full right to obtain the end of service gratuity in the following cases:

1. If the employer commits a breach of his obligations under the service contract or the provisions of this law.
2. If the employer or his responsible manager commits a physical assault or immoral act upon the worker or any of his family member.
3. If the employer or his representative has misled the worker at the time of entering into the service contract as to the terms and conditions of the work.
4. If continuance with the work endangers the safety and health of the worker provided that the employer is aware of the danger and does not take the necessary steps to remove it.

Article (52)

The service contract shall not terminate in any of the following two cases:

1. Death of the employer, unless the contract has been concluded for consideration related to the person or professional activities of the employer which cease upon his death.
2. The merger of the enterprise with another enterprise or transfer of its ownership or the right in its management to a person other than the employer for any reason. The successor shall be jointly liable with the former employer for the payment of the workers entitlements accruing from the latter.

Article (53)

The employer shall upon expiry of the service contract:

1. Give the worker upon his demand, free of charge, a service certificate indicating the date of his engagement in the employment, the date of expiry of his employment, the type of work he was performing and the amount of wage he was receiving.
2. Return to the worker the certificates, documents etc. which the worker deposited with the employer.

Article (54)

In addition to any sums to which the worker is entitled to upon the expiry of his service, the employer shall pay the end of service gratuity to the worker who has completed employment of one year or more. This gratuity shall be agreed upon by the two parties, provided that it is not less

than a three-week wage for every year of employment. The worker shall be entitled to gratuity for the fractions of the year in proportion to the duration of employment.

The worker's service shall be considered continuous if it is terminated in cases other than those stipulated in article (61) of this Law and is returned to service within two months of its termination.

The last basic wage shall be the base for the calculation of the gratuity.

The employer is entitled to deduct from the service gratuity the amount due to him by the worker.

Article (55)

If the worker dies during the employment for whatsoever causes, the employer shall within a period not exceeding fifteen days from the date of death deposit with the court any wages or entitlements due to the worker in addition to the gratuity. The depositing record shall contain a detailed report indicating the method of calculating the sums referred to and a copy of the record shall be delivered to the Department.

The court shall distribute the deposited sums amongst the heirs of the deceased worker in accordance with the provisions of the Islamic Shari'a or the personal law applicable in the country of the deceased and if three years lapse from the date of depositing without the person entitled to the deposited sums being known the court shall transfer the said sums to the public fund of the State.

Article (56)

The employer who maintains a retirement system or a similar system which secures for the worker a greater benefit than the end of service gratuity to which the worker is entitled under the provisions of Article (54) of this law shall not be obligated to pay to the worker the end of service gratuity in addition to the benefit available to the worker under the said system.

If the net benefit accruing to the worker under the said system is less than the end of service gratuity the employer shall pay to the worker the end of service gratuity and return to him any sum whereby the worker may have contributed to the said system.

The worker may choose to receive either the end of service gratuity or the pension accruing to him under the said system.

Article (57)

Upon termination of the service of the worker the employer shall at his cost return him to the place from where he has recruited him at the commencement of the engagement or to any place agreed upon between the parties.

The employer shall complete the proceedings of returning the non-Qatari worker within a period not exceeding two weeks from the expiry date of the contract. If the worker joins another employer before his departure from the State the obligation to return him to his country or other place shifts to the latter employer.

The employer shall bear the costs of preparing the corpse of the deceased worker and the conveyance thereof to his country or place of residence upon the demand of his heirs.

If the employer does not repatriate the worker or his corpse after his death as the case may be the Department shall return the worker or his corpse at the cost of the employer and recover the said costs through the administrative means.

PART FIVE

THE DISCIPLINARY POWER OF THE EMPLOYER

Article (58)

An employer employing ten workers or more shall make penalties regulations specifying the violations and the penalties to be inflicted on the workers who commit these violations and the conditions and procedures for the infliction thereof.

The Minister may, by a Decision, issue models for such disciplinary regulations in accordance with the nature of the work for the guidance of the employers in the preparation of their own regulations.

The coming into force of the disciplinary regulations and the amendments thereto shall be subject to the approval of the Department within a month from the date of its submission thereto and if this period expires without objection to the regulations the regulations shall be deemed to have been approved.

The employer shall post these regulations at the place of work for the perusal thereof by the workers. The regulations shall only come into force upon the lapse of fifteen days from the date of their being posted up.

Article (59)

The disciplinary penalties which may be inflicted on the workers are:

1. Notification, which shall be deemed to have been achieved by a written letter to the worker containing a notification of the violation he has committed and requesting him not to repeat the commission thereof and warning him of the infliction of a severer penalty in case of repetition.
2. Deduction from the wage of the worker for a period not exceeding five days in respect of one violation.
3. Suspension from work together with non-payment of the wage for a period not exceeding five days in respect of one violation.
4. Suspension from work without payment or with reduced payment pending the adjudication upon the criminal charge attributed to the worker and if the worker is acquitted or if the charge against him has been dropped the suspension shall be deemed to have never taken place and the worker shall be paid his entitlements during the suspension period.
5. Postponement of the grant of annual increment for a period not exceeding six months or the non-payment therefrom in the establishments which maintain increments systems.
6. Postponement of promotion for a period not exceeding one year in the establishments which maintain promotion systems.
7. Dismissal from work with payment of the end of service gratuity.
8. Dismissal from work and non-payment of the end of service gratuity.

Article (60)

The sums which may be deducted from the wage of the worker in execution of penalties inflicted on him and the other deductions therefrom shall not exceed his wage for five days per month.

The employer shall record the total penalties inflicted on the worker in the register of the total penalties. The said register shall contain the name of the worker and the amount of deductions and the reason for the infliction and date of the penalty. The said register shall be subject to the inspection of the Work Inspection Organ.

The outcome of the deductions to be inflicted on the workers shall vest in the body which shall be specified by a Decision of the Minister. The Decision shall specify the manner of disposal of the deductions.

Article (61)

The employer may dismiss the worker without notice and without payment of the end of service gratuity in the following instances

1. If the worker assumes a false identity or nationality or submits false certificates or documents.
2. If the worker commits an act which causes gross financial loss to the employer provided that the employer shall notify the Department of the incident within twenty four hours from the time of his being aware thereof.
3. If the worker violates more than once the written instructions of the employer concerning the safety of the workers and the establishment despite his being notified in writing of the violation provided that these instructions shall be written and posted up in a conspicuous place.
4. If the worker fails more than once to carry out his essential duties under the service contract or this law despite his having been notified in writing thereof.
5. If the worker discloses the secrets of the establishment where he is employed.
6. If the worker is found during the working hours in a state of drunkenness or under the influence of a drug.
7. If the worker commits an assault on the person of the employer, the manager or one of his supervisors in the work during the work or by reason thereof.
8. If the worker repeats his assault on his colleagues in work despite his being warned in writing thereof.
9. If the worker absents himself from work without legitimate cause for more than seven consecutive days or fifteen days in one year.
10. If the worker has been finally sentenced for a crime involving immorality or dishonesty.

Article (62)

In inflicting the penalties on the violating workers the following shall be observed:

1. The worker shall not be accused of a violation after fifteen days of the employer being aware of the violation with the exception of the violations constituting criminal offences.
2. The worker shall not be penalized otherwise than for a violation directly related to the work whether committed during the work and in its place or outside.
3. The worker shall not be penalized before his being informed of the accusation against him and being inquired into in writing. The inquiry may be oral in the case of minor violations provided that the report of inquiry shall be filed in the record of the particular register of the worker. The minor violations referred to in this paragraph are violations the penalties whereof prescribed in the penalties regulations do not exceed the notice or deduction not exceeding the wage for one day.
4. There shall not be inflicted on the worker for the single violation not more than one penalty.
5. The disciplinary penalties that the employer may inflict on the workers shall not be inflicted except by the employer, his authorized representative or the manager of the establishment.
6. A penalty may not be inflicted for an act which has not been provided for in the penalties regulations.

Article (63)

The worker shall be notified of the penalty inflicted on him and if he declines to receive the notification, such notification shall be published in a conspicuous place in the place of work.

If the worker is absent from work he shall be notified of the penalty by a registered letter to his permanent address in the special file.

Article (64)

A worker shall, before his recourse to the competent tribunal, appeal to his employer against the penalty inflicted on him within seven days of being aware of such penalty. The appeal shall be decided upon within seven days of its submission. The appeal is considered rejected if this period lapses.

In the event of rejection of an appeal or if it is not decided upon within the above period, the worker may appeal to the Department against the penalty inflicted on him with seven days of the date of rejection.

The Department shall decide on the worker's appeal within seven days of the date of the registration of the appeal. The Department's decision shall be final.

As an exception the worker may appeal against the penalty of dismissal from work to the competent court.

If the court decides that the dismissal is arbitrary or in violation of the provisions of this law, it shall either annul the dismissal, orders the return the worker to his work and payment of his wages for the period he was not allowed to work in implementation of such penalty or payment of a suitable compensation. Such compensation shall include the wages and other benefits denied to him as a result of such dismissal.

PART SIX

Wages

Article (65)

The Worker shall be entitled to the wages specified in the service contract and if the contract does not specify the wage the worker shall be entitled to the wage specified in the work regulations.

If the wage is not specified in accordance with the preceding paragraph the worker shall be entitled to a wage equivalent to the wage specified for work of a similar type in the establishment and otherwise in accordance with the custom applicable to the profession in the place of performance of the work and if there is no such custom the judge shall specify the wage in accordance with the requirements of justice.

Article (66)

The wages and other sums to which the worker is entitled shall be paid in the Qatari currency.

The wages of the workers employed on an annual or monthly wages shall be paid at least once in every month.

The wages of all other workers shall be paid once at least every two weeks.

The wages shall be paid to the worker himself within the working day' and during working hours in the usual place of work or any other place to be approved by the Department and may be transferred to the account of the worker with the bank to be agreed upon by the two parties or paid to the attorney appointed by the worker in writing.

The employer shall not be relieved from his obligation to pay the wage due to the worker unless he has actually transferred it to the bank or the worker or his attorney has signed in

acknowledgement of the receipt thereof in the register or receipt prepared for this purpose provided that the said documents shall include the details of the wage.

Article (67)

If the service contract is terminated for any reason the employer shall pay the wages and other sums to which the worker is entitled before the end of the day following the day on which the contract terminates unless the worker has abandoned the work without giving the notification provided for in Article (49) of this law. In this case the employer shall pay the wage and other sums to which the worker is entitled within a period which shall not exceed seven days from the date of the worker abandoning the work.

Article (68)

The employer shall pay to the worker before the worker takes his annual leave the wages to which the worker is entitled for the work he has performed up to the date of taking the leave in addition to the leave wages to which the worker is entitled.

Article (69)

The worker shall not be obligated to purchase foodstuff or other commodities from certain places or from the products of the employer.

Article (70)

Any part of the wage to which the worker is entitled may not be attached and the payment thereof may not be withheld except for the execution of a judicial decision.

In case of attachment in execution of a judgment the Sharia alimony debt shall have priority over all other debts and the total of the sums attached shall not exceed 35% of the wage of the indebted worker.

The employer may not charge any interest on the loan he may grant to the worker and shall not deduct more than 10% from the wage of the worker in settlement of the loan.

The total of the sums to be deducted from the wage of the worker in settlement of the deductibles and debts due from him shall not exceed 50% of his aggregate wage. If the percentage which shall be deducted from the wage of the worker within one month exceeds this percentage the deduction of the excess percentage shall be deferred to the following month or months.

Article (71)

If the worker causes the loss of, damage or destruction to machinery, products or equipment of the establishment as a result of his fault he shall be obligated to compensate the employer for the damage resulting therefrom provided that the obligation of the worker for the compensation shall be preceded by an enquiry.

The employer may deduct the value of the compensation from the wage due to the worker provided that the value of the compensation does not exceed the wage due to the worker for seven days in one month.

The worker may appeal against the decision of the employer on the valuation of the compensation to the Department within seven days from the date of his being notified thereof.

If the Department cancels the decision of the employer or evaluates a lesser compensation due from the worker the employer shall return to the worker the amount which he has deducted in excess without a right thereto within not more than seven days.

Article (72)

The wage of the worker during the annual or sick leave and his end of service gratuity shall be calculated on the basis of his basic wage on the date of entitlement and if the worker is employed

on a piece-by-piece work basis the entitlement shall be calculated on the basis of his average wages for the three months preceding the date of entitlement.

PART SEVEN REGULATION OF THE WORKING HOURS AND LEAVE

Article (73)

The maximum ordinary working hours shall be forty four hours per week at the rate of eight hours per day with the exception of the month of Ramadan when the maximum working hours shall be thirty six hours per month at the rate of six hours per day.

The time spent by the worker in transportation to and from the place of work and residence of the worker shall not form part of the working hours.

The working hours shall include an interval or more for prayer, rest and taking of meals which interval or intervals shall not be less than one hour and shall not be more than three hours. The said intervals shall not be taken into consideration in calculating the working hours in fixing the rest interval but the worker shall not work for more than five consecutive hours.

The Minister shall by a decision specify the types of work in respect of which the work may continue without stoppage for the purpose of rest.

Article (74)

The workers may be required to work additional hours to the working hours specified in the preceding article provided that the actual working hours per day shall not exceed ten hours unless the work is necessary for the prevention of gross loss or dangerous accident or for the repair or alleviation of the consequences of the said loss or accident.

The employer shall pay to the worker for the additional working hours the rate of not less than the basic wage plus not less than 25% thereof.

The workers who work between 9pm and 6am shall be paid the basic wage plus not less than 50% thereof with the exception of the shift workers.

Article (75)

The worker shall be allowed of a weekly paid rest which shall not be less than twenty-four consecutive hours and Friday shall be the weekly rest day for all workers with the exception of the shift workers. If the circumstances of the work necessitate the employment of the worker during the rest day the worker shall be compensated for the rest day by another day, and shall be paid for working that day the wage payable to him for the ordinary weekly rest day or his basic wage plus an increase of not less than 150%.

With the exception of shift workers a worker shall not be required to work more than two consecutive Fridays.

Article (76)

The provisions of Articles 73, 74 & 75 of this law shall not apply to the persons occupying responsible positions if these positions confer upon the occupiers thereof powers exercisable by the employer over the workers.

The provisions of Article (73) shall not apply to the following categories:-

1. The workers carrying out preparatory and complementary works that shall be performed before or after the working time.
2. Guarding and cleaning workers.

3. The other categories of workers to be specified by a Decision of the Minister. The maximum working hours for these works shall be specified by a Decision of the Minister.

Article (77)

The employer shall post up on the main gates used by the workers in entering and in a conspicuous position of the working place a table of the closing or weekly rest day, the working hours and rest intervals for all categories of workers and shall notify the Department with a copy of such table.

Article (78)

The worker shall be entitled to annually, leave with full wage as follows:-

1. Three working days for Eid El-Fitr
2. Three working days for Eid Al-Adha
3. One working day for the Independence Day
4. Three working days to be specified by the employer. If the circumstances of the work require the employment of the worker during any such leave days the provisions of article (75) of this law shall be applied to him.

Article (79)

The worker who has completed one continuous year in the service of the employer shall be entitled to an annual leave with the pay provided for in Article (72) of this law. This leave shall not be less than three weeks for the worker whose service is less than five years and four weeks for the worker whose service is more than five years.

The worker shall entitle to a leave for the fractions of the year in proportion to the period of his service.

Article (80)

The employer shall fix the date- of the annual leave for the worker in accordance with the work requirements and may divide the leave with the consent of the worker provided that the division shall not be into more than two periods.

The employer may on a written application of the worker postpone not more than half of the annual leave to the year following the year of its entitlement.

Article (81)

The worker may not waive his entitlement to the annual leave and any agreement to the contrary shall be void.

The worker shall be entitled to payment in lieu of his annual leave equivalent to his wage for the leave days to which he is entitled if the contract is terminated for any reason before the worker takes his leave.

Article (82)

The worker shall be entitled to a sick leave with pay for every year of the years of his service. This sick leave shall not be granted unless after three months from the commencement of his engagement for the first time provided that the worker proves his sickness by a certificate from a physician approved by the employer.

The worker shall be paid his full wage if the sick leave does not exceed two weeks. If the sick leave extends thereafter the worker shall be paid half of his wage for other four weeks. The extension of the sick leave thereafter shall be without pay until the worker resumes his work or resigns or his service is terminated for health reasons. The service of the worker may be terminated at the end of the twelfth week of the sick leave if it has been proved by a report' issued by the competent physician that the worker is unable to resume his work at that time.

If the worker resigns from work because of the sickness and with the approval of the competent physician before the end of the six months to which the worker is entitled as a sick leave with pay the employer shall pay to the worker the balance of his entitlement. This provision shall also apply in case of death because of sickness before the end of the said six weeks.

The preceding provisions shall not prejudice the right of the worker to the remuneration to which he may be entitled for the period of his service and taking by the worker of the sick leave for the period of twelve weeks shall not be deemed to constitute an interruption of his continuous service.

Article (83)

The Muslim worker shall be entitled to leave without pay, not exceeding two weeks to fulfill his obligation to go to pilgrimage once during the period of his service.

The employer shall specify the number of the workers who may be granted such leave annually in accordance with the work requirements subject to giving priority to the worker who has been in continuous service for a longer period whenever the circumstances of the work permit.

Article (84)

The worker shall not, during any of his leaves, work for another employer and if it has been proved to the employer that the worker has contravened this provision he may deprive him from his wage for the period of the leave and recover what he has already paid of that wage.

Article (85)

The employer may not terminate the service contract or notify the worker of the termination thereof during any of his periods of leave provided for in this law.

The employer may not notify the worker of the termination of the contract if the notice period expires during any of such periods of leave.

PART EIGHT

EMPLOYMENT OF JUVENILES

Article (86)

A child who has not attained the age of sixteen may not be employed in a work of whatsoever nature and shall not be permitted to enter into any of the place of work.

Article (87)

A juvenile may not be employed without the consent of his father or guardian and the issuance of a special permission from the Department.

If the juvenile is a Qatari pupil an approval from the Minister of Education shall be obtained. The Juveniles shall not be employed in the works, where its nature and circumstance of the performance of which may cause damage to the health, safety or morals thereof. These works shall be determined by a decision of the Minister.

Article (88)

A Juvenile may not be employed before he has been medically examined by the competent medical authority and his fitness for the work he is required to perform has been proved.

The employer shall repeat the medical examination of the Juvenile at least once a year.

Article (89)

A Juvenile may not be employed between sunset and sunrise or on the days of rest or during the official holidays or for more than the normal working hours and may not be retained in the place of work for more than seven continuous hours.

Article (90)

The normal working hours for the Juvenile may not exceed thirty six hours per week at the rate of six hours per day with the exception of the month of Ramadan when the working hours shall not exceed twenty four hours per week at the rate of four hours per day.

The time which the Juvenile spends in transporting between his residence and place of work shall not be calculated in the working hours.

The working hours shall include one or more intervals for rest or taking meals so that the Juvenile may not work continuously for more than three consecutive hours. Such interval or intervals shall not be calculated as part of the working hours.

Article (91)

The employer shall keep in the file concerning the Juvenile his birth certificate, his medical fitness certificate and the certificate of the periodical medical examination conducted on him.

Article (92)

Every employer employing a Juvenile or more shall perform the following:-

1. Submit to the Department a statement showing the name and work of the Juvenile and date of his engagement.
2. Post up in a conspicuous place a clear statement of the working hours, the Juveniles employed by him and their intervals of rest.

PART NINE
EMPLOYMENT OF WOMEN

Article (93)

A working woman shall be paid a wage equivalent to the wage payable to a man if she performs the same work and shall be availed of the same opportunities of training and promotion.

Article (94)

Women shall not be employed in dangerous arduous works, works detrimental to their health, morals or other works to be specified by a Decision of the Minister.

Article (95)

Women shall not be employed otherwise than in the times to be specified by a Decision of the Minister.

Article (96)

A female worker who has been employed by an employer for a complete year shall be entitled to maternity leave with full pay for a period of fifty days. Such maternity leave shall include the period before and after the delivery provided that the period following the delivery shall not be less than thirty five days.

This leave shall be granted subject to a medical certificate issued by a licensed physician stating the probable date of delivery.

If the remaining period of the leave after delivery is less than thirty days the female worker may be granted a complementary leave from her annual leave. Otherwise the complementary period shall be deemed to be a leave without pay.

If the medical condition of the female worker prevents her from resuming her work after expiry of her leave referred to in the preceding paragraphs the female worker shall be deemed to be on leave without pay provided that the period of her absence from works shall not exceed sixty consecutive or interrupted days and provided that a medical certificate of her medical condition shall be produced from a licensed physician.

The obtaining by the female worker of the delivery leave shall not prejudice her entitlement to her other leave.

Article (97)

The nursing female worker shall be entitled in addition to her entitlement to the rest interval provided for in Article (73) of this law during the year following the year of delivery to a nursing interval which shall not be less than one hour per day. The fixing of the nursing times shall be made by the female worker.

The nursing interval shall be calculated as part of the working hours and shall not result in a deduction of wage.

Article (98)

The employer may not terminate the service contract of a female worker due to her marriage or obtaining the leave provided for in Article (96) of this Law.

The employer may not notify of the termination of her service contract during this leave and may not send her a notification which expires during the said leave.

PART TEN

SAFETY, VOCATIONAL HEALTH AND SOCIAL CARE

Article (99)

The employer or his representative shall on the commencement of every worker's engagement inform him of the hazards of the work and the hazards which may occur thereafter and shall inform him of the safety measures to be taken for the protection therefrom and shall post up in a conspicuous place his detailed instructions concerning the means of observing vocational health and safety for protecting the workers from the hazards to which they are exposed during performance of their work.

Article (100)

The employer shall take all precautionary measures for protecting the workers during the work from any injury or disease that may result from the work performed in his establishment or from any accident, defect or breakdown in the machinery and equipment therein or from fire.

The employer may not burden the worker with or deduct from his wage any sum in return for his providing these precautionary means.

The Department shall in case of the employer omitting to take the precautionary measures referred to or in case of imminent dangers threatening the health or safety of the workers report the matter to the Minister for issuing a decision for the partial or total closure of the place of work or stoppage of one or more machines from work pending the elimination of the causes of the danger.

In such case the employer shall undertake to pay the wages of the workers in full during the period of closure or suspension.

Article (101)

The worker shall not commit any action or omission with the intention of hampering the execution of the instructions of the employer concerning the conservation of the health of the workers or securing their safety or with the intention of damaging or breaking down of any appliances or equipment prepared for this purpose.

The worker shall use the protection devices and the uniform prepared as provided to him by the employer and shall obey all instructions of the employer aiming at protecting the worker from injuries and diseases.

Article (102)

The Minister shall after coordination with the competent authority issue the necessary decisions for regulating the appliances concerning the vocational health and safety in the establishments and specifying and regulating the services and precautionary measures that are necessary for protecting the workers during the work from the dangers of the work and equipment and means and levels thereof and for the regulation of the means of protection from the vocational diseases.

Article (103)

The employer shall take the measures capable of securing the hygiene and good ventilation in the places of work and shall provide it with the suitable lighting and potable water, hygiene and drainage, in accordance with the regulations and decisions to be issued by the competent authorities in this respect.

Article (104)

The employer employing a number of workers ranging from five to twenty-five shall prepare for them a first aid box furnished with the medicines tools and equipment to be specified by the competent medical authority. The box shall be kept in a conspicuous place in the establishment and shall be available to the workers. The use of the box shall be entrusted to a worker trained in providing first-aid medical services.

If the number of the workers exceeds twenty-five workers a box shall be specified for every group of workers ranging from five to twenty-five workers.

If the number of the workers in the establishment exceeds hundred workers the employer shall appoint a full-time medical nurse in the established in addition to the first-aid box.

If the number of the workers exceeds five hundred workers the employer shall designate to them a clinic employing at least a physician and a nurse.

Article (105)

The periodical medical check-ups shall be carried out on the workers exposed to the dangers of infection with the vocational diseases in all activities of the work at intervals appropriate to the hazards involved in the work in accordance with the measures to be specified by the competent authorities specifying the types of such check-ups and the intervals in which they shall be carried out.

The employer shall keep the results of these check-ups in the files concerning the workers.

If the result of the check-up shows the infliction of the worker with one of the occupational diseases the employer shall notify the Department thereof within three days from the date of his knowing the result of the check-up.

Article (106)

The employers employing workers in locations distant from the cities and to which the usual means of transportation are not available shall provide them with the following services:-

1. Suitable means of transportation or suitable accommodation or both.
2. Potable water
3. Suitable foodstuff or the means of obtaining thereof.

The said locations shall be specified by a Decision of the Minister.

Article (107)

The employer employing fifty workers or more shall provide- them with the social services to be specified by a Decision of the Minister_ taking into consideration the location of the work, the circumstances thereof and the number of the workers in the establishment.

PART ELEVEN

WORK INJURIES AND COMPENSATION THEREOF

Article (108)

If the worker dies while on duty or because of the work or sustains a work injury the employer or his representative shall immediately notify the police and the Department of the incident. The notification shall include the name, age, profession, address and nationality of the worker and a brief description of the incident, the circumstance where it took place and the actions taken for aiding or curing the worker.

The police shall upon receipt of the information undertake the necessary enquiries and the record shall contain the statements of the witnesses and the employer or his representative and the statements of the injured if his condition so permits and the record shall explain the relationship of the incident to the work.

The police shall upon completion of the inquiry send a copy of the record to the Department and a copy to the employer. The Department may require completion of the enquiry if it deems necessary.

Article (109)

The worker who sustains a work injury shall be entitled to receive medical treatment appropriate to his condition at the cost of the employer in accordance with the decision of the competent medical authority.

The worker shall receive his full wage during the treatment period or the period of six months whichever is nearer. If the treatment continues for a period exceeding six months the worker shall be paid half of his wage until his recovery or proof of his permanent disability or death whichever is nearer.

Article (110)

The heirs of the worker who dies because of the work and the worker who sustains a work injury resulting in a partial or total permanent disability shall be entitled to receive compensation. The amount of compensation in case of death of the worker because of the work shall be calculated in accordance with the provisions of Islamic Sharia.

The work injury resulting in a total permanent disability shall be considered as a death of the worker. The proportion of the partial permanent disability to the permanent total disability shall be fixed in accordance with the schedule (2) of this Law and the amount of compensation in this

case shall be calculated on the basis of this proportion from the amount of compensation provided for in the preceding paragraph.

Article (111)

The provisions of the preceding two Articles shall not apply if any of the following has been proved:-

1. The worker had intended to injure himself.
2. The worker was at the time of occurrence of the injury or death under the influence of a drug or liquor and that the said influence was the cause of the injury or death.
3. The worker violated the instructions of the employer concerning the preservation of vocational health or safety or committed a gross negligence in the carrying out of these instructions.
4. If the worker without a genuine cause refuses to subject himself to the check-up or adopt the treatment prescribed to him by the competent authority.

Article (112)

If a dispute arises between the worker and the employer as to the ability of the worker to resume his work or as to any other medical matter related to the injury or disease or the treatment prescribed thereof or the applied treatment the Department shall refer the dispute to the competent medical authority. The decision of the said authority on the matters falling within its competence shall be final.

Article (113)

The right of the worker to claim compensation for the disability or death shall extinguish by the lapse of one year from the date of the medical report containing the occurrence of the disability resulting from the injury or the confirmation of the occurrence of the disability because of any of the occupational diseases contained in schedule No. (1) Attached to this Law or from the date of the death of the worker.

Article (114)

The employer shall pay the compensation for the disability within a period not exceeding fifteen days from the date of proof of the disability of the worker or from the date of announcement of the result of the inquiries supporting the occurrence of the disability because of the work.

The employer shall deposit the compensation for the death in the court' within a period not exceeding fifteen days from the date of death or from the date of announcement of the result of the injuries supporting the occurrence of the death because of the work. The court shall distribute the compensation for death amongst the heirs of the deceased in accordance with the provisions of the Islamic Sharia or the personal law applied in the country of the deceased. The compensation shall be vested in the public treasury of the State if three years lapse without specifying persons entitled thereto.

Article (115)

The employer shall every six months provide the Department with a statistics of the work injuries and occupational diseases in accordance with the forms prepared for this purpose and the procedures to be prescribed by a Decision of the Minister.

PART TWELVE WORKERS ORGANIZATIONS

Article (116)

The workers working in an establishment where the number of Qatari workers is not less than hundred workers may form a committee from amongst themselves to be named "the Workers Committee" and more than one committee in the establishment may not be formed.

The workers committees in the establishments engaged in one trade or industry or similar or interrelated trades or industries are entitled to form a general committee from amongst themselves to be named the General Committee for the Workers of Trade or Industry.

The general committees of the workers of the various trades and industries may form amongst themselves a general union to be named the "General Union of the Workers of Qatar".

The membership in the two committees referred to and in the General Union of the Workers of Qatar shall be confined to the Qatari workers. The Minister shall specify the conditions and procedures for the formation of the workers organizations referred to and the membership therein and the way of carrying out their business and the interrelated and similar trades and industries.

Article (117)

The Workers Organizations shall have juristic personality upon their formation in accordance with the provisions of this law.

Article (118)

The Workers Organizations shall assume the taking care of the interests of their members and protection of their rights and their representation in all matters related to the affairs of the work.

Article (119)

The Workers Organizations are prohibited from the following:-

1. The exercise of any political or religious activities.
2. Preparation, printing or distributing any materials insulting to the State or the government or the status quo thereof.
3. Entering into any financial speculations of whatsoever nature.
4. Accepting of gifts or endowments except with the approval of the Ministry.

The Minister may dissolve any Organization if it commits any of the foregoing prohibited matters or works outside the, purpose.

Article (120)

The workers may go on strike if amicable settlement of the dispute between them and the employer becomes impossible in accordance with the following measures:-

1. Approval of three fourths of the General Committee of the workers of the trade or industry.
2. Giving to the employer a period of not less than two weeks before commencing the strike and securing approval of the Ministry after coordination with the Minister of Interior Affairs in respect of the time and place of the strike.
3. Provided that there is no detriment to the property of the State and of the individual and their security and safety.
4. Prohibition of the strike in vital public utilities such as petroleum and gas related industries, electricity, water, seaports, airports, hospitals and transportation.

5. Non-resort to strike before the amicable settlement between the workers and employer by conciliation or arbitration in accordance with the provisions of this law becomes impossible.

Article (121)

The workers organizations shall lay down their statutes in accordance with the models to be determined by a Decision of the Minister shall contain in particular the following:-

1. The conditions of the membership and the instances of its termination.
2. The rules and procedures of nomination and election.
3. The sources of financing the organization and the amount of subscriptions by the members.
4. The expenditure of the funds of the organizations, the control over their financial transactions and the registers that shall be kept for this purpose.
5. The rules and procedures for dissolving the organization and disposal of their properties.

Article (122)

The employer shall not compel the worker to join or not to join any of the workers organizations or to refrain from implementing their decisions.

Article (123)

The General Union of the workers of Qatar may, after approval of the Ministry, join any Arab or International Organizations working in the field of the Workers Organizations.

PART THIRTEEN

JOINT COMMITTEES, NEGOTIATION AND COLLECTIVE AGREEMENTS.

Article (124)

In any establishment where thirty or more workers are working there may be formed a joint committee embodying representatives of the employer and workers.

The number of members of the joint committee shall be four if the number of the workers of the establishment is two hundred or less and six if the number of the workers of the establishment is more than two hundred and less than five hundred and shall be eight if the number of the workers is more five hundred or more.

Half of the members shall represent the employer and the other half shall represent the workers.

Article (125)

The employer shall nominate his representatives in the committee from amongst the employees who shall legally represent him or those to whom he delegates some of his management powers.

The nomination of the representatives of the workers in the committee shall be as follows:-

1. If there is a "Workers' Committee" in the establishment it shall assume the nomination of the workers representatives in the joint committee from amongst its members.
2. If there is no "Workers' Committee" in the establishment the workers therein shall nominate their representatives in the joint committee through direct election.

The Minister shall issue a decision regulating the conditions and procedures of election.

Article (126)

The joint committee shall deal with the study and discussion of all matters related to the work in the establishment and in particular:

1. Regulation of work
2. The means of increasing and developing the production and enhancing the productivity.
3. The training programmes of the workers.
4. The means of protection from dangers and the improvement of the standards of compliance with the rules of safety and occupational health.
5. The development of the general culture of the workers.
6. The development of the social services in the establishment.
7. The studying of and endeavors to settle the individual and collective disputes in the establishment.

The committee shall submit its recommendations on these matters to the employer to consider whether they can be implemented.

Article (127)

The employers and workers have the right to conduct collective negotiation and conclude joint agreements on all matters related to the work.

The Minister shall issue a Decision on the regulation of the rules and procedures of collective negotiation and the method of representation of the parties therein and the rules regulating the joint agreements as to conclude, contents, scope, the means of acceding them, the duration and interpretation thereof and the disputes which may arise from its implementation.

PART FOURTEEN COLLECTIVE DISPUTES

Article (128)

A collective labour disputes is any dispute between the employer and the whole of his workers or some of them thereof or between a group of employers and their workers or a group of them the subject matter of which is related to an interest common to all workers or to a group of them in a certain establishment, professional or certain craft or in a certain professional sector.

Article (129)

If any dispute arises between the employer and some or all of his workers the two parties to the dispute shall try to settle it between themselves and if there is a joint committee in the establishment the dispute shall be referred to it for settlement.

If the two parties fail to settle the dispute the following steps shall be taken:-

1. The workers shall submit their complaint or claim in writing to the employer with a copy thereof to the Department.
2. The employer shall reply in writing to the complaint or claim of the workers within a week from his receiving the same and shall send a copy of the reply to the Department.
3. If the reply of the employer does not lead to the settlement of the dispute the Department shall try to settle the dispute through its mediation.

Article (130)

If the mediation of the Department does not lead to the settlement of the dispute within fifteen days from the date of the employer's reply the Department shall submit the dispute to a conciliation committee for its decision thereon.

The conciliation committee shall be formed of:

1. A chairman to be appointed by a decision of the Minister.
2. A member to be nominated by the employer.
3. A representative member of the workers to be nominated in accordance with the provisions of the second paragraph of Article

The committee may be assisted by consultation with any of the specialists before deciding on the dispute and shall issue its decision on the dispute within a week from the date of its submission thereto.

The decision of the committee shall be binding on the two parties to the dispute if the parties had agreed in writing to referring the dispute to the committee before its meeting to decide on the dispute and if there is no such an agreement in this respect the dispute shall be referred to an arbitration committee within fifteen days and the arbitration shall be mandatory for the two parties.

Article (131)

The arbitration committee shall be formed under the presidency of a Judge and the membership of:

1. A representative of the Ministry to be nominated by the Minister.
2. A representative of Qatar Chamber of Commerce and Industry to be nominated by the chairman of the chamber.
3. A representative of the workers to be nominated by the "General Union of the Workers of Qatar".

Article (132)

The arbitration committee shall adjudicate upon the collective labour disputes and render final awards on a majority basis. In case of equality of votes the chairman of the committee shall have a casting vote.

The committee in carrying out its duties may pursue all papers, documents and all evidence and may compel any- person possessing these papers, documents and evidence are to produce the same and may enter the establishment for conducting necessary inquiry and take all necessary procedures for settling the disputes.

Article (133)

An employer may not close the place where he is employing the workers or stop the work or refuse to continue to employ any worker by reason of a dispute that has not been decided on by the conciliation or arbitration committee.

Article (134)

The -Minister shall issue the decisions regulating the duties of the conciliation and arbitration committees.

PART FIFTEEN INSPECTION OF WORK

Article (135)

There shall be established in the Department an organ to be named as the "Work Inspection Organ" aiming at the supervision of the application of the legislations concerning the protection of workers and shall have sub organs in the various parts of the State.

The inspection organ shall be formed of a sufficient number of administrative officials specified by a decision of the minister. These officials shall be named Work Inspectors and the assistance of specialists in the various specializations may be called whenever necessary.

Article (136)

The Work Inspectors shall before commencement of their duties take an oath before the Minister to respect the law and perform their duties in good faith and with due diligence and not to divulge the secrets or industrial patents or other secret of which they become aware by virtue of their positions even after termination of their employment.

Article (137)

The work inspectors deputized by a decision of the Attorney General in agreement with the Minister, shall have the power of law enforcement officers as regards the implementation of the provisions of this law and decisions made thereto. They shall bear identity cards proving their competence and shall produce such cards to the employers when they perform the inspection.

Article (138)

The Work Inspectors shall have the following authority:-

1. To enter the places of work during the working hours during the day or at night without prior notification for inspecting the registers, books, files or any other documents related to the workers, for ensuring their compliance with the applicable legislations and detecting proofing actions violating such legislation.
2. To obtain samples of the materials used and dealt with in the establishment and to inspect the machinery and various fittings for assuring the availability of sufficient and effective means for protecting the workers from health hazards and work dangers and notify the employer or his representative of any samples or materials taken or used for this purpose.
3. To inspect the residence of the workers for assuring their compliance with the required health conditions.
4. To inquire from the employer or his representative or any of the workers individually or in the presence of witnesses on any of the matters related to the implementation of this law.

Article (139)

The employer or his representative shall facilitate the performance by the Work Inspectors of their duties and shall provide them with the correct information on any matter related to the performance of their duties and shall obey their request to him to attend whenever he is requested to do so.

Article (140)

The Work Inspectors may take the following actions:-

1. Providing consultation and guidance to the employer or his representative as to the manner of alleviation of the contravention.
2. To give notification to the employer to alleviate the contravention specifying the type of contravention and the period needed for its alleviation.
3. To prepare a record of the contravention and submit the same to the Department for taking the necessary action in respect thereof.

Article (141)

The Ministry shall prepare an annual report on the work inspection in the State including all matters related to the supervision by the Ministry over the implementation of this law and in particular the following matters:-

1. Information on the provisions regulating the inspection.
2. Information of the number of Work Inspectors.
3. Statistics of the establishments which are subject to the inspection, the number of workers therein and the number of inspection visits carried out by the inspectors thereto and the number of violations detected, the penalties inflicted in respect of such violations and the work injuries.

The Ministry shall publish the report in the manner it deems appropriate.

Article (142)

The Minister shall issue a Decision on the regulation of the inspection and its procedures and the Department shall prepare the forms of the inspection, visit reports and the reports of the detection and proof of violations and notifications and the inspection registers etc.

PART SIXTEEN PENALTIES

Article (143)

Without prejudice to any severer penalty provided for in any other law the violations provided for in the following articles shall be penalized by the penalties provided for in any of them. And the penalty of fine shall multiply in accordance with the number of workers in respect of whom violations are committed.

Article (144)

Whoever violates the provisions of Articles 7, 12, 19, 21, 22, 23, 27, 28, 35, sub-article 2 of Article 39, Articles 46, 47, 48, 57, 58, 73, 74, 75, 77, 91, 92, 95, 97, 99, 106, 115 and 139 of this law shall be punished with a fine of not less than two thousand Riyals and not more than five thousand Riyals and not more than five thousand Riyals.

Article (145)

Whoever violates the provisions of Articles 29, 33, 86, 87, 88, 89, 90, 93, 94, 103, 104, 105, 108, 122 and 133 of this law shall be penalised with imprisonment for a period not exceeding one month and with a fine of not less than two thousand Riyals and not exceed six thousand Riyals or with any of these two penalties.

And in the violations relating to the recruitment of workers from abroad for the account of third parties the court may in addition to the penalties provided for in the preceding paragraph order the closure of the office and the cancellation of the license.

Article (146)

Whoever refuses to implement the conciliation or arbitration award shall be punished with a fine of not less than five thousand Riyals and not more than ten thousand Riyals.