

Cabinet Resolution No. (21) of 2020

Regarding the Services Fees and Administrative Fines of the Ministry of Human Resources & Emiratization

The Cabinet:

- Having perused the Constitution;
- Federal Law No 1 of 1972 Concerning the Competences of the Ministries and the Authorities of the Ministers, as amended;
- Federal Law No. 8 of 1980 concerning the Regulation of Labor Relationships, as amended;
- Federal Law No. 14 of 2016 on Violations and Administrative Penalties in the Federal Government;
- Federal Law by Decree No. 26 of 2019 on Public Finance;
- Cabinet Resolution No. 25 of 2010 concerning the internal Work Permits in force in the Ministry of Human Resources & Emiratization, as amended;
- Cabinet Resolution No. 26 of 2010 concerning the classification regulations for Facilities subject to the law regulating Labor relations and bank guarantees, as amended;
- Cabinet Resolution No. 47, of 2019, concerning the Services Fees and Administrative Fines of the Ministry of Human Resources & Emiratization; and
- Based on the proposal of the Minister of Finance, and the approval of the Cabinet;

Has resolved:

Article (1) Definitions

In application of the provisions of this Resolution, the following words and phrases shall have the meanings assigned thereto, unless the context indicates otherwise:

- State** : The United Arab Emirates
- The Ministry** : Ministry of Human Resources & Emiratization
- The Minister** : Minister of Human Resources & Emiratization
- Facility** : Any economic, technical, industrial or commercial unit in which Laborers work, aiming at producing or marketing goods or providing services of any kind, and subject to the provisions of the aforementioned Federal Law No. 8 of 1980.
- Categories** : Classification categories of Facilities mentioned in the aforementioned Cabinet Resolution 26 of 2010.

Article (2)

Service Fees

- a. The fees for the services provided by the Ministry, which are shown below, shall be approved as indicated in the tables attached to this Resolution:
1. Work permits from within the State;
 2. Work permits from outside the State;
 3. Renewal of permits, amendment of work contracts, and transfer of Laborers from one facility to another; and
 4. Recruitment and mediation activity
- b. The value of the services specified below shall be determined by the service provider for the services provided by the Ministry's systems or through any of its approved channels, as shown in the following table:

S.	Service category	Service in AED

1	First Category	19
2	Second Category	40
3	Third Category	80
4	Fourth Category	120
5	Fifth category	160
6	Sixth Category	250
7	Seventh Category	340
8	Eight Category	430

c. Upon the proposal of the Minister of Finance and after coordination with the Minister, the Cabinet shall determine the services falling under each of the categories of services referred to in Clause 'b' of this Article within three (3) months of its date.

Article (3)

Administrative fines

The following administrative fines shall be imposed on the violations specified in the table below:

S.	Violation Description	Fine (AED)
1	Failure to provide the Ministry with a contract of employment, within a period not exceeding 60 days, from the date of entry of the Laborer to the State or from the date of changing his status.	100 for each month, and a maximum of 2,000.
2	Failure to renew the Work Permit within a	200 for each month, and a maximum of 2,000.

	period not exceeding 60 days from the date of expiry.	
3	Failure to provide the Ministry with a Work Permit, within a period not exceeding 30 days, from the date of entry of the Laborer to the State.	100 for each month, and a maximum of 2,000.
4	Failure to renew the Work Permit, within a period not exceeding 7 days from the date of expiry.	100 for each month, and a maximum of 2,000.
5	The Facility carries out false Emiratization	20,000 for each Emirati Laborer.
6	The facility makes the Laborer sign simulating documents informing their receipt of their dues or entering incorrect data in the Wage Protection System in order to cheat the provisions of the system.	5,000 for each Laborer, and a maximum of 50,000 in the case of multiple Laborers.
7	Non-payment of the wage due to the Laborer through the WPS, during the period in which a Resolution is issued by the Minister.	1,000 for each Laborer, and a maximum of 20,000.
8	Housing does not meet the criteria approved by the Ministry in this regard.	20,000 for each case regardless of the number of Laborers.
9	The Laborer pays the expenses of the recruitment and employment fees prescribed in the Ministry or the deduction of his wages without legal grounds.	20,000 for each Laborer.
10	Non-compliance with established procedures	20,000 for each case.

	for the hiring or termination of the Emirati.	
11	The Facility's failure to comply with the Ministry's repeated calls, in cases determined by the Minister, and according to the procedures issued by him in this regard.	20,000 for each case.
12	Providing a malicious or false report on the Laborer's absence from work.	5,000 for each Laborer.
13	Non-compliance with the provisions of Ministerial Resolutions issued on the prohibition of work at noon.	5,000 for each Laborer, and a maximum of 50,000 in the case of multiple Laborers.
14	Providing incorrect documents or information to the Ministry for obtaining a service or a benefit	20,000 for each case.
15	Non-compliance with the terms and standards of work contained in Federal Law No. 8 of 1980 referred to, or in the Ministerial Resolutions issued in this regard or in the Employment contact.	10,000 for each case.
16	Failure to inform the Ministry of occupational injuries or illness or death of the Laborer, in accordance with the provisions of Federal Law No. 8 of 1980 referred hereto.	10,000 for each case.
17	Practicing the activity of mediation agency or the temporary employment agency without a license issued by the Ministry.	10,000 for each case.

18	Non-compliance with the standards of the operating manual, the license manual, the technical specifications manual and the visual identification guide for the service centers licensed by the Ministry, which are included in the first category.	10,000 AED for each violation.
19	Non-compliance with the standards of the operating manual, the license manual, the technical specifications manual and the visual identification guide for the service centers licensed by the Ministry, which are included in the second category.	50,000 AED for each violation.
20	Employment of an expatriate without obtaining a Work Permit for him, non-employment of an expatriate for whom a Work Permit has been issued or leaving him to work for a Third party without complying to conditions and settlement of his status.	20,000 AED for each violation.

Article (4)

Grievance

Any interested party may file complaint in writing to the Ministry of any administrative fine from the fines referred to in Article 3 of this Resolution against him within ten (10) working days from the date of notification of the Resolution against him, provided that the grievance is justified and all supporting documents shall be attached and such grievance shall be considered within 20 days from the date of its submittal, in accordance with the procedures in force at the Ministry.

Article (5)

Exemption and Reduction of Charges

1. The Facility shall be exempted of charges referred to in Article 2 of this Resolution in the following

cases:

- a. If the Facility is a fishing boat.
 - b. If the due charges from the Facility are a result of its recruitment of a laborer other than Emirati or GCC citizens.
2. Fees applicable to facilities where the number of laborers is not more than six and the facilities that follow Zones Corp shall be reduced to be equal to the fees applicable to facilities of the second category (A) stipulated in this Resolution in coordination with the Ministry of Finance.

Article (6)

Exemption of Administrative Fines and Paying them in Instalments

The Minister may exempt from administrative fines referred to in Article 3 of this Resolution or its instalments, provided that the exemptions from these fines and the mechanism of their instalment, including conditions, controls and procedures, are determined by a resolution issued by the Minister in coordination with the Minister of Finance for this purpose.

Article (7)

Amending Administrative Charges and Fines

The Cabinet shall be competent to make any amendments concerning the administrative charges and fines stipulated in this Resolution, either through addition, omission or amendment.

Article (8)

Collection of Administrative Charges and Fines

The administrative charges and fines in this Resolution shall be collected by the means determined by the Ministry of Finance in this regard.

Article (9)

General Provisions

1. For the purpose of paying the fees and administrative fines set out in Articles 2 and 3 of this Resolution, a part of a day shall be deemed to be a full day and the part of a month shall be deemed a full month.
2. The Minister shall determine the conditions, controls and standards of services and violations contained in this Resolution.

3. The Minister shall determine the regulations and procedures governing the conclusion and renewal of employment contracts and the provisions, guarantees and data required in such contracts in accordance with the legislation in force in the State.
4. The Ministry or any authorized body, may contract with public and private Facilities and companies to provide any of the services in accordance with the regulations and legislations approved and organized for this matter in the federal government.
5. The Ministry shall meet the necessary financial guarantees for transactions related to the services of the Assistant Laborer category, in accordance with a decision issued by the Minister in coordination with the Minister of Finance for this purpose, provided that the resolution includes the conditions and controls for the fulfilment of financial guarantees and exemptions.

Article (10)

Issuance of Executive Resolutions

The Minister shall issue the resolutions necessary for the enforcement of the provisions of this Resolution.

Article (11) Repeals

Cabinet Resolution No. 47 of 2019, concerning the Services Fees and Administrative Fines of the Ministry of Human Resources & Emiratization shall be repealed and any provision that contradicts or is in conflict with this Resolution shall cease to have effect.

Article (12)

Publication and Implementation of the Resolution

This Resolution shall be published in the Official Gazette and shall come into force as of 5 April 2020.

Mohammed Bin Rashid Al Maktoum

The Prime Minister

Date: 7 Shaban 1441 H

Corresponding to: 31 March 2020 A.D

Annex 1

Table Attached to the Cabinet Resolution No. 21 of 2020

Concerning the charges of the services provided by the Ministry of Human Resources and Emiratization

Table No. (1) Work permits from inside the State (for those who have a valid residence in the State)		
Fees in AED	Service Description	S
50	Issuance of a work permit for an event	1
50	Issuance of a temporary work permit	2
50	Issuance of part-time work permit*	3
50	Issuance of training permit	4
50	Issuance of a permit to test a Laborer	5
50	Request for a work permit for residence holders	6
250	Issuance of a work permit for residence holders or self-employment, for a period of two years	7

* For those who have a valid work permit issued by the Ministry

Table No. (2) Work permits from outside the State (for all types of work)		
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Fees in AED			Service Description
Third category	Second category	First category	
50	50	50	Work permit application 1
3540	1200	250	Issuance of a work permit for a period of two years 2
250	250	250	Issuance of a work permit for a work assignment 3

Table No. (3)

Renewal of permits, amendment of work contracts, and transfer of Laborers from one facility to another (for all types of work)

Fees in AED	Service Description
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Third category	Second category	First category		
3450	1200	250	Renewal of a work permit for a period of two years	1
50	50	50	Amendment of work contracts	2
50	50	50	Request a permit to transfer a Laborer from one facility to another	3
3450	1200	250	Issuance of a permit to transfer and employ a Laborer from one facility to another, for a period of two years	4

Table No. (4)				
Recruitment and mediation activity licensing				
Fees in AED			Service Description	
Renewal	Issuance			
12,500	25,000		Brokerage activity license, for a period of one year	1

25,000	50,000	Recruitment activity license, for a period of one year	2