



الجمهورية العربية السورية

## SYRIAN ARAB REPUBLIC

---

### Law No //

---

**The President of the Republic,**

According to the provisions of:

- Labour Law No. 17 of 2010.
- Letter of the Presidency of the Council of Ministers No. 48/1 of 12/1/2012.
- and for public interest purposes.

Does hereby issue the following:

#### Article 1:

**The following articles of the Labour Law No. 17 of 2010 shall be amended as follows:**

For the purposes of the present Law, the following terms shall have the meanings assigned thereto:

<b>Ministry:</b>	Ministry of Labour.
<b>Minister:</b>	Minister of Labour.
<b>Competent Directorate:</b>	Directorate of Labour in the Governorate.
<b>Worker:</b>	Every natural person who works for an employer under the employer's authority and supervision, in return for any kind of wage.
<b>Employer:</b>	Every natural or legal person employing one or several workers in return for any kind of wage whatsoever.
<b>Unemployed person:</b>	Every Arab Syrian national able to work, wishing to work, seeking a job and available for work, but has not found any job opportunity.
<b>Wage:</b>	Any cash or in-kind remuneration given to workers in return for their work, in addition to any and all allowances awarded to workers under individual employment contracts, collective labour agreements or basic labour regulations, on daily, weekly, monthly,

	seasonal or yearly basis, or on piece or production basis. Wages shall not include travel allowances and daily expenses incurred by workers in the course of work.
<b>Work:</b>	Every mental or physical effort exerted by the worker in return for a wage, whether this work is permanent, temporary, occasional or seasonal.
<b>Temporary work:</b>	Work which is, by nature, completed within a limited timeframe or which is job-specific and ends upon job completion.
<b>Casual work:</b>	Work which is not, by nature, part of the employer's main activity and is completed within less than six months.
<b>Seasonal work:</b>	Work which is performed in recurring seasons and does not exceed six consecutive months.
<b>Night work:</b>	Work that is performed between seven p.m. and seven a.m.
<b>Part-time work:</b>	Work with lesser daily hours of work than the statutory hours of work prescribed under Title VII herein.
<b>Domestic work:</b>	Work linked to the same employer directly for the care of the employer or any of his family members, or indirectly to perform works related to the household.
<b>GFTU:</b>	The General Federation of Trade Unions and its hierarchical trade unions pursuant to the Trade Union Law in force.
<b>Trade-union committee:</b>	The committee elected in firms as per the applicable Trade Union Law.
<b>Competent court:</b>	The first instance civil court created pursuant to Legislative Decree No. /64/ of 22/9/2013

#### **Article 5:**

Save as otherwise provided under the present Law:

a-The provisions of this Law shall not apply to:

1-Workers subject to the Basic Law of the State Workers No. 50/2004 and amendments thereof.

2-Workers subject to the Agricultural Relations Law.

3-Family members of the employers actually supported by the employer.

4-Domestic workers and the like,

5- Casual workers.

6- Part-time workers whose working hours do not exceed two hours per day.

b- Workers referred to in article 4, paragraph (a), above shall be subject to the provisions of their employment issued by a ministerial decision.

c- Workers referred to in paragraph (a), subsections 5 and 6 above shall be subject to the provisions of their employment contracts, which may not in any case prescribe fewer entitlements than those prescribed hereunder.

#### **Article 12:**

Merger of the firm or its devolution by inheritance, will, donation, investment, rental or sale,

even in public auction or others, shall not result in the termination of employment contracts. The former employer shall be jointly and severally liable with the new employer for all the obligations arising under such contracts until the date of transfer

#### **Article 14:**

The provisions of this Title shall apply to every unemployed person wishing to work, inside or outside the Syrian Arab Republic.

#### **Article 17:**

a- Subject to the provisions of article 25 of this Law, no unemployed may be recruited, in the Syrian Arab Republic, unless he is holder of a registration card issued by a public employment agency.

b- A ministerial decision shall specify the provisions governing the work of the public employment agencies and the data to be included in such certificates.

#### **Article 25:**

Within a month from the date of recruiting an unemployed worker, employers shall send the worker's registration certificate to the issuing public employment agency. As for the workers who are not registered in the employment agency, the employer shall send a notice to the agency showing the recruitment of the unemployed and including the information issued by a ministerial decision. The employer shall further record the number and date of the registration certificate or a copy of the notice opposite to the worker's name in his staff register.

#### **Article 52:**

a- Whenever the workplace or firm is moved no more than 50 km away from the initial workplace, for reasons either within or beyond the control of the employer, the worker shall move to the new workplace, provided that the employer provides him, free of charge, with the adequate commuting means or pays him the appropriate transport allowance. However, whenever a worker refuses to move to the new workplace, the employment contract shall be deemed terminated and his entitlements shall be settled according to the present Law, except for the compensation set forth under article 65 hereunder.

b- Whenever the workplace or firm is moved more than 50 km away from the initial workplace for reasons beyond the control of the employer, workers shall move to the new workplace. In this case, the employer shall provide free means of commuting to the new workplace. However, whenever a worker refuses to move to the new workplace, the employment contract shall be deemed terminated and his entitlements shall be settled according to the present Law, except for the compensation set forth under article 65 hereunder.

c- Whenever the workplace or firm is moved more than 50 km and less than 100 km away from the initial workplace at the initiative of the employer, the latter shall provide him, free of charge, with the adequate commuting means to the new workplace, in addition to an allowance for the

additional time incurred by the worker to commute to the new workplace, which shall be calculated on the basis of the work hour wage paid to the worker. If the worker refuses to move to the new workplace, the employment contract shall be deemed terminated and his entitlements shall be settled according to the present Law, except for the compensation set forth under article 65 hereunder.

d- Whenever the workplace or firm is moved more than 100 km away from the initial workplace at the initiative of the employer, and a worker refuses to move to the new workplace, the employment contract shall be deemed terminated and his entitlements shall be settled according to the present Law, including the compensation set forth under article 65 hereunder.

#### **Article 54:**

a - Fixed-term employment contracts shall automatically lapse at expiry date thereof. However, they may be extended by express mutual agreement for a specified term or additional terms. Whenever the initial and extended terms of the contract exceed five years, the employment contract shall become a contract with an unspecified term.

b- Whenever the contracting parties continue implementing the fixed-term employment contract beyond its expiry date, the agreement shall become an unspecified-term contract by tacit agreement.

c- The employment contracts concluded with workers in private sector's organizations and institutions covered by the provisions of Law No. 93 for 1958 and its amendments are deemed fixed-term contracts which do not become unspecified-term contracts, regardless of their extension or renewal.

#### **Beginning of Article 56:**

Without prejudice to articles 64 and 208 herein:

**Paragraphs (a) and (b) shall remain unchanged.**

#### **Article 61:**

a - Workers' resignation or an agreement between the employer and worker to terminate the employment contract shall be deemed valid only when registered by the worker with the competent directorate, or any of its affiliated centers or centers in which the Ministry is represented. Resigning workers may withdraw their resignation in writing, once only, within one week as of the date of its submittal, whether accepted or rejected by the employer. In this case, the resignation shall be deemed null and void.

b- A ministerial decision shall specify the method of implementation of the provisions of paragraph (a) above.

#### **Article 62, paragraph (a), sub-sections 3 and 6:**



3- Upon the death of the worker. In this case, his family, or the person designated by the worker by virtue of a written document filed with the employer, shall be entitled to death allowance equaling three full month wage in addition to the full wage of the month during which the worker passed away.

6- In case of force majeure or impossibility of execution due to an external reason beyond the employer's control.

#### **Article 63:**

a – Workers whose employment is terminated shall receive a severance pay equivalent to two-month wage if they have worked for five years or more, and equivalent to one-month wage if they have worked for less than five years and more than one year.

b- Upon termination of the employment contract for any reason whatsoever, employers shall pay workers who are not covered by the Social Security Law during the validity period of the employment contract, a compensation in cash for the period of service not covered by the security benefits, equivalent to two-month wage for each year of service. Workers shall further be entitled to receive severance pay for any fraction of a year on a pro rata basis.

b-The sums provided for in paragraphs (a) and (b) shall be calculated based on the last monthly wage earned by the worker; if the worker was receiving his wage on piece or production basis, such sums shall be calculated based on his average monthly wage during the last year of service, without prejudice to the remaining statutory or contractual entitlements accrued to the worker.

#### **Article 64, paragraph (a):**

a- Employers may terminate a fixed-term, an unspecified-term or a job-specific employment contract without any prior notice, severance pay or compensation, in any the following instances:

1- Whenever the worker commits impersonation or provides false degrees or recommendations, as evidenced by final court decision.

2- Whenever the worker commits a fault resulting in a substantial material loss to the employer, provided that the employer reports the incident to the competent authorities within 48 hours after becoming aware of its occurrence.

3- Whenever the worker does not abide by the applicable instructions for the safety of the workers and the firm, despite two written warnings, provided that such instructions are made in writing and displayed in a conspicuous place.

4- Whenever the worker is absent from work for no valid reason for more than twenty intermittent days or more than ten consecutive days per year, provided the employer sends him written warning after ten days absence in the first instance and five days absence in the second instance, as per the Code of Procedure.

5- Whenever the worker fails to discharge his material obligations under the employment contract, the firm's internal regulations, the published instructions in firms which use less than fifteen workers, provided said instructions do not contain a condition or agreement contrary to the present law.

- 6- Whenever the worker discloses professional secrets of the firm in which he works.
- 7- Whenever the worker is convicted of a crime or offense against ethics and public morals.
- 8- Whenever, during working hours, the worker is found under the influence of alcohol or drugs.
- 9- Whenever the worker assaults the employer or the line manager, or seriously assaults any of his superiors during or because of work.
- 10- Whenever the worker commits any of the violations stipulated under the penalties chapter, the severest penalties being the dismissal from work pursuant to the provisions specified in the list of penalties issued by the Ministry.

**Article 65:**

- a- Whenever the employer fails to prove that the worker committed any of the violations referred to in article 64, contract termination by the employer is considered to be unfair dismissal. In this case, the worker recruited by virtue of a fixed-term contract shall be entitled to his wages for the remaining period of the contract, whereas the worker recruited by virtue of an unspecified-term contract with less than 7 years of employment with the employer is entitled to a compensation equaling three-month wage for each year of service, provided total compensation does not exceed 160 times the minimum wage. The worker recruited by virtue of an unspecified-term contract with more than 7 years of employment shall be entitled to compensation equaling two-month wage for each year of service, provided total compensation does not exceed 150 times the minimum wage. The worker shall be entitled to compensation for any fraction of a year on a pro rata basis.
- b- Compensation shall be calculated based on the last monthly wage earned by the worker; if the worker was receiving his wage on piece or production basis, such sums shall be calculated based on his average monthly wage during the last year of service, without prejudice to the remaining statutory or contractual entitlements accrued to the worker.
- c- However, employers shall be bound to implement the notice clauses set forth under article 56 and following articles of the present Law.

**Article 67, paragraph (c) and a new paragraph (d) is added to the article:**

- c- Save for the instances referred to under paragraph (a), sub-sections 1 and 2, whenever the court deems that reinstatement of the worker is impossible because the employer refuses to reinstate the worker or the worker refuses to resume work, it shall order compensation for the worker recruited by virtue of a fixed-term contract equaling his wages for the remaining period of the contract, and order compensation for the worker by virtue of an unspecified-term contract with less than 7 years of employment with the employer a compensation equaling three-month wage for each year in service, provided total compensation does not exceed 160 times the minimum wage. The worker recruited by virtue of an unspecified-term contract with more than 7 years of employment shall be entitled to compensation equaling two-month wage for each year of service, provided total compensation does not exceed 200 times the minimum wage. Compensation for any fraction of a year shall be on a pro rata basis.

d- Compensation shall be calculated on the basis of the last monthly wage earned by the worker; if the worker is receiving his wage on piece or production basis, such sums shall be calculated based on his average monthly wage during the last year of service, without prejudice to the remaining statutory or contractual entitlements accrued to the worker, subject to article 56 of the present Law.

**Article 69, paragraph (a):**

A committee called the National Committee of General Minimum Wage shall be constituted by decision, and under the chairmanship of the Prime Minister. It shall comprise:

- 1- The Minister of Labour
- 2- The Minister of Finance
- 3- The Minister of Economy and Foreign Trade
- 4- The President of the General Federation of Trade Unions
- 5- The President of the Federation of Chambers of Commerce
- 6- The President of the Federation of Chambers of Tourism
- 7- The President of the Federation of Chambers of Industry
- 8- The President of the Contractors Association
- 9- The President of the Federation of Handicraft Associations

**Article 70, paragraph (a):**

a – The National Committee shall determine and review the general minimum wage of workers covered by the present Law, provided the minimum wage is not extinguished by the periodic increments due by virtue of the law to the worker and which had become part of his wage; The Committee shall decide the proportion of the periodic increment which shall not be less than 10% and which changes based on the inflation and the price increases.

**Article 71, paragraph (a):**

A committee shall be constituted by ministerial decision in each competent directorate, in order to recommend minimum wages for the occupations governed by the present Law. Such committees shall be composed of:

- 1- A delegate of the Ministry: chairman
- 2- A delegate of the Ministry of Industry, the Ministry of Economy and Foreign Trade, the Ministry of Tourism, or the Ministry of Public Works, as the case may be: member
- 3- A delegate of employers, who shall be appointed by the Chamber of Tourism, Commerce or Industry or the Contractors Association in the governorate, as the case may be: member
- 4- A delegate of the trade union, who shall be appointed by the GFTU in the governorate: member

- 5- The head of the Contractors Association branch in the governorate: member
- 6- A delegate of the professional trade union involved, who shall be appointed by the said trade union: member
- 7- A delegate of the handicrafts union designated by the handicrafts union in the governorate: member.
- 8- A legal expert and an economic expert appointed by the Ministry: observer members
- 9- The head of the labour department in the competent directorate: rapporteur

**Article 90, paragraphs (a) and (b):**

a- Every employer employing fifteen and more workers shall draw up the firm's internal regulations and the list of penalties. The internal regulations shall include, in particular:

- 1- The purpose of the regulations.
- 2- The working conditions and terms.
- 3- The obligations of the employer:
  - Drafting the employment contract.
  - Giving workers leaves and official holidays as prescribed in the present Law.
  - Regular promotion.
  - Bonuses.
  - Periodic wage increment, etc.
- 4- The rights of the employer:
- 5- The rights and obligations of workers.

b- Such internal regulations, list of penalties and any potential amendments thereof shall become effective after their endorsement by the Ministry, within forty-five days of registration thereof with the Ministry. If, after the lapse of such period, no response is issued by the Ministry, such regulations and list shall be deemed automatically effective.

**Article 95, paragraph (a):**

a- Rights of workers:

- 1- Right to periodic wage increment, once every other year, at the rate prescribed under article 70 paragraph (a).
- 2- Right to promotion if the worker is entitled to receive it according to the internal regulations.
- 3- Right to equal opportunity, equal treatment and non-discrimination.
- 4- Right to human dignity.
- 5- Right to safe and secure working conditions.
- 6- Right to join trade unions and handicrafts associations.

**Article 103:**

The penalties referred to in article 98, paragraphs (a), (b), and (c) herein shall be inflicted by the employer or his representative.

b- Other penalties referred to under article 98 shall be inflicted by the firm's disciplinary committee, which shall comprise:

- 1- The employer or his representative: chairman
  - 2- The head of the department involved or his immediate superior: member
  - 3- The chairman of the trade union committee or a representative of workers, as the case may be: member
- c- The penalty decision shall be motivated. The penalty shall become effective only after the worker is informed thereof

#### **Article 121:**

a- Female workers shall be entitled to maternity leave of:

- 1- 120 days for the first childbirth
- 2- 90 days for the second childbirth.
- 3- Only 75 days for the third childbirth.

Female workers shall be entitled to full pay for maternity leave provided under the previous paragraph, paid by the employer provided at the childbirth, they have spent six consecutive months of service for the employer.

c- Female workers may take their maternity leave during the last two months of pregnancy.

d- In case of infant death, the remaining leave shall be divided in half.

e- Maternity leave shall be given pursuant to a duly authenticated medical certificate.

f- Additional maternity leave of one month without pay may be granted to female workers upon request.

#### **Article 136:**

a - Employers subject to the present Chapter shall recruit a number of qualified disabled persons to perform works compatible with their disability, i.e. a quota of 2% of their total staff. Furthermore, employers shall abide by the provisions of article 25 of the present law.

b- Whenever employers do not comply with the quota prescribed under paragraph (a) above, they shall deposit the equivalent of their minimum wage in the Fund of Disabled Workers with the General Authority of Employment and Enterprise Promotion, to finance small, medium and micro enterprises.

#### **Article 166, paragraph (a):**

a- Workers shall be entitled to leave with full pay, on the official holidays determined by ministerial decision totaling no less than fourteen days per year. Employers shall have the right to ask their workers to work on such days if work conditions so require. In this case, workers shall be entitled to their daily wage plus double that wage.

#### **Article 172:**

a- Without prejudice to article 165, workers shall be entitled to request a leave without pay for thirty consecutive or separate days per year. Whenever employers agree to such leave, the worker shall pay the contributions payable by him and the employer to the General Corporation of Social Security and which are paid by the employer when due and deducted from the worker's wage in proportion with the number of leave days.

**Article 228:**

Employers may, after issuance of the decision ordering partial shutdown of the firm, amend the terms of individual employment contracts. In particular, they may assign workers to jobs that substantially differ from their initial work, and decrease workers' wage to no less than the minimum wage prescribed for their occupation, provided they keep the contributions to the Social Security in accordance with the wage earned by the worker before the amendment of the terms of the contract or the wage. When calculating said contribution, the differences between the previous wage and the wage agreed after the amendment shall be borne by the employer. In this case, workers may either agree to such measure or request termination of their employment contract, notwithstanding the statutory notice period. In this case, workers shall be entitled to compensation at the rate of one month for each year of service, provided such compensation does not exceed six months wage.

**Article 254, paragraph (b):**

b- Whenever an inspector is victim of any assault or physical or moral injury in the course of his mission, the Ministry shall institute legal proceedings before the competent court, on his behalf, and request that the appropriate penalty be inflicted on the offender and order the latter to pay the material and moral compensation to the inspector.

**Article 256, paragraph (b):**

b- Every employer who violates article 23/(a) by opening or operating an unduly licensed employment agency shall be liable to a fine ranging from SYP 500,000 to 1,000,000. The Ministry shall be entitled to shutdown the agency.

**Article 259, paragraph (b):**

b- Every employer who violates Article 63 shall be liable to a fine ranging from SYP 5,000 to 10,000. In addition to the fine, the court shall order the contravening employer to pay the cash compensation and severance pay accrued to the worker.

**Article 261, paragraph (a):**

a- Every employer who violates Articles 76, 78, 81, 82, 91, 101, 108, 109, 155, 156, 173, 174, and 175 shall be liable to a fine ranging from SYP 5,000 to 10,000. In addition to the fine, the court shall order the employer who violates article 78 to pay the worker the accrued wages and shall order the employer who violates Articles 155, 156, 173, 174 and 175 to give the worker his accrued leave.

**Article 264:**

Every employer who violates articles 113, 114, 115, 116 and 117 shall be liable to a fine ranging from SYP 25,000 to 50,000.

In addition to the fine, the court shall inflict upon the employer who violates the provisions of said articles the penalties provided under the relevant laws, in case of breaching of juvenile employment rules.

**Article 267, paragraph (b):**

b- Every employer who violates article 154 shall be liable to a fine ranging from SYP 5,000 to 10,000. In addition to the fine, the court shall order the employer who violates the provisions of this article to pay the appropriate housing allowance equivalent to the wage, and to provide meals in kind.

**Article 275, paragraph (b):**

b- Fines shall be multiplied for multiplied violations and doubled in case of reoffend.

**Article 2:**

This Law shall be published in the Official Gazette.

Damascus, on / / .

The President of the Republic

Bashar el Assad



الجمهورية العربية السورية

SYRIAN ARAB REPUBLIC

---

Law No //

---

**The President of the Republic,**

According to the Constitution,

And the resolutions adopted by the People's Council on //1435 H,

Does hereby issue the following Law:

**Article 1:**

The following articles of the Social Security Law No. 92 for 1959 and its amendments shall be amended as follows:

- Article 1, paragraph (g):

g- Wage

a- The wage defined in article 1 of the Basic Law of the State Workers No. 59 of 2004

b- The lump sum wage for the categories excluded from the application of the Basic Law of the State Workers No. 50 of 2004

c- The wage defined in the applicable Labour Law.

d- Application of the provisions of paragraph (a) of the present law on the workers working with the authorities, which adopt the wage scales annexed to the Basic Law of the State Workers No. 50 for 2004 and its amendments, and give their workers the wage increments issued by legislative instruments.

**Article 2:**

While retaining the provisions governing the retirement rights of the incumbents and members of the People's Council, included in the applicable laws:

Social security rights of the incumbents and members of the People's Council are paid by the General Corporation of Social Security, and the paid contributions (worker's share and the



employer's share) are transferred to the General Corporation of Social Security in case the worker is registered with the General Corporation of Social Security.

1- The provisions of the present law apply on:

- a- Workers subject to the provisions of the Basic Law of the State Workers No. 50 for 2004.
- b- Workers subject to the provisions of the applicable Labour Law regardless of the number of the firm's workers.
- c- Judges of the Supreme Constitutional Court, judges of the State Council, the ruling and prosecuting judges subject to the Judicial Authority Law, and the lawyers of the State litigation administration.
- d- Members of the educational, school teaching, technical and laboratory body subject to the law governing universities.
- e- Muftis and Trustees of the fatwa and teachers in the fatwa staff and religious teaching.
- f- Civil servants in the General Intelligence.
- g- Members of the scientific research body, technical and laboratory staff in scientific research centers and the atomic energy body.
- h- Scientists working in the Arabic encyclopedia body.
- i- Flight crew in the Syrian Arab Airlines and ship crew in the Syrian Maritime Company.
- j- Agricultural workers covered by the provisions of the Organization of Agricultural Relations Act No. 56 of 2004.
- k- Workers in the free zones.
- l- Rating scale workers and day-workers in the public sector.
- m- Syrian workers and the like who work in international organizations and diplomatic missions operating in the Syrian Arab Republic.
- n- Family members of the employer who work for him in return of a wage, including sons and brothers who have reached the age of sixteen and married daughters and sisters.
- o- Workers appointed by proxy in accordance with the provisions of the Basic Law of the State Workers, except for workers by proxy in the education and teaching field.
- p- Temporary workers appointed in accordance with the provisions of article 148 of the Basic Law of the State Workers.
- q- Contractual workers in accordance with the provisions of article 149 of the Basic Law for civil servants who are subject to the Social Security Law by virtue of their employment contracts.

2- The provisions of the present law do not apply on:

- a- Foreign workers who work in international organizations and diplomatic missions operating in the Syrian Arab Republic.
- b- Foreign workers who are delegated by the branches of foreign companies operating in the Syrian Arab Republic from the mother company or any of its subsidiaries in order to train workers on the methods of work and for a period not exceeding 12 months.
- c- Family members of the employer working for him and actually supported by him.

3- Every worker is entitled to register himself with the old age, disability and death fund with the General Corporation of Social Security, provided he pays his share and the employer's share in the contributions in accordance with a special regulation to be issued by decision of the Presidency of the Council of Ministers upon the proposal of the Minister of Labour.

#### **Article 3:**

a- The General Corporation of Social Security is a legal entity, enjoys financial and administrative autonomy and is linked to the Minister of Labour. It shall exercise all of the powers necessary to carry out its work in accordance with the applicable laws and regulations. It will be based in Damascus and will have branches in the governorates, and may, by decision of the Minister upon the proposal of the Board of Directors, open offices in the administrative and industrial areas and free zones if the public interest so requires.

b- The Corporation is represented by its director general before the courts and third parties whereas the branches of the Corporation in the governorates are represented by the branch managers before the courts and third parties in addition to the powers delegated to them by the director general, each within the work area of its branch according to the laws in force.

c- Subject to paragraph (c) of article 72 of the draft law,  
The Corporation exercises the rights conferred to the competent tax authorities pursuant to the collection of public funds law in order to collect the amounts due to it and stipulated in the Social Security Law and its amendments.

The Corporation may prosecute the disbursement orderers, employees authorized to make expenditures, financial officers and administrations' accountants with the public authorities in case of failure or delay in:

- The payment of all amounts payable to the Corporation (worker's share and the 24.1% employer's share), with the interest and additional amounts for public authorities to which funds are not allocated by the Ministry of Finance during the preparation of the state budget.

- The payment of the 7% worker's share, which shall be transferred to the public authorities by the Ministry of Finance with the interest and additional amounts for public authorities to which funds are allocated by the Ministry of Finance during the preparation of the state budget.

d- The debts due to the Corporation may be paid by installments within a maximum period of two years in accordance with the guarantees and conditions issued by a ministerial decision upon proposal of the Board of Directors.

e- The Board of Directors may request not to bring an action or strike it off in coordination with the State litigation administration in case it was decided that it is not useful to pursue the action, or if the amounts claimed are small compared to the expenses, and may settle cases of ignorance of the indicator or ignorance of the address.

#### **Article 18:**

a- Affiliation to the Corporation is mandatory for employers and workers, and the insured may not bear any share of the social security expenses except as specifically stipulated.

b- If the insured person works for more than one employer, he shall be registered for each service separately. When the insured does no longer fall within the scope of application of the law, each service shall be dealt with separately from the other in accordance with the provisions of article 58 of Law No. 92 of 1959 and its amendments.

c- The provisions of the preceding paragraph shall apply to the insured registered with more than one social insurance corporations.

#### **Article 19:**

Subject to the provisions of article 2 of the present law, the provisions of the work injuries insurance chapter shall apply on:

a- Workers employed in temporary casual works with one employer or more and particularly the contracting and procurement workers, deportation and seasonal workers and workers employed in loading and unloading .... etc).

b- Agents in education and teaching field.

c- Syrian and non-Syrian female workers and nannies.

d- Private driver - guards and lifts workers - gardeners.

e- A decision issued by the Minister of Labour upon the proposal of the Board of Directors may set the terms and conditions in order for the mentioned categories to benefit from all or part of the social security advantages provided they are included in a special regulation.

#### **Article 26:**

a- Disability resulting from injury or relapse when proven, or one year after the date of the injury or relapse, whichever is earlier, is assessed, if not cured, based on the medical certificate delivered from the corporation physician.

b- The specimen of the certificate mentioned in paragraph (a) and the data recorded in it shall be issued by a decision of the Director General upon proposal of the Board of Directors.

#### **Article 29:**

If the injury results in total permanent disability or death, the pension is calculated on the basis of 75% of the average monthly wage for which contributions were paid in the last year preceding the evidence of disability or death. In the event of death, the pension shall be distributed to the persons entitled to it, in accordance with the provisions of Article 89 of the Social Insurance Law. In case of delay in reporting the injury of more than one full calendar year, the benefits shall be calculated on the basis of the average monthly wage for which contributions were paid in the last year preceding the evidence of disability or after one year from the date of the injury, whichever is earlier.

#### **Article 33:**

In the calculation of the compensation, the following rules shall be taken into consideration if the injured has already sustained a work injury:

1- If the total disability percentages caused by the current and previous injuries is less than 35%, the injured shall be compensated for the last injury on the basis of the disability percentage

resulting only from the last injury, and the average monthly wage for which contributions were paid in the last year following the occurrence of the injury or the date of the evidence of the disability, whichever is earlier.

If the total disability percentages caused by the current and previous injuries is equal to 35% or more, he shall receive an injury pension estimated as follows:

a- If the injured had received for the previous injuries a compensation by virtue of a one-time payment, his pension shall be estimated on the basis of the total disability percentages caused by all of his injuries and the average monthly wage for which the contributions were paid in the last year and preceding the date of evidence of disability as a result of the last injury or one year after the date of the last injury, whichever is earlier. The one-time compensation disbursed to him for the previous injuries shall be subject to a deduction of 25% of the value of the pension granted to him on a monthly basis and without interest.

b- If the pensioner suffers a new injury, the disability pension for the new injury is estimated independently on the basis of the average monthly wage for which the contributions were paid in the last year preceding the date of the evidence of the disability or one year from the date of the occurrence of the injury, whichever is earlier in the new injury and shall be added to the previous disability pension.

c- If the injured is entitled to a disability pension for an independent injury, and as a result of his re-examination in accordance with Article 86 of the law, the percentage of his disability decreased and the one-time compensation was disbursed to him, then he suffered from a relapse as a result of which he was entitled again to the pension for the same injury, his pension for the new injury percentage shall be estimated based on the average monthly wage for which the contributions were paid in the last year of the date of the evidence of the disability or one year after the date of the relapse, whichever is earlier. The one-time compensation disbursed to him shall be subject to a deduction of 25% of the value of the pension granted to him on a monthly basis and without interest.

d- The pension granted in accordance with the provisions of paragraph (b) shall not exceed the total disability pension.

#### **Article 57:**

Old-age pension is granted in one of the following cases:

a- End of service because the male insured has reached the age of sixty and the female insured the age of fifty five and the calculated wage service period is not less than 180 monthly contributions.

b- End of service because the male insured has reached the age of fifty five and the female insured has reached the age of fifty and the calculated wage service period is not less than 240 monthly contributions.

c- End of service of the insured after his actual service in one of the arduous and hazardous jobs is not less than 180 monthly contributions, in accordance with the terms and conditions stipulated by the applicable decree in this regard.

d- End of service at the request of the insured if the calculated service period is not less than 300 monthly contributions regardless of the age requirement.

**Article 58:**

a- Old-age pension is calculated on the basis of 2.5% of the average monthly wage for which the contributions were paid in the last year and that for each year of registration. The fraction of a year, which is not less than one month, is deemed a full year in the calculation of the period covered by the social security benefits.

b- The maximum allocated pensions under the terms of old-age, disability and death insurance is 80% of the average monthly wage for which the contributions were paid in the last year on basis of which the pension was calculated. When calculating the above-mentioned monthly wage, the difference, whether an increase or decrease, between the wage of the insured at the end of the last two years and his wage at the beginning of the last two years shall not be of more than (15%), and between his wage at the end of the last five years and his wage at the beginning of the last five years shall not be of more than (30%). The following shall be taken into consideration when calculating the wage as follows:

1- Wage increments during this period, issued by legislative instruments for workers working with the parties that retain the wage scales attached to the Basic Law of the State Workers No. 50 of 2004 and its amendments and commit to register said increments within the legal time limits stipulated under the Social Insurance Law.

2- Increments granted to workers under the Labour Law in force.

3- Observation of the contribution ceiling included in the present law.

c- The benefits due to the insured persons whose services ended and have multiple services (and said services meet together the conditions of the pension entitlement) are calculated based on the average monthly wage for which the contributions were paid in the last year on basis of which the pension was linked.

d- If the insured works in parallel for more than one employer, each service shall be settled separately, whether the settlement is by virtue of a one-time compensation or a pension as follows:

1- If the conditions of the pension entitlement are met for both services, the best pension shall be allocated and a one-time compensation of less than 3% from the percentages specified in Article 60 of the law shall be disbursed for the second service and a percentage of 3% shall be allocated to the unemployment fund. These provisions shall apply in case the conditions of the pension entitlement are met for one of the two services and the compensation for the other.

2- In case the insured is entitled to the compensation for both services, each service shall be settled separately according to the provisions of Article 60 of the Social Security Law, subject to the provisions of paragraph (b) above.

3- The insured with one social insurance corporation, working with more than one employer may choose to combine the two services to benefit from the pension entitlement years. The pension is calculated based on the average monthly wage for which the contributions were paid in the last

year for each service separately, provided that the insured is entitled to pension because he reached the age of sixty and provided the allocated pension does not exceed in accordance with the provisions of this paragraph the pension limit in force under this Law, and without the disbursement of the one-time compensation if his years of service exceeds 32 years.

e- In case the pensioner works again (in the private, cooperative or mixed sector) and was re-included in the old age, disability and death insurance before reaching the age of sixty, the disbursement of the pension shall stop and the contributions for the subsequent service shall be paid and calculated upon the end of service, according to paragraph (c) above.

f- The insured pension or the total pensions allocated under the provisions of this Law, or any other insurance law in force, shall not be less than the general minimum wage.

g- If the insured is entitled under the provisions of this law to two pensions from two insurance corporations, he or his rightful claimants may combine the two pensions, provided each social insurance corporation disburses the pension allocated by it and provided that the total of both pensions does not exceed the first category limit specified in Law No. 50 for 2004.

h- If the insured actual service period that is accepted in the pension calculation under the provisions of this law exceeds the 32 years that entitles him to the pension limit and the insured continues to work, he or his rightful claimants shall receive for the additional period a one-time compensation of one month wage for each additional year, and with a maximum of three wages. The period of less than one year is not taken into consideration in the calculation of this compensation; however, if the worker, after receiving an 80% pension, resumes work, he shall receive for the subsequent service a one-time compensation in accordance with the provisions of Article 60 of the Social Security Law.

#### **Article 59:**

If the work of the insured with the employer ends as a result of reaching the age of sixty before the contribution period condition required to be entitled to the old-age pension, is met, he shall receive a one-time compensation on the basis of 15% of the average monthly wage for which the contributions were paid in the last two years for each month of registration in the insurance. The provision of this article applies on the worker enrolled after the age of sixty.

#### **Article 72:**

a- The contributions paid by the employer and those deducted from the insured wages are calculated on the basis of the enrollment wage and upon the issuance of laws or legislative decrees ordering increments for civil servants, or in the event of a wage increase by the employer, the increments shall be added as of the effective date of said laws or decrees or increase by the employer.



b- When calculating the wage for the insured persons who receive their wages not on a monthly basis, the number of working days during one month shall be twenty-five days, and the Minister of Labour may, upon the proposal of the Board of Directors, set other conditions for the calculation of the wages in certain cases.

c- The Ministry of Finance shall, during the preparation of the public budget, allocate the necessary funds (the employer's share being 17.1% of the salaries and wages) and transfer them to the account of the General Corporation of Social Security on a monthly basis for employees in the public sector bodies for which funds are allocated by the Ministry of Finance during the preparation of the budget and within the financial possibilities. In case the Ministry of Finance does not make the transfer, it shall bear in addition to the mentioned share, the interest and additional amounts provided for in Articles 73 and 76 of the Social Insurance Law No. 92 of 1959 and its amendments.

#### **Article 76:**

Subject to the provisions of Article 73, in case of delay in the payment of the contributions to the Corporation or in the payment of the contributions provided for under the present Law for some or all of the insured persons, the employer shall pay an additional amount to the Corporation equal to 5% of the value of the payable contributions for each month of delay as of the day following the expiry of the time limit specified in the first paragraph of Article 73 with a maximum of 20% of the value of said contributions. The days of a total of less than 30 days shall be neglected.

#### **Article 89:**

a- In case of death of the insured or the pensioner, his rightful claimants shall be entitled to the pensions based on the shares set in Schedule 3 on work-related injuries, and Schedule 3a on old age, disability and death. The rightful claimants are:

- 1- The widow or widower of the insured or the pensioner.
- 2- His sons and brothers under the age of twenty one.
- 3- The widows, divorcees and unmarried daughters and sisters.
- 4- The parents.

In order for the brothers and sisters to be entitled to receive the pension in accordance with Schedule 3 and 3a, the insured support to them during his lifetime must be proven.

The allowances provided for in the second paragraph of Article 71 bis of the law and the one-time compensation provided for in the Social Insurance Law shall be distributed to the insured rightful claimants in accordance with the provisions of the Labour Law in force.

#### **Article 89:**

The payment of the share transferred from the pension to the rightful claimants shall continue according to the following:

- 1- To the widower over his life or until he starts a job or an occupation.

- 2- To the widow over her life, until her marriage or until she starts a job or an occupation.
- 3- To the daughters and sisters until their marriage or until they start a job or an occupation.
- 4- To the sons and brothers under the age of twenty one unless they get married or start an occupation and in the following cases:
  - a- If the pension rightful claimant is a student in an education institution until he reaches the age of twenty-sixth.
  - b- If he suffers from a total disability preventing him from earning a living and this case is proven by a certificate from the Corporation physician until the disappearance of the disability.The daughters shall receive the pension that would have been due to them if divorced or widowed within ten years from the date of marriage, even if the marriage was before the death of the pensioner.
- 5- The parents over their lives unless they start a job or an occupation.

**Article 95 bis, paragraph (a):**

If the insured was entitled to more than one type of pensions referred to in the law, his final pension shall be linked to the sum of these pensions, up to a maximum of 100% of the average monthly wage for which the contributions were paid in the last year and shall be disbursed to him or to his rightful claimants in case of his death. The pensioners or their rightful claimants to whom pensions are allocated before the entry into force of this Law shall keep their acquired rights.

**Article 98:**

Upon the death of the insured or the pensioner, the Corporation shall pay to the persons in charge of the funeral expenses or his rightful claimants a sum equivalent to three months of the insured wage, or the three month pension of the deceased pensioner or three times the general minimum monthly wage, whichever is better. In case he was entitled to a pension from another social insurance corporation, the funeral expenses shall be paid according to the best pension provided the amount does not exceed three times the wage limit of the public sector workers of the first category.

**Article 107:**

a- All of the premises and workplaces covered by the provisions of the Social Security Law shall be subject to inspection by the General Corporation of Social Security inspectors or their superiors. The social security inspectors are appointed by a ministerial decision upon the proposal of the Board of Directors. The Minister may designate the person he deems fit to preside and carry out the inspections in case of emergency.

b- The persons mentioned in paragraph (a) shall be considered as judicial police officers, with respect of the violation of the provisions of the law and the executive decisions thereof. To this purpose, they may enter the workplace during the usual working hours to carry out the necessary inspection, examine the books and documents relating to the implementation of the provisions of the Social Security Law.



The inspectors and their superiors shall take the oath before the Court of First Instance in the area of their recruitment one time before they start their job, and swear to discharge their duties with loyalty and faithfulness, and not to disclose any professional secret or industrial invention that come to their knowledge in the course of their duties, even after termination of their employment subject to legal and criminal liability. Each inspector shall carry a card proving his capacity.

c- Internal security forces and other competent authorities shall assist inspectors in the performance of the duties entrusted to them under the provisions of the Social Security Law and the executive decisions thereof upon request.

In case the employer prevents or impedes the work of the inspectors, the necessary contravention report is issued against him before he is brought to court.

d-1 The Ministry shall provide the needed protection to inspectors while or after they discharge their duties.

2- Whenever an inspector is victim of any assault or physical or moral injury in the course of his mission, the Ministry shall institute legal proceedings before the competent court, on his behalf, and request that the appropriate penalty be inflicted on the offender.

e- The Ministry shall cover any and all legal costs for instituting legal proceedings against employers who infringe the provisions of the present article.

#### **Article 111:**

a- Every employer who violates article 18 of the Social Security Law shall be liable to the payment of a fine equaling 1.5 times the general minimum wage, for each worker working for him and not registered with the Corporation.

b- In case the worker quits the job and no contributions were paid for him to the Corporation, the employer undertakes to pay him a compensation in cash equaling double his last wage for each year of service. Furthermore, the worker shall be entitled to a compensation for any fraction of a year on a pro rata basis. In this case, the Corporation is not bound to pay any compensation or pension of any kind to the worker. If the worker institutes an action against the employer, the Corporation shall assist him bringing the action before the competent courts to recover his rights.

#### **Article 121:**

Syrian workers working outside the country may register with the General Corporation of Social Security to benefit from the old age, disability and death insurance provided under the Social Security Law in accordance with the regulation to be issued by virtue of a decision of the Prime Minister upon the proposal of the Minister of Labour.

**Article 2 – The following articles shall be added to the Social Security Law No. 92 for 1959 and its amendments:**

- a- Subject to the maximum age of entitlement to pension for some of the categories specified in the special laws, the maximum age of registration in all insurance funds is the age of sixty-fifth.
  - b- As an exception to the provisions of Article 57, the insured may, upon the issuance of this law, register with the Corporation until the age of sixty-fifth. The services of the insured shall be compiled so that they are combined services if they entitle him to pension.
  - c- The insured whose service is ended since he reached the age of sixty five and does not meet the pension entitlement conditions may submit to the Corporation an application to purchase the complimentary services for the pension entitlement with a maximum of 24 monthly contributions provided he does not benefit from a pension from any other social insurance corporation. The resulting contributions are calculated according to the last wage for which the contributions were paid and shall be settled by virtue of one payment or by installments for a period of two years at an interest of 9% per annum. The amount of the interest may be increased by decision of the Minister of Labour.
  - d- The wage for which the contributions are paid with the Corporation shall not be less than the minimum general wage and more than the double of the first category limit of the wages provided under the Basic Law of the State Workers No. 50 for 2004. The workers registered with the Corporation before the entry into force of the present law with wages of more than double the first category limit, shall keep their acquired rights at the settlement of their social security benefits provided their wages on basis of which contributions are paid, are not increased as of the date of entry into force of the present law, except up to the periodic increments provided under the applicable Labour Law.
  - Every text contrary to the provisions of the present Law is repealed whether it was included in private or public texts, i.e.:
    - a- Legislative Decree No. 210 of 1963.
    - b- Article 24 bis as of the date of the entry into force of the present Law. However, the insured subject to the provisions of the Law on Insurance and pensions, and who are affiliated to this social security in accordance with the provisions of the Social Security Law No.92 for 1959 and its amendments, shall keep their acquired rights.
    - c- Articles 58 bis, 61 bis, 69, 92, 111 bis, 117 and 122 of the Law No. 92 for 1959 and its amendments.
- The provisions of the present Law shall apply to the retired workers and their rightful claimants subject to the provisions of the following texts:
- a- Legislative decree No. 34 for 1949 and its amendments.

- b- Legislative decree No. 119 for 1961 and its amendments.
- c- Legislative decree No. 120 for 1961 and its amendments.
- d- Law No. 130 for 1959.

- The expression “Ministry of Social Affairs and Labour” shall be replaced wherever used in Law No.92 for 1959 and its amendments by the term “Ministry of Labour”, and the expression “Minister of Social Affairs and Labour” shall be replaced by “Minister of Labour”.

**Article 3:**

The executive instructions of the present Law are issued by the Minister of Labour upon the proposal of the Board of Directors of the General Corporation of Social Security. All of the previous executive texts and instructions are deemed automatically amended in conformity with the provisions of the present Law.

**Article 4:**

This Law shall be published in the Official Gazette and shall enter into force two months after its promulgation.

Damascus, on /        /        1435.

The President of the Republic

Bashar el Assad

Ministry of Labour  
No. 3555  
Date: 28/5/2015



الجمهورية العربية السورية

## SYRIAN ARAB REPUBLIC

---

### Law No. 10

---

**The President of the Republic,**

According to the Constitution,

And the resolutions adopted by the People's Council on 21/7/1435 H (20/05/2014),

Does hereby issue the following:

#### **TITLE I:** **DEFINITIONS AND GENERAL PROVISIONS** **CHAPTER ONE** **DEFINITIONS**

**Article 1:**

For the purposes of the present Law, the following terms shall have the meaning assigned thereto:

<b>Ministry:</b>	Ministry of Labour.
<b>Minister:</b>	Minister of Labour.
<b>Directorate:</b>	Directorate of Labour in the Governorate.
<b>Job seeker:</b>	Every Arab Syrian national above eighteen, able to perform domestic work, wishing to work, seeking a job and available for work.
<b>Domestic worker:</b>	Every Arab Syrian national working for third parties in domestic works linked to the same employer directly for the care of the employer or any of his family members, or indirectly to perform works related to the household in return for a wage.
<b>Beneficiary:</b>	The person who has contracted with the agency to benefit from the domestic worker services.
<b>Agency:</b>	The agency licensed to supply domestic workers within the territory of the Syrian Arab Republic.
<b>Branch:</b>	Another location of the agency in the same governorate or in other

- governorates.
- Owner of the agency:** Every Arab Syrian national licensed to practice the profession of supplying and recruiting domestic workers within the territory of the Syrian Arab Republic.
- Employment and job opportunities creation account:** A current account in favor of the Ministry of Labour opened with the Central Bank in Damascus.

## **CHAPTER TWO:** **GENERAL PROVISIONS**

### **Article 2:**

The agency supplies and recruits domestic worker job seekers and meets the needs of the beneficiaries within the territory of the Syrian Arab Republic, exclusively from among the domestic workers registered with it in accordance with the terms of their employment contracts and in line with the provisions set forth in this law.

### **Article 3:**

The agencies for the supply and recruiting of domestic workers are licensed by virtue of a decision of the minister or his authorized representative in accordance with the rules and regulations determined by the executive instructions.

### **Article 4:**

The applicant requesting an agency license shall pay a fee in cash to the employment and job opportunities creation account amounting to:

- 1- SYP 150,000 (one hundred and fifty thousand Syrian Pounds) for the first license.
- 2- SYP 50,000 (fifty thousand Syrian Pounds) for each year after the licensing of the agency or the branch, or the licensing of its branch for the first time. This amount shall be paid within the first thirty days of the year.

### **Article 5:**

a- The applicant requesting the licensing of the agency or its branch shall pay an unconditional and irrevocable cash or bank guarantee of SYP 5,000,000 (five million Syrian Pounds) deposited or issued by an authorized bank operating in the Syrian Arab Republic, in accordance with a special agreement concluded for this purpose in a format approved by the Ministry.

b- The guarantee set forth in the preceding paragraph shall be deemed a guarantee of third parties' financial rights arising from the exercise by the agency of the occupation of supplying and recruiting domestic workers.

### **Article 6:**

The agency's guarantee set forth in the preceding article shall be issued in accordance with the provisions specified in the executive instructions.

### **Article 7:**

a- The guarantee provided for in Article 5 of the present law shall be totally or partially deducted by decision of the Minister, or by virtue of a final judgment or arbitration award.

b-No attachment, provisional or administrative seizure may be imposed according to the Collection of Public Funds Law No. 341 for 1956 and its amendments, or judicial seizure on the guarantee specified in Article 5 of this Law against obligations other than those resulting from the exercise by the agency of the profession of supply and recruitment of domestic workers.

c- The deductions of the guarantee shall be replaced within thirty days from the date of notification of the agency at its elected domicile specified in the license application under penalty of suspension of the license for two months in accordance with the provisions of Article 11, paragraph (3/a) of the present Law.

#### **Article 8:**

a- The executive instructions shall govern the contractual relationship between the domestic worker, the beneficiary and the agency, and determine the rights and obligations of each party and the fees of the agency.

b- The domestic work contract is prepared in accordance with the specimen issued by a ministerial decision and shall include, in particular, the following:

- The name and address of each party in a clear and detailed manner.
- The address of the workplace.
- The nature of the domestic work subject of the contract.
- The duration of the contract.
- The agreed wage between the parties, the method and date of payment provided it is not less than the general minimum wage, and other cash and in-kind benefits agreed upon between the parties.
- The periodic increments to the domestic worker wage once every two years and by 10%.
- The working hours.
- The rights and obligations of the domestic worker, the beneficiary and the office.

#### **Article 9:**

The beneficiary undertakes to register the domestic worker with the work-related injuries fund with the General Corporation for Social Security in the governorate in which he lives during his employment period.

## **TITLE II: PENALTIES**

#### **Article 10:**

Without prejudice to any more severe penalty provided under any other law, the Minister of Finance may impose the administrative penalties and fines provided under this title against the parties who violate the provisions of this Law.

#### **Article 11:**

The owner of the agency who violates his obligations provided under this Law and its executive instructions, is subject to the following administrative penalties:

1. **Written notice:** This sanction is inflicted in case of violation of the terms of his work. A deadline of fifteen days as of the date of notification is given to the violating party to remedy the violation.

2. **Written warning:** This sanction is inflicted in case the violation for which a written notice was given is not remedied or in case of a new violation. A deadline of fifteen days as of the date of the notification is given to the violating party to remedy the violation.

3. **Suspension of the license for two months:**

a- This sanction is inflicted in one of the following cases:

- Failure to remedy the violation for which a warning was given.
- Committing a new violation after a warning was sent for a previous violation.
- Non-compliance with the provisions of Article 7, paragraph (c) of the present law.

b- The agency may not resume its work before the expiry of the period of suspension of the license and before it has remedied the violation.

4. **Cancellation of the license:**

a- This sanction is inflicted in one of the following conditions:

- Failure to remedy the violation after the infliction of the license suspension penalty.
- Committing a new violation after the infliction of the license suspension penalty.

b- This penalty shall only be inflicted after notification of the owner of the agency and giving him the chance to raise his arguments in writing regarding the alleged violations during two business days as of the date of his notification.

c- Returning the license to the agency requires the Minister's approval and the regularization of the agency's situation in accordance with the laws and regulations in force.

**Article 12:**

The escalation in administrative penalties is not required in the event of a serious violation determined at the discretion of the Minister.

**Article 13:**

Every person who violates the provisions of Article 2, paragraph (b) of the present law by opening or operating a domestic workers employment agency without obtaining the required license, shall be liable to a fine ranging from SYP 500,000 to 1,000,000. The ministry shall issue a decision to shut down the contravening agency.

**Article 14:**

Every owner of an agency who commits any of the following shall be liable to a fine of only SYP 100,000:

- Carrying out an unduly licensed activity or act in accordance with the provisions of the applicable laws and regulations.
- Carrying out brokerage activities related to the supply and recruitment of domestic workers on behalf of unduly licensed agencies.
- Employment of a domestic worker or a worker in the agency in violation of his legal work conditions. The license granted to the agency shall be suspended until the regularization of the violation. The license granted to the agency shall be cancelled in case of reoffend.
- Receiving amounts exceeding the amount specified as the agency's fees. The license

granted to the agency shall be suspended until the regularization of the violation. The license granted to the agency shall be cancelled in case of reoffend.

b- Every owner of an agency who changes the head office of the agency without obtaining the Ministry's prior approval shall be liable to a fine of only SYP 50,000. The license granted to the agency shall be suspended until the regularization of the violation.

c- Every owner of an agency who opens a branch to his agency in the governorate inside or outside of which he is licensed to operate without obtaining the Ministry's prior approval shall be liable to a fine of only SYP 50,000. The Ministry shall shut down the branch.

d- Every owner of an agency who violates the following obligations shall be liable to a fine of only SYP 25,000:

- Submitting an annual periodic report to the Directorate within fifteen days from the beginning of the calendar year.
- Keeping records of the beneficiaries and domestic workers according to what is specified in the executive instructions.
- Preparing a special file for every employed domestic worker, including the supporting documents specified in the executive instructions.
- Paying the license annual renewal fee specified under Article 4, paragraph (b) of the present law.

e- Every owner of an agency who appoints one or more managers to execute the agency's formalities with the competent authorities without obtaining the Ministry's prior approval, shall be liable to a fine of only SYP 15,000.

#### **Article 15:**

a- Every beneficiary who violates the obligations arising from the contract concluded between him and the agency shall be liable to a fine of only SYP 50,000.

b- Every beneficiary who violates the obligations arising from the employment contract concluded between him and the domestic worker shall be liable to a fine of only SYP 25,000.

#### **Article 16:**

a- The fine shall be doubled in case of reoffend by the owner of the agency or the beneficiary, or in case the violation was not remedied within the time limit granted to them for this purpose.

b- The fine inflicted upon the owner of an agency or the beneficiary shall be multiplied by the number of domestic workers affected by the violations and duly proven.

#### **Article 17:**

a- The fines resulting from the violations of the provisions of this Law and its executive instructions shall be distributed as follows:

- 70% to the State public treasury.
- 30% to the employment and job opportunities creation account.



b- The fines are collected directly from the contravening owner of the agency or the beneficiary in return of tax receipts. In case of non-payment, said fines shall be collected in accordance with the Collection of Public Fund Law No. 431 for 1956, as amended.

### **TITLE III: CHAPTER ONE**

#### **Formation of the committee and its functions**

##### **Article 18:**

a- A committee shall be formed by a ministerial decision. It shall represent each of the following entities provided the rank of the representative is not less than a director:

- Ministry of Labour
- Ministry of Finance.
- Ministry of Local Administration.
- General Federation of Trade Unions.

The Committee is chaired by a representative of the Ministry of Labour who shall have a casting vote in case of tie votes.

b- The Committee shall examine the following subjects:

- Objections raised by the applicants whose license applications and branch opening applications were rejected.
- Complaints lodged by the harmed parties regarding the violation by the owner of the agency of the terms of their employment.
- Other subjects referred to it by the Ministry regarding the exercise of the profession of domestic workers supply and recruitment.

The committee shall draw up the minutes of its meetings and submit them along with the relevant proposals to the Minister to issue the appropriate decision.

### **CHAPTER TWO FINAL PROVISIONS**

##### **Article 19:**

All of the agencies covered by the provisions of the present law are subject to labor inspection. The labour and social security inspectors designated by the Minister pursuant to the provisions of Labour Law No. 17 for 2010, as amended, shall supervise the compliance by the owners of the agencies with the provisions of the law and its executive instructions.

##### **Article 20:**

Subject to the provisions of the applicable relevant laws and regulations, disputes arising between the domestic worker, the beneficiary and the agency regarding the implementation of the provisions of this law shall be settled by the competent courts or through arbitration in accordance with the provisions of the applicable laws and regulations.

##### **Article 21:**

a- The owners of the agencies and the beneficiaries shall guarantee a human and ethical treatment of domestic workers. It is understood that each of them has read the provisions of the

international conventions ratified by the Syrian Arab Republic and the national laws and regulations relating to human rights in all matters relating to domestic work.

b- The owner of the agency, his employees or the beneficiaries may not discriminate or mistreat the domestic workers, in all matters related to the employment or wage.

**Article 22:**

Any distinction, exclusion or preference based on the objective criteria of the qualifications required by the nature of the domestic work, shall not be deemed as discrimination.

**Article 23:**

The owners of the agency, his employees or the beneficiary may not harm the dignity of the domestic worker or insult, torture, beat or exploit the domestic worker or entrust him with works which do not fall within the nature of the domestic work, under penalty of the sanctions provided for by the laws in force in this regard.

**Article 24:**

Diplomatic or international representatives working in international diplomatic or consular missions or international organizations accredited with the country shall be treated in accordance with the ratified international regulations and conventions.

**Article 25:**

The owners of the agencies existing at the date of entry into force of the present Law shall regularize their situations pursuant to the provisions of this law, within a period of six months as of the date of its enactment, under penalty of the sanction provided under Article 13 of the present Law.

**Article 26:**

The executive instructions of the present Law shall be issued by a ministerial decision.

Damascus, on 28/7/1435 H (27/5/2014) .

The President of the Republic

Bashar el Assad

226/12

Copy to the Ministry of Labour

Damascus, in 27/5/2014

Labour force

Labour

Legal issues

Administrative issues