

CABINET RESOLUTION NO.21 OF 2020

CONCERNING SERVICE FEES AND ADMINISTRATIVE FINES IN THE MINISTRY OF HUMAN RESOURCES AND EMIRATISATION

Council of Ministers:

- Having considered the Constitution, and
- Federal Law No. (1) of 1972 Concerning the Competencies of Ministries and the Powers of Ministers, and amendments thereto,
- Federal Law No. (8) of 1980 concerning Regulation of Labour Relations, and amendments thereto;
- Federal Law No. (14) of 2016 Concerning Violations and Administrative Penalties in the Federal Government,
- Federal Decree-Law No. (26) of 2019 Concerning Public Finance;
- Cabinet Resolution No. (25) of 2010 concerning Internal Work Permits applicable at the Ministry of Human Resources and Emiratization, and amendments thereto,
- Cabinet Resolution (26) of 2010 concerning the classification of establishments governed by Labor Relations Regulation Law and Bank Guarantees established thereon, and amendments thereto,
- Cabinet Resolution No. 47 of 2019 concerning service fees and administrative fines in the Ministry of Human Resources and Emiratization;
- Pursuant to the proposal of the Minister of Finance, and the approval of the Council of Ministers,

Has Resolved:

ARTICLE (1)

DEFINITIONS

For the purposes of implementing the provisions of this Resolution, the following terms and expressions shall have the meanings opposite thereto unless the context requires otherwise:

- State** : United Arab Emirates
- Ministry** : Ministry of Human Resources and Emiratisation
- Minister** : Minister of Human Resources and Emiratisation
- Establishment** : Any economic, technical, industrial or commercial unit in which workers are employed and the objectives of which are to produce or market commodities or to provide services of any kind governed by the provisions of the Federal Law No.(8) of 1980 thereof.
- Categories** : Categories for the classification of establishments mentioned in Cabinet Resolution No. (8) of 2010 thereof.

ARTICLE (2)
SERVICE FEES

- a. The below prescribed fees for the services provided by the Ministry are based on the tables attached herein:
1. Work permits inside the country
 2. Work permits from outside the country
 3. Work Mission Permit from outside the country
 4. Renewal and amendment of Work Permits and Employment Contracts
 5. Transfer of workers from one establishment to another
 6. Private Recruitment Agencies
- b. The value of the services specified below, which the service provider collects in exchange for the services provided through the Ministry's systems or any approved channel, will be as follows:

Sr.	Service Category	Service Fees (AED)
1	Category 1	19
2	Category 2	40
3	Category 3	80

4	Category 4	120
5	Category 5	160
6	Category 6	250
7	Category 7	340
8	Category 8	430

- c. The Council of Ministers, pursuant to the proposal of the Minister of Finance and after coordination with the Minister, shall determine the services that will listed under each of the categories of services referred to in clause (B) hereof.

ARTICLE (3)
ADMINISTRATIVE PENALTIES

The following administrative fines will be imposed to the violations opposite thereto:

Sr.	Violation	Fine (AED)
1	Failure to provide the Ministry with the Employment Contract, within a period not exceeding (60) days from the date of amending the worker's status	(100) per month, maximum of (2,000)
2	Failure to renew work permit, within a period not exceeding 60 days from the date of its expiry	(200) per month, maximum of (2,000)
3	Failure to provide the Ministry with the Employment Contract for a Work assignment permit, within a period not exceeding 30 days from the date the worker entered the country.	(100) per day, maximum of (2,000)
4	Failure to renew a work assignment permit, within a period not exceeding 7 days from the date of its expiry	(100) per day, maximum of (2,000)
5	In case the establishment commits false Emiratization	20,000 per National employee

6	In case the establishment obligates workers to sign fictitious documents stating that they have received their wages or entering incorrect data into the wages protection system to circumvent the provisions thereof.	(5,000) per worker, maximum of (50,000) in case of multiple workers
7	Failure to pay workers wage via the wages protection system, within the periods specified by a decision of the Minister.	(1,000) per worker, maximum of (20,000)
8	Labour accommodation is not in conformity with the standards approved by the Ministry in this regard	(20,000) for each case, regardless of the number of workers
9	Obliging the worker to pay recruitment expenses and sponsorship fees prescribed by the Ministry, or deducting from his/her wages without a legal basis	(5,000) per worker
10	Failure to comply with the applicable procedures regarding the recruitment or termination of National's services	(20,000) per case
11	Failure to respond to the Ministry's repeated summons in cases determined by the Minister in accordance with the procedures issued thereof.	(10,000) per case
12	Submitting a fictitious or false report regarding the worker's absence from work	(5,000) per worker
13	Failure to comply with the provisions of Cabinet Resolutions issued regarding the ban on work at noon time.	(5,000) per worker (50,000) in case of multiple workers
14	Submitting incorrect documents or false information to the Ministry to obtain a service or a benefit	(20,000) per case
15	Failure to adhere by the employment provisions and standards contained in Federal Law No.(8) of 1980, or the ministerial decisions issued in this regard or the employment contract	(10,000) per case

16	Failure to inform the Ministry of work injuries, occupational disease, or death of the worker in accordance with the provisions of Federal Law No. 8 of 1980	(10,000) per case
17	Practicing the activity of a mediation agency or temporary employment agency without a license issued by the Ministry	(50,000) per case
18	Non-compliance with the standards of the Operation Manual, Licensing Manual, Technical Specification Manual, and Visual Identity Directory for service centers licensed by the Ministry	(10,000) per violation
19	Failure to comply with the with the standards of the Operation Manual, Licensing Manual, Technical Specification Manual, and Visual Identity Directory for service centers licensed by the Ministry, within the first category.	(50,000) per violation
20	Employing an expatriate without obtaining a work permit, failure to employ the expatriate for whom a work permit was issued, or leaving him to work for others without complying with the conditions or settling his situation.	(2,000) per violating worker

ARTICLE (4)
GRIEVANCE

Any concerned person may appeal any decision issued pursuant to the provisions of the resolution herein before the Board within (10) days as from date of notification of such decision. The grievance shall be justified and all supporting documents shall be attached therewith. The grievance shall decide on the appeal in accordance with the procedures issued therefrom within a period not exceeding twenty (20) days as from the date of its submission according to the applicable procedures in the Ministry.

ARTICLE (5)
FEE EXEMPTION AND REDUCTION

1. The establishment may be exempted from the payment of fees referred to in Article (2) hereof, in the following cases:
 - a) If the business is fishing boats
 - b) If the fees paid by the establishment is against the employment of a national employee or a GCC citizen.
2. Fees applicable to establishments employing six workers or less, and establishments affiliated with the Higher Corporation for Specialized Economic Zones, shall be reduced to equal the fees applied to the establishments of category (2 / A) stipulated herein, this should be done in coordination with the Ministry of Finance.

ARTICLE (6)

EXEMPTION OF ADMINISTRATIVE FINES AND IN INSTALLMENTS THEREOF

The Minister may exempt the establishment from the payment administrative fines referred to in Article(3) herein or pay it in installments, provided that the cases of exemption and the mechanism of installments are determined , including the conditions, controls and procedures pursuant to a decision issued by the Minister in coordination with the Minister of Finance for this purpose.

ARTICLE (7)

ADJUSTMENT OF FEES AND ADMINISTRATIVE FINES

The Cabinet may make any amendment to the violations and Administrative Fines contained therein, whether by addition, deletion or alteration.

ARTICLE (8)

COLLECTION OF FEES AND ADMINISTRATIVE FINES

The Administrative Fines imposed under the provisions of the resolution herein will be collected in accordance with the means deemed appropriate by the Ministry of Finance.

ARTICLE (9)
GENERAL PROVISIONS

- a) For the purposes of collecting the administrative fees and fines set forth in Articles 2 and 3 herein, a part of a day shall be considered a full day, and a part of a month shall be considered a full month.
- b) The Minister shall determine the conditions, controls and standards of services and violations contained herein.
- c) The Minister shall determine the controls and procedures regulating the conclusion and renewal of employment contracts, provisions, guarantees and information required to be included in these contracts, in accordance with the applicable legislations.
- d) The Ministry, or any authorized entity, has the right to contract with public and private establishments and companies to provide any of the services in accordance with the approved regulations and legislation organizing this matter in the Federal Government.
- e) The Ministry shall collect the necessary financial guarantees for the transactions related to the services of domestic workers category , in accordance with a decision issued by the Minister in coordination with the Minister of Finance for this purpose, provided that the decision includes the conditions and controls for fulfilling financial guarantees and cases of exemption whereof.

ARTICLE (10)
ISSUANCE OF EXECUTIVE DECISIONS

The Minister shall issue the necessary decisions to implement the provisions of this resolution.

ARTICLE (11)

ANNULMENT

Cabinet Resolution No.(47) of 2019 concerning service fees and administrative fines in the Ministry of Human Resources and Emiratisation shall be repealed, and any provision inconsistent with the provisions of this Law is hereby repealed.

ARTICLE (12) **PUBLICATION AND EFFECTIVE DATE**

This Resolution shall be published in the Official Gazette and shall come into force as of 05 April 2020.

Mohamed Bin Rashid Al Maktoum
Prime Minister

Original Resolution is signed by His Highness
Sheikh/ Mohammed bin Rashid Al Maktoum
Prime Minister

Schedule (5)													
Transfer Permit From One Establishment To Another													
Sr .	Service type	Fee (AED)											
		Category (1)		Category (2)								Category (3)	
				A		B		C		D			
		Skilled	Unskilled	Skilled	Unskilled	Skilled	Unskilled	Skilled	Unskilled	Skilled	Unskilled	Skilled	Unskilled
1	Permit to transfer and employ workers from one establishment to another Application	50		50		50		50		50		50	
2	Issuance of transfer and employment permit from one establishment to another for 2 years	75	150	100	350	200	750	350	1000	350	1200	1000	1800
3	Permit to transfer and employ workers from one establishment to another that both have the same owners or same partners	50		50		50		50		50		50	

Schedule (6)			
Private Recruitment Agency			
Sr.	Service type	Fee (AED)	
		Issuance	Renewal
1	Licensing Mediation Agency for one year	25,000	12,500
2	Licensing Temporary Employment Agency for one year	50,000	25,000