

Federal Law by Decree No. (29) of 2021
Concerning Entry and Residence of Foreigners

We Khalifa Bin Zayed Al Nahyan **President of the United Arab Emirates,**

- Upon reviewing the Constitution;
- Federal Law No. (6) of 1973 Concerning the Entry and Residence of Foreigners, and any amendments thereto;
- Federal Law No. (8) of 1980 Regulating Labour Relations, and any amendments thereto;
- Federal Law No. (3) of 1987 Issuing the Penal Code, as amended;
- Federal Law No. (35) of 1992 promulgating the Criminal Procedure Law, and any amendments thereto;
- Federal Law No. (11) of 2018 concerning the Regulation of the Ministry of Foreign Affairs and International Cooperation, and any amendments thereto;
- Federal Law by Decree No. (14) of 2021 Establishing the Federal Authority for Identity, Nationality, Customs and Ports Security;
- And upon the Cabinet approval;

Have promulgated the following Law by Decree:

Article (1)

Definitions

In application of the provisions of this Law by Decree, the following words and phrases shall have the meanings assigned to each of them, unless the context otherwise requires:

- State** : United Arab Emirates.
- ICA** : The Federal Authority for Identity, Citizenship, Customs and Ports Security.
- Chairman** : Chairman of The Federal Authority for Identity, Citizenship, Customs and Ports Security.
- Foreigner** : : Anyone who does not hold the nationality of the State.
- Visa** : An official document issued in accordance with the provisions of this Law by Decree that enables an Foreigner to enter the State and stay therein for

the period of permit granted thereto.

- Residence Permit** : An official document issued in accordance with the provisions of this Law by Decree that enables an Foreigner to reside in the State for the period specified in the document.
- Ports** : The State's official land, air and sea ports specified for the entry and exit of the Foreigner, which are determined by a Cabinet resolution upon the proposal of the Chairman.

Article (2)

Scope of Application

1. The provisions of this Law by Decree shall apply to the Foreigner wishing to enter or reside in the State, including the Free Zones.
2. The following shall be excluded from the application of the provisions of this Law by Decree:
 - A. Heads of States and their family members.
 - B. Heads and members of diplomatic and consular missions accredited to the State and their families.
 - C. Those exempted under international agreements to which the State is a party, within the limits of those agreements.

Article (3)

Implementing Body

The ICA shall be solely responsible for implementing the provisions of this Law by Decree.

Article (4)

Conditions for Foreigner's Entry to the State

1. The following conditions are required for an Foreigner to enter the State:
 - A. Possession of a valid and approved passport that authorises its holder to return to the country from which it was issued, or any approved documents that take its place.

- B. Obtaining a valid visa.
 - C. Entry and exit through the approved ports in the State.
 - D. Any other conditions stipulated by in the Executive Regulation of this Law by Decree.
2. Citizens of states countries for which a Cabinet resolution is issued upon the proposal of the Chairman are exempted from the requirement to obtain a valid visa.
 3. The Chairman or his authorised representative may, in case of necessity, make an exemption from all or some of the conditions stipulated in this Article, or whoever he deems to exempt by a special permission from obtaining a visa.

Article (5)

Foreigner's Obligations

The Foreigner shall:

1. Enter or exit the State through the approved ports.
2. Register his data when entering and exiting the country, in accordance with the procedures and controls specified in the Executive Regulation of this Law by Decree.
3. Notify the ICA in the event of any change in his entry, residence and work data, or in the event of a dispute between him and the contracting entity, in accordance with the procedures and periods specified by the Executive Regulation of this Law by Decree; and the entity contracting with the Foreigner shall abide by the same obligation.
4. Not to engage in any activity or work except in accordance with the legislation in force in the State.
5. Leave the State upon the expiry or cancellation of his visa unless he has obtained a residence permit in the State in accordance with the provisions of this Law by Decree and its Executive Regulation.
6. Leave the State upon the cancellation or expiry of the residence permit unless it is renewed. The Executive Regulation of this Law by Decree shall specify the period during which Foreigners must leave the State, as well as the terms and periods of the extension of the stay.
7. Abide by any other obligations stipulated by the Executive Regulation of this Law by Decree.

Article (6)

Obligations of Drivers of Mean of Transportation

Captains of ships and planes, and drivers of cars, trains, and other means of transportation must, upon their arrival or departure from the State, provide the competent employee in the ICA with the documents and data specified by the Executive Regulation of this Law by Decree.

Article (7)

Foreigner's Visas

1. The ICA shall be responsible for issuing, renewing and cancelling visas in accordance with the provisions of this Law by Decree and its Executive Regulation.
2. The Executive Regulation of this Law by Decree shall determine the types of visas in the State and the controls and conditions for their issuance, duration, renewal and cancellation, and the cases where they may be changed to residence permits.
3. Embassies and consulates representing the State abroad may issue visas in accordance with the controls specified by the Executive Regulation of this Law by Decree.

Article (8)

Residence Permits for Foreigners

1. The ICA shall be responsible for issuing, renewing and cancelling residence permits in accordance with the provisions of this Law by Decree and its Executive Regulation.
2. The Executive Regulation of this Law by Decree shall determine the types of residence permits in the State and the controls and conditions for their issuance, duration, renewal and cancellation.

Article (9)

Foreigner's Bringing in His Family Members

An Foreigner who has obtained a residence permit in the State may bring in his family members, in accordance with the terms and conditions set by the Executive Regulation of

this Law by Decree.

Article (10)

Cancellation of Visa or Residence Permit in Special Cases

Without prejudice to any resolutions issued by the Cabinet, the Chairman may, at any time, cancel any visa or residence permit prior to the expiry of its term, for reasons related to the public interest or in case the Foreigner violates the provisions of this Law by Decree, its Executive Regulation, or the resolutions issued in implementation thereof, excluding the violation of the provisions of Articles (22) and (24) of this Law by Decree.

Article (11)

Cancellation and Expiry of Visa or Residency

Every Foreigner whose visa or residence permit has been cancelled or expires, and has not renewed it - in the cases where this is permissible - or has not left the State within the periods specified by the Executive Regulation of this Law by Decree, shall be subject to an administrative fine for each day he resides illegally in the State as of the date of the expiry of these periods. The value of said fine shall be determined by a Cabinet resolution.

Article (12)

Foreigner's New-Born

If an Foreigner has a new-born in the State, he must do the following within four (4) months as of the date of birth:

1. Obtaining documents to prove the identity of his new-born in accordance with the legislation and procedures in force in his country.
2. Establishing the residency of his new-born.

In the event of non-compliance with Clauses (1) and (2) of this Article, an administrative fine shall be imposed on him for each day starting as of the expiry date of the aforementioned period. The value of said fine shall be determined by a Cabinet resolution.

Article (13)

Exemption From Fine

The Chairman or his authorised representative may decide to exempt from all or part of the fine stipulated in Articles (11) and (12) of this Law by Decree.

Article (14)

Foreigner's Documents

1. During the period of his stay in the State, the Foreigner must submit, whenever requested to do so, the passport or the document that takes its place, answer any questions asked to him about data, and, upon request, report to the ICA or the police headquarters at the time set for him.
2. If the event of loss or damage of an Foreigner's passport, he must inform The ICA about the same within twenty-four (24) hours as of the date of the loss or damage.

Article (15)

Deportation of Foreigners

1. The Federal Public Prosecutor or his authorised representative and the Chairman or his authorised representative may order the deportation of the Foreigner even if he has a visa or residence permit, if such deportation is required by the public interest, public security, public morals, or public health, or if he has no apparent means of subsistence.
2. The Foreigner's deportation order may include the Foreigner members of his family supported by him.
3. The Chairman or his authorised representative may detain the Foreigner whose deportation order is issued, after the approval of the Federal Public Prosecutor, and for a period not exceeding thirty (30) days, extendable for a similar period if such detention is necessary to implement the deportation order.

Article (16)

Expenses of Deported Foreigner

The Chairman may order that the expenses of deporting the Foreigner and his family and removing him from the State be from the money of said Foreigner if he has money or at the expense of his employer in violation of the provisions of the Law by Decree; otherwise the ICA shall bear the expenses of deportation or expulsion.

Article (17)

Settlement of the Interests of Deported Foreigner

If an Foreigner who is ordered to be deported or expelled has interests in the State that require settlement, he shall be given a period of time to liquidate them after he submits a guarantee. The Executive Regulation of this Law by Decree shall specify the controls for this period.

Article (18)

Entry of Deported Foreigner

1. The Foreigner who has previously been deported may not return to the State without a permission from the Chairman.
2. Subject to the provisions of Articles (11) and (12) of this Law by Decree, the Foreigner shall be expelled from the State by an order of the ICA if he does not have a residence permit or the period of the permit has expired or has been cancelled. He may not be given another permission to enter the State unless he fulfils the conditions and procedures necessary for entry in accordance with the provisions of this Law by Decree.

Article (19)

Penalties

If an Foreigner arrives in the State by any means of transportation in violation of the provisions of this Law by Decree and its Executive Regulation, the ICA may order his deportation and assign the driver or captain of the means of transport in which he arrived or

the driver or captain of any other means belonging to the same owner to expel that Foreigner from the State, and the owner of the means of transport shall bear the costs of deportation.

Article (20)

The imposition of the penalties stipulated in this Law by Decree shall not prejudice any severer penalty stipulated by any other law.

Article (21)

Any Foreigner who is arrested in the State after illegally infiltrating or entering it shall be punished with imprisonment. The court shall order the deportation of the Foreigner and the confiscation of the funds obtained by the Foreigner from any activity or work carried out during that period.

Article (22)

1. The driver or captain of any means of transportation who brings in or takes out or attempts to bring in or take out an Foreigner to or from the State in violation of the provisions of this Law by Decree shall be punished with temporary imprisonment.
2. The same penalty stipulated in the preceding Clause shall be imposed on whoever guides, instructs, or assists in any form of assistance an infiltrator to get into or out of the State. In all cases, the court shall order the confiscation of the means of committing the crime without prejudice to the rights of bona fide third parties, and the court shall also order the deportation of the Foreigner.

Article 23

A penalty of imprisonment for a period not exceeding six (6) months and/or a fine not less than five thousand (5,000) AED and not exceeding ten thousand (10,000) AED, shall be imposed on whoever gives a false statement with the intent of evading the provisions of this Law by Decree, and the court may order the deportation of the Foreigner.

Article (24)

1. A penalty of imprisonment not exceeding ten (10) years shall be imposed on whoever forges a visa or residence permit, or any official document on the basis of which these visas or permits are issued, with the intent of evading the provisions of this Law by Decree.
2. The same penalty shall be imposed on whoever uses any of the documents referred to in this Article knowing that it is forged.
3. In all cases, the court must order the deportation of the Foreigner.

Article (25)

1. A fine of fifty thousand (50,000) AED shall be imposed on anyone who employs, harbours or provides a place of residence to an Foreigner in violation of the provisions of this Law by Decree. The penalty shall be imprisonment and a fine of fifty thousand (50,000) AED in the event or repetition.
2. Whoever recruits an Foreigner for the purpose of work in accordance with the provisions of this Law by Decree and does not employ him or leaves him to work for others without following the legal procedures stipulated in this regard, shall be punished with the same penalty stipulated in Clause (1) of this Article. In all cases, the fine shall be multiplied as per the number of violators.
3. Anyone who recruits an Foreigner for the purpose of work in accordance with the provisions of this Law by Decree shall be exempted from the penalty if he reports that the Foreigner has left his work, in accordance with the provisions of the Executive Regulation of this Law by Decree. In this case, he shall be compensated by an amount of ten thousand (10,000) AED as a deduction from the amount of the fine imposed in accordance with Clause (1) of this Article. The value of the Foreigner's travel ticket shall also be deducted from the amount of the fine.
4. A penalty of imprisonment for a period not less than two months and a fine of one hundred thousand (100,000) AED shall be imposed on whoever uses or harbours an infiltrator.
5. The fine shall be multiplied as per the number of violators who are employed or

harboured, not exceeding five million (5,000,000) AED.

6. Without prejudice to the penalties stipulated in the previous Clauses, if it is proven that a farm or estate or part of any of them has been allocated to harbour violating or infiltrating workers, the court shall order the demolition or removal of that part of the building.
7. In all cases, the court shall order the deportation of the violating Foreigner, and shall also order the deportation of the Foreigner who has employed him or harboured him upon repetition.
8. The owner of the farm or estate shall be exempted from the determined penalty if it is proven that he has not been aware of the incident subject of the crime.
9. The crimes stipulated in this Article shall be excluded from the application of the provisions of mitigating circumstances stipulated in the Penal Code.
10. For the purposes of this Article, a farm is every land designated for the cultivation and growing of plants, and an estate is every place designated for raising some types of animals.

Article (26)

Anyone who fails to pay the fine referred to in Article (8) of this Law by Decree shall be punished with imprisonment not exceeding three (3) months or a fine not exceeding ten thousand (10,000) AED, and the court may order his deportation.

Article (27)

A penalty of imprisonment or a fine not less than ten thousand (10,000) AED shall be imposed on whoever exploits, assists, participates in or facilitates, by any means, a visa in a manner inconsistent with the purpose for which it has been granted in violation of the provisions of this Law by Decree and its Executive Regulation. The penalty shall be multiplied as per the number of violators, and the court shall order the deportation of the Foreigner.

Article (28)

A fine not less than fifty hundred (50,000) AED shall be imposed on any legal person whose any of its representatives, directors, agents or employees have committed any of the crimes stipulated in this Law by Decree for it or under its name. The court may order the closure of the place in which he carries out his activity for a period not exceeding six (6) months, and the fine shall be multiplied as per the number of violations.

Article (29)

Anyone who fails to pay the fine referred to in Articles (11) and (12) of this Law by Decree shall be punished with imprisonment not exceeding three (3) months or a fine not exceeding four thousand (4,000) AED, and the court may order his deportation.

Article (30)

Except for the penalties determined for the crimes stipulated in this Law by Decree, whoever violates the provisions of this Law by Decree or its Executive Regulation or the resolutions issued in implementation thereof shall be punished with imprisonment for a period not less than one month and/or a fine not less than ten thousand (10,000) AED. The fine shall be multiplied as per the number of violators.

Article (31)

Whoever attempts to commit a crime punishable by virtue of this Law by Decree or participates therein by conspiring, aiding, inciting or tempting others to commit such crime shall be punished with the penalty determined for the perpetrator himself.

Article 32

In application of the penalties stipulated in the preceding Articles, the provisions of the Articles relating to suspension of execution, replacement of penalty, and judicial pardon, contained in the Penal Code, shall not apply.

Article (33)

The Federal Supreme Court shall decide on the crimes referred to in Articles (22) and (24) of this Law by Decree, and the other courts, each within the limits of its jurisdiction, shall decide on other crimes.

Article (34)

Administrative Violations and Sanctions

Without prejudice to the penalties stipulated in this Law by Decree, the Cabinet shall issue a resolution specifying the acts that constitute a violation of the provisions of this Law by Decree, its Executive Regulation, the resolutions issued in implementation thereof, and the administrative sanctions to be imposed.

Article (35)

Settlement of the Violators' Situations

The Cabinet Ministers may, upon the proposal of the Chairman, settle the situation of violators of the provisions of this Law by Decree, its Executive Regulation and the resolutions issued in implementation thereof, organise exemption cases, and impose fines on administrative violations.

Article (36)

The Executive Regulation

The Cabinet shall - upon the proposal of the Chairman - issue the Executive Regulation of this Law by Decree.

Article (37)

Repeals

1. The aforementioned Federal Law No. (6) of 1973 shall be repealed, as well as any provision that violates or contradicts the provisions of this Law by Decree.
2. The resolutions, systems, and rules in force prior to the entry into force of the provisions

of this Law by Decree shall remain in force in a manner that does not conflict with its provisions until the issuance of their replacements in accordance with the provisions of this Law by Decree.

Article (38)

Publication and Entry into Force of the Law by Decree

This Law by Decree shall be published in the Official Gazette and shall enter into force thirty (30) days as of the date of its publication.

Khalifa Bin Zayed Al Nahyan

President of the United Arab Emirates

Issued by us at the Palace of the Presidency in Abu Dhabi:

On: 9 Safar 1443 H

Corresponding to: 16 September 2021 AD