

Thanks & Gratitude To

H H The Amir Sheikh Sabah Al Ahmad Al Jaber Al Sabah

H H The Crown Prince Sheikh Nawaf Al Ahmad Al Jaber Al
sabah

His Excellency The Speaker of National Assembly Mr. Jassim
Al Kharafi

H H The Prime Minister Sheikh Naser Mohammad Al Ahmad
Al sabah

Their Excellencies the successive ministers of Social Affairs
Their Excellencies Chairman & members of Parliament
Committee for special needs affairs
Members of the Parliament

All non profit organizations & centers working with disabled

All mass media channels , newspapers & radio

All our special disabled & their respective guardians

Chairman & members of the
Kuwaiti Society for the Guardians of Disabled.

LAW NUMBER 8 OF 2010 FOR THE RIGHTS OF PEOPLE WITH DISABILITIES

- After perusal of the constitution,
- And the Penal Code Law promulgated by Law no. 16 of 1960 and the laws amending it ,
- And the Law no. 17 of 1960 promulgating the Law of Criminal Procedure and the procedures and the laws amending it,
- And the Law no. 22 of 1960 organizing the Traffic court and the laws amending it,
- And the Law no. 24 of 1962 with regard to clubs and associations of public benefit and the laws amending it,
- And the Law no. 38 of 1964 with regard to employment in the private sector and the laws amending it,
- And the Law no. 28 of 1969 with regard to employment in the oil sector,
- And the Emiri Order on the Law no. 61 of 1976 for issuing the Law of Social Insurance and the law amending it,
- And the Decree of the Law no. 67 of 1976 regarding the traffic and the laws amending it,
- And the Decree of the Law no. 22 of 1978 regarding the Public Assistance Law and the laws amending it,

- And the Decree of the Law no. 42 of 1978 regarding sports bodies and the laws amending it,
- And the Decree no. 15 of 1979 regarding the Civil Service and the laws amending it,
- And the Decree regarding the Civil Service system issued on April 4, 1979,
- And the Decree of the Law no. 69 of 1980 promulgating the Law of salaries and pensions for military personnel and the laws amending it,
- And the Decree of the Law no. 17 of 1981 regarding the regulation of bodies and public institutions and autonomous administrations.
- And the Law no. 67 of 1983 with regard to establishing the Public Authority for Minors Affairs,
- And the Decree of the Law no. 4 of 1987 regarding the general education.
- And the Decree of the Law no. 1 of 1990 granting an increase in social benefits and pensions and public assistance,
- And the Law no. 47 of 1993 regarding residential care and the laws amending it,
- And the Law 49 of 1996 regarding disabled care,
- And the Law no. 1 of 1990 concerning health insurance for foreigners and the imposition of fees for health services,
- And the Law no. 19 of 2000 regarding supporting

national employment and encouragement to work in nongovernmental sectors and the laws amending it,
- And the Law no. 21 of 2000 amending some provisions of the Emiri Decree no. 15 of 1959 concerning the Kuwaiti nationality.
- And the Law no. 10 of 2003 on issuing the unified Customs Law of the Cooperation Council for the Arab Gulf States,
- And the Law no. 49 of 2005 on the organization of professionalism in sports,
- And the Law no. 6 of 2007 concerning the completion of sports facilities,
- And the Law no. 31 of 2008 concerning medical examination for those wishing to marry before the marriage,
The National Assembly has approved, ratified and enacted the following law,

CHAPTER 1

SCOPE OF THE LAW'S APPLICATION

ARTICLE (1)

The application of this Law's provisions means the following:

1-The person with disability: One who suffers from permanent, total, or partial disorders leading to deficiencies in his/her physical, mental, or sensory

abilities that may prevent him/her from securing the requirements of life to work or participate fully and effectively in society on an equal basis with others .

2-Technical committee concerned: The body to which a resolution on its formation and terms of reference is issued by the authority, and has a team of people with competencies in the field of disability.

3- Communication: The languages and texts display, Braille method, tactile communication, large print, accessible multimedia, methods, means and forms of augmentative and alternative, written, visual and audio communication including information technology.

4- Language: The language of speech, sign language, symbols, and other forms of nonverbal languages.

5- Simplified arrangements needed: Modifications and arrangements that are appropriate and necessary in a specific situation to ensure that persons with disabilities enjoy, and are able to exercise, equality with others in all human rights and fundamental freedoms.

6- General Design: Design of buildings and facilities, public utilities, special facilities for public use, as well as products, programs, and services to suit the use of persons with disabilities.

7- Habilitation: Preparing the person with disabilities to develop their abilities through direct medical treatment, physiotherapy, provision of prosthetic devices,

vocational education and training, psychological and social rehabilitation commensurate with their capabilities.

8- Rehabilitation: The preparation of the person to restore the capacity and capability to adapt - again - with the community after acquiring a disability.

9- The Authority: The General Authority of the Disabled.

10- The General Assembly: The General Assembly for the General Authority of the Disabled.

11- The Board of Directors: The Board of Directors for the General Authority of the Disabled.

12- The President: The Chairman of the Board of the General Authority of the Disabled.

13- Director General: The Director General of the General Authority of the Disabled.

14- The Supervisor: The employee specialized in supervising bodies' and individuals' commitment in providing the services and the demands of the disabled.

15- Disability Card: An official document issued by the General Authority of the Disabled proving that its holder has a disability according to the disability certificate issued by the competent technical committee, determining disability type and degree.

ARTICLE (2)

Provisions of this Law are applicable to the Kuwaiti disabled and the children of the Kuwaiti woman from a non-Kuwaiti, within the bounds of medical and educational care and employment rights stated in the Law herein.

The Authority is entitled to consider some of its provisions applicable to non-Kuwaiti disabled, according to the terms and regulations it deems appropriate after the consent of the General Assembly.

ARTICLE (3)

The non-Kuwaiti disabled with a Kuwaiti mother is treated, from birth, like a Kuwaiti for life based on a resolution issued by the minister of interior according to Law no. 21 of 2000 to amend some provisions of the Emiri Decree no. 15 of 1959 concerning the Kuwaiti nationality law.

CHAPTER TWO SERVICES

ARTICLE (4)

Taking into consideration the special needs of the disabled people, and taking the simplified arrangements

necessary, the government provides the regular, integral, continuous services for the disabled on an equal basis with others in the fields hereunder:

1- Precautionary, medical, habilitation, psychotherapy, hereditary Guidance before marriage, and before and during pregnancy.

2- Social and psychological.

3- Educational, instructional and cultural in all educational levels, including preschool and kindergarten commensurate with the physical, mental and sensory capabilities of the persons with disabilities.

4- Entertainment and athletics.

5- Residential, in accordance with the provisions of the law no. 47 of 1993 concerning residential care.

6- Transportation.

7- Vocational qualification, work, and operation.

Other fields may be developed by a resolution from the Authority

CHAPTER THREE

THE RIGHTS OF PERSONS WITH DISABILITIES

ARTICLE (5)

The government shall take all effective administrative

procedures, and provide the necessary equipment to ensure that persons with disabilities enjoy their civil and political rights. The Government is committed to providing offices to give special services for people with disabilities in all its institutions and governmental bodies including a sign language interpreter and a supporter to serve the blind to ensure they enjoy their rights on an equal basis with others.

ARTICLE (6)

The Government shall commit to taking all effective administrative and organizational measures to ensure the inclusion of state plans and development programs and the government's program of action on all the needs and services to the category of persons with disabilities, the current, and the futuristic.

ARTICLE (7)

The Government is committed to providing precautionary, counseling, and habilitation services in all the country's health centers, taking into account the special needs of persons with disabilities. It shall also work to reduce the causes of disability before and during pregnancy, and after childbirth, and also provide them with medical treatment abroad if necessary.

ARTICLE (8)

The Government is committed to providing different specialized medical cadres, technical, assisting, and

trained to provide therapeutic services for persons with disabilities in all governmental health centers and hospitals in the country on an equal basis with others. The Government is also committed to providing specialized teams to provide health care and physiotherapy for the disabled at home, while their need for this care is determined by the competent technical committee.

ARTICLE (9)

The Government is committed to providing educational services for persons with disabilities, and for the two categories of slow learning and leaning difficulties on an equal basis with others in learning, taking into account the special needs of communication, language and simplified

arrangements needed, and providing specialized educational and professional cadres to them, raising their efficiency, and giving them moral and material incentives.

The rights and needs of persons with disabilities, learning difficul-ties and slow learning shall be taken into account in all educational and vocational tests or approval tests by civil or governmental bodies. The Government is committed to providing audio and visual means necessary, and adequate guarantees to creating an atmosphere acceptable to help them complete their education. The Ministry of Education is to provide

training courses for all teachers in government schools to detect cases of learning difficulties and slow learning and know how to deal with them according to their individual needs. The authority also guarantees the costs of tests for the evaluation of slow learning and learning difficulties, provided that the Ministry of Education is to provide centers specialized in such tests from the date of applying this law.

ARTICLE (10)

The Government shall take all effective and organizing administrative arrangements required for the integration of persons with disabilities, learning difficulties and slow learning in various stages of education in the educational and habilitating curricula commensurate with their sensory, physical, and mental capabilities, enabling them to integrate into society, work and be productive.

ARTICLE (11)

The Government is committed to allocating a share of the missions and scholarship seats it provides in all government bodies within and outside Kuwait for people with disabilities, according to the conditions and regulations established by a resolution from the authority, according to the type and degree of disability.

ARTICLE (12)

The Government is committed to providing training

habilitation centers, and rehabilitation centers, and training workshops for people with disabilities, and centers of residential care for necessary cases in all the provinces, and providing them people with the experience and efficiency of technical cadres, provided this shall be within eight years from the date of applying this law.

CHAPTER FOUR

REHABILITATION AND EMPLOYMENT

ARTICLE (13)

The Authority shall determine, in agreement with the concerned body, training and qualification stages, and admission requirements for persons with disabilities in habilitation and training centers, and cases where exemption from some of these conditions is allowed.

The Authority shall approve vocational habilitation certificates to be registered in the department of Civil Service and the program of restructuring the workforce, and the executive body, give them priority of assignment in jobs and occupations, taking into account the rules of determining the level of assignment and the conditions of positions prescribed by law.

ARTICLE (14)

Governmental and civil bodies and the oil sector that use at least fifty Kuwaitis are committed to use a percentage

of persons with disabilities qualified professionally that is no less than 4% of Kuwaiti workers they have. None of these bodies has the right to refuse assigning candidates of the persons with disabilities to work for them without an acceptable reason other than disability. The state provides incentive programs for employers that employ more than the specified percentages of people with disabilities. The Government may provide material support to bodies that exceed these percentages. A resolution for the terms of support is issued by the competent authority upon the offer of the General Authority.

ARTICLE (15)

Different employing bodies are committed to identifying professions and job vacancies for people with disabilities according to their specialties, and providing a periodical statement every six months for the Service Bureau, the Authority, the program for restructuring workforce, and the executive body.

The work body shall take simplified procedures and prepare an appropriate working environment to enable them to integrate into the work environment.

ARTICLE (16)

The Authority shall determine the necessary procedures to guarantee the prevention of all forms of abuse to persons with disabilities at work.

ARTICLE (17)

The State guarantees the right for persons with disabilities to enjoy job promotions; privileges and rewards in governmental, civil, and oil sectors, and those who are distinct have the priority for that.

CHAPTER FIVE INTEGRATION IN SOCIETY

ARTICLE (18)

The General Authority for Youth and Sports is committed to taking the necessary measures to ensure the establishment of clubs and specialized centers for athletic, cultural, and entertaining activities in accordance with international standards for those with disabilities in all governorates in order to integrate them into society.

ARTICLE (19)

The Government shall work to encourage the disabled athletes playing sports, full-time sports, the law of professionalism, and all other privileges granted to athletes.

ARTICLE (20)

Governmental and civil bodies, in constructing facilities and buildings for general use, are committed to observe the general design referred to in Article (1) of this Law.

ARTICLE (21)

Means of transportation for general use and private vehicles for general use shall be equipped with the appropriate means to serve people with disabilities.

ARTICLE (22)

The authority shall work on enlightening the society about the rights of people with disabilities that preserve their humanity and dignity throughout:

1- Enlightening and guiding people with disabilities and their families with the duties and rights stated in this law and other enactments and services decided for them.

2- Preparing local environment through educational, religious, life and athletic methods to satisfy the needs decided for people with disabilities.

3- Organizing awareness campaigns through media motivating media to create a positive image for the people with disabilities.

ARTICLE (23)

The Ministry of information shall commit to taking the measures needed to provide sign language translators in visual means of media when airing news, educational programs, national assembly sessions, and conferences, on the condition that this shall be executed within two years from the date of applying this law.

CHAPTER SIX

SOCIAL CARE

ARTICLE (24)

The family shall commit to ensuring its cooperation in providing care for the family members with disabilities, whose inability to take care of themselves was proven according to the competent technical committee's report, and the Authority shall issue a resolution for regulations and procedures for the care of people with disabilities.

ARTICLE (25)

Providing care for people with disabilities shall be undertaken by the mother, then the father, and the husband or wife depending on the circumstances, as long as they are able to provide it and be responsible for it, and if it this care is not provided, the person in charge, legally, is one of his relatives residing in Kuwait who is able to be responsible for the care of people with disabilities, according to the following order:

The children, then the children of the children, then the brothers, and if multiple members exist in that category, one of them is chosen to take care of the disabled person with notifying the supervisor.

If it was not agreed between them, and no one offered to provide the care, the authority shall raise the mater to the competent court to assign who undertakes the care

of people with disabilities from the relatives referred to or from others, or deciding their residence in one of the social care centers depending on each case and its special circumstances.

ARTICLE (26)

The Authority shall assign supervisors socially and psychologically specialized to supervise the care of people with disabilities, and they are entitled to have access to the data related to those who deserve the care necessary to perform their job from the bodies concerned, and call the responsible for the care, guide them to their duties, and pointing out any breaking of the provisions of this law, writing the records necessary for it, and sending them to the competent authorities.

ARTICLE (27)

The person responsible for the care of the disabled shall notify the Authority in writing in case of the death of the disabled included in the care, or in case of their sickness, or changing their address, or being away from their residency after notifying security bodies.

ARTICLE (28)

The Authority has the right to ask the court to change the person responsible for the care or send the disabled to one of the care centers of labor and social affairs ministry if needed.

CHAPTER SEVEN

PRIVILEGES AND EXEMPTIONS

ARTICLE (29)

A monthly allowance is paid for the disabled till the age of 18, in which the authority determines its amount depending on the report of the competent technical committee in accordance to the type and degree of the disability, and it shall continue to be paid if the disabled person continues university studies till the age of twenty six. The woman taking care of a disabled with severe disability, and has no work deserves a monthly allowance according to the terms and regulations set by the authority. The monthly allowance is stopped in the case of disability recovery according to a certificate from the competent committee.

ARTICLE (30)

Provisions of the following articles of this chapter are applicable to people with sever and moderate disabilities unless otherwise is mentioned.

ARTICLE (31)

A marriage pension shall be paid to Kuwaiti people with disabilities equal to what their peers of nondisabilities receive, even if the wife was non-Kuwaiti, under an official marriage contract attested in the state of Kuwait.

ARTICLE (32)

People with disabilities and their family whom the provisions of enjoying the residential care apply to deserve an allowance amounting to ten thousand Dinars added to the value of the residential loan allocated for their peers of non-disabilities in order to build the residence according to what they need of special specifications, and according to the terms and regulations of which a resolution is issued by the authority in agreement with the bank of savings and credit. People with simple disabilities or their family shall be offered an amount of five thousand Dinars.

In all circumstances, the monthly deduction of the bank installment for the disabled persons in loan payment method may not exceed 5% of their monthly salary, and a maximum of fifty Dinars per month.

ARTICLE (33)

A family with one member that is disabled deserves a real estate loan from the savings and credit bank , and the provision of article 30 of the law no. 47 of 1993 regarding residential care is not applicable unless the amount of the estate they received exceeds the amount stated in the article adding to it 50% of that amount.

ARTICLE (34)

People with disabilities, or their family to whom the terms of enjoying the residential care apply, are granted

nominal seniority not exceeding five years of residential care according to the type and degree of the disability.

ARTICLE (35)

A Kuwaiti woman married to a non-Kuwaiti taking care of a child or a husband with sever disability is granted a residence with special specifications for the purpose of benefiting from them.

ARTICLE (36)

Social allowance legally decided for the children is increased by 100% of its original value for each child with disabilities, and the number of children with disabilities alone determines the amount of this allow-ance.

And pensions for people who deserve this increase on its basis are re-settled, and financial compensations are not paid for the period previous to the date of applying this law.

And in all circumstances, the allowance stated hereunder in this article does not apply to any deductions in case of pension resettlement, and people with disabilities shall keep the allowance referred to when distributing the shares of the pension for those who deserve it.

ARTICLE (37)

The disabled person is exempt from paying all governmental fees for public services.

ARTICLE (38)

Apart from provisions of the civil service law and system referred to, the employed woman with disability

deserves a special vacation with full salary, not counted from her other vacation, if she is pregnant, and the competent technical committee recommends that her condition requires that, and the employed woman with disabilities in governmental, civil, and oil sectors deserves birth vacation for seventy days with full salary, and maternity care vacation after birth vacation for four months with full salary followed by six months with half salary according to what is recommended by the competent technical committee.

ARTICLE (39)

Apart from provisions of the civil service law and system referred to, the employee and the employed woman are an exception from provisions of organizing medical vacations according to what the competent technical authority decides, and according to the terms and regulations to which a resolution is issued by the authority according to the type and degree of disability. The employee or the employed woman taking care of a child or a spouse with disabilities deserves a special vacation with full salary, not counted from his/her other vacation, if he/she was a companion of the disabled for treatment outside or inside the state of Kuwait according to what the competent technical committee decides.

ARTICLE (40)

The employee and the employed woman with disabilities

or the employee and the employed woman taking care of child or a spouse with moderate or severe disability deserve a two hour daily decrease in working hours and should be paid according to the terms and regulations to which a resolution is issued by the Authority.

ARTICLE (41)

Apart from the provisions of social insurance law, and the law of military personnel salaries, the insured or the beneficiary who is decided as a disabled by the competent technical committee deserves a pension amounting 100% of the salary if the counted service period reached at least 15 years for the males and 10 years for the females, and in this case it is not required to reach a certain age to obtain such pension.

ARTICLE (42)

Apart from the provisions of the social insurance law and the law of military personnel salaries, the insured and the beneficiary who are legally responsible for the care of the a disabled with moderate or severe disability deserves a pension amounting to 100% of the salary if the counted service period reaches at least 20 years for the males and 15 years for the females, and in this case, reaching a certain age is not required to obtain such a pension, according to the terms and regulations set by the authority in agreement with the social insurance institutions.

ARTICLE (43)

The person with disability who is unable to work deserves a disability salary according to terms and situations to which a resolution is issued by the authority.

It is not allowed to have together this pension and the monthly deduction deserved according to article (29) and the pension deserved according to article (41) of this law or according to the laws of social insurance or salaries and pensions of the military personnel referred to, and the disabled is paid the larger pension of them.

ARTICLE (44)

Tools, reparative and habilitation instruments, individual vehicles equipped for the use of people with disabilities of all kind are exempt from fees and taxes.

The Government shall work to provide people with disabilities with reparative instruments they need for free according to the report of the competent technical committee.

ARTICLE (45)

The disabled whom the committee decides their disability requires it, will be granted the help of a driver or a servant. An allowance determined by the authority according to the terms and regulations is set, on the condition that it is not less than 100 Dinars.

ARTICLE (46)

The disabled person is granted a disability card that

guarantees enjoying the services and privileges decided in this law, according to the terms and regulations to which a resolution is issued by the authority, according to the certificate issued by the competent technical committee with determining the type of disability on the database at the official bodies of the state.

CHAPTER EIGHT

THE GENERAL AUTHORITY FOR PEOPLE WITH DISABILITIES AFFAIRS

ARTICLE (47)

An authority concerned with the affairs of people with disabilities, and of nominal personality called ((the general authority for people with disabilities)) shall be established, and will be subject to the supervision of the first deputy for the prime minister.

ARTICLE (48)

The authority shall be specialized in all the works and tasks ensuring the care of people with disabilities, and specifically the following;

- 1-** Approving the general policy of caring for people with disabilities and following up with the reports of its execution and development.
- 2-** Setting the special basis of determining the basic needs for caring for and habilitating people with disabilities.

- 3-** Setting the rules and determining the procedures related to executing the commitments of the state mentioned in this law.
- 4-** Preparing and supervising the execution of an integral work plan including everything that concerns caring for and habilitating people with disabilities in the short and long terms, and coordinating with the concerned bodies of the state.
- 5-** Forming the committees needed to undertake the study, organization, preparation, presentation of suggestions, follow up work, and determining the functions of these committees.
- 6-** Acceptance of unconditional allowances and grants, and determining the aspects it is paid for.
- 7-** Setting the rules and systems of managing the amounts deducted for people with disabilities and determining the aspects of its investment.
- 8-** Proposing the rules concerning caring for and habilitating people with disabilities.
- 9-** Approving the yearly plan of participating in conferences, local and international meetings, and exchanging experience and information in the field of caring for and habilitating people with disabilities.
- 10-** Studying and following the international and regional agreements with regard to the affairs of people with disabilities, expressing opinions of joining them,

and coordinating with the concerned bodies.

11- Encouraging scientific research, and conducting surveys and statistical studies, and exchanging experience and information in the fields of disability between the competent bodies having local and international relations within the legal frames determined for them.

12- Setting integral plans and programs needed to provide local cadres, and train them scientifically and practically on caring and habilitating methods for people with disabilities.

13- Guaranteeing the rights of children with disabilities, building their capabilities, improving their skills, and enhancing their incorporation into society.

14- Setting a statistical database for people with disabilities to ensure the inclusion of improvement plans and state programs for all the needs and services that concern them.

15- Ensuring equality of chances and indiscrimination of rights on the basis of disability, and using other countries experiences in the fields of caring for people with disabilities, securing their rights, cooperating with the bodies concerned with the rights of people with disabilities to provide support ways for them, caring for, habilitating, and rehabilitating them.

16- Presenting a yearly report about the works of the

authority to the national assembly and the Cabinet regarding what had been accomplished throughout the past year, and what is planned for the next year.

ARTICLE (49)

The authority shall have a board specialized in setting the goals and general policies for the authority. This assembly is formed by the first deputy of the prime minister or deputy, and the membership of each:

- 1- The Minister of Labor and Social Affairs.
- 2- The Minister of Health.
- 3- The Minister of Education and the Minister of Higher Education.
- 4- The Director of the General Authority for Sports and Youth Board.

The Board shall include representatives of nonprofit organizations and clubs working in the disability field nominated by the governing bodies of such associations and clubs, and two with qualification and experience with disability issues. To be nominated, it is required that nominees do not have material interests in the authority, and shall be appointed by a decree depending on a proposal from the president for four years, renewable for one similar time, and their remuneration is determined by a decision issued by the Cabinet.

And the Board shall issue internal regulation governing the procedures of its work and how to issue its decisions,

and the board shall hold at least two meetings a year and the meeting shall not be considered valid unless attended by the majority of the members, including the president or his deputy. And the General Director of the Authority is the determiner of the Board.

ARTICLE (50)

Non-profit organizations, associations, and clubs working in the disability field shall meet to nominate and elect their representatives in the Board and Board of Directors of the Authority according to the invitation of the Ministry of Labor and Social Affairs,

ARTICLE (51)

The authority shall have a General Manager appointed by a decree - according to the nomination of the President - in the rank of Undersecretary of specialists and experienced in the diagnosis, care and rehabilitation of persons with disabilities and for four years, renewable once for a similar one, and shall be responsible for implementing policies set by the board and the decisions taken by the board of directors, and the general director shall represent the authority before the courts and in its relation to others, and may have one or more deputies appointed by a decree on the nomination of the board.

ARTICLE (52)

The Authority shall have a board of directors formed by a decision from the Board chaired by the General

Director and the membership of each:

1- A representative from each the Ministry of Health, Education and Higher Education, Social Affairs and Labor, the General Authority for Youth and Sports, and the Civil Service Bureau.

And the competent minister nominates all of them, in a rank no less than the rank of an assistant undersecretary.

2- Four representatives of the non-profit organizations and clubs in the disability field selected by the boards of these associations and clubs, two qualified and experienced with disability issues to be chosen from outside the authority upon the nomination of the general director for a period of four years, renewable once for a similar one. To be nominated it is required that the nominees shall not have material interests with the Board.

The remunerations of members of the Board of Directors are determined by a resolution issued by the Cabinet, and it is not allowed to combine the membership of the Board and the Board of Directors.

The Board is entitled to hire experts and professionals it deems appropriate to express their views without giving them the right to vote on decisions.

ARTICLE (53)

The Board shall issue the internal regulation of the Board of Directors according to the proposal of the

Board directors, and the regulation includes particularly the following:

- 1- The organization of the financial work of the Board of Directors, the mechanism of issuing its decisions, the rules of holding meetings of committees, and working teams the way it deems shall be formed.
- 2- Determining the functions of the General Director and his deputies.
- 3- Determining the remunerations of members of the committees and working teams, experts, and consultants.

ARTICLE (54)

The Board of Directors is specialized with the following:

- 1- Implementing the general policy of the Authority.
- 2- Issuing decisions and regulations related to the administrative and financial affairs of the Authority.
- 3- Consideration of periodic reports presented to the authority about the progress of work.
- 4- Considering all that the board's President or one of its members deems appropriate to propose of subjects that fall within the functions of the Authority.
- 5- Taking decisions it deems necessary to achieve the purposes for which the Authority was set.

ARTICLE (55)

The Authority shall have a budget attached to the state's budget prepared by the General Director and

approved by the Board of Directors. The fiscal year of the Authority starts from the first of April of each year and expire at the end of March the following year.

The exception is that the first fiscal year starts from the date of applying this law and ends at the end of March the following year. The General Director shall set the draft of the final account of the authority preparing to be submitted to the Board of Directors for approval.

ARTICLE (56)

The resources of the Authority shall be allocated from the State's budget each year, and what the Board of Directors accepts of subsidies, grants, and the commandments.

ARTICLE (57)

The Cabinet, on the suggestion of Board, issues its decision to the bodies and departments which will move their subordination and functions to the authority, after coordination with the bodies they follow.

ARTICLE (58)

The employees working at the Supreme Council for Disabled Affairs, issued by law No. 94 of 1996, regarding the care of the disabled, shall be transferred to the Authority, and the aforementioned shall preserve their ranks and functional levels they occupy in the Supreme Council for Disabled Affairs.

CHAPTER NINE

PENALTIES

ARTICLE (59)

Without prejudice to any severer penalty stated by another law, punishment shall be imprisonment for a term not exceeding ten years and a fine not exceeding two thousand KD to each one who commits any of the following acts:

- 1- Forgery in the disability card.
- 2- Expressing or providing incorrect data to the competent body, or concealing information for the benefit unlawfully in any of the rights or benefits provided for persons with disabilities in this law.
- 3- Helped people with no disabilities to impersonate a disabled.
- 4- Taking advantage of a job in the authority to achieve personal interests that serve the person holding the job or any people related to him/her directly or indirectly.

ARTICLE (60)

Without prejudice to any severer penalty stated by another law, punishment shall be imprisonment for a term not exceeding seven years and a fine equal to the value of the money seized and therefore, as well, be obliged to pay restitution of this amount to each one who impersonates a disabled person, that is entitled by law to obtain a particular amount of money, and seizes that money.

ARTICLE (61)

Without prejudice to any severer penalty stated by another law, punishment shall be imprisonment for a term not exceeding one year and a fine not exceeding one thousand dinars or either of them, to any person responsible for the care of one of the persons with disabilities, whatever the source of this commitment is, and neglects to do his/her duties or to take the necessary actions for the implementation of these duties, or fails to do his/her obligations.

The punishment shall be imprisonment for a term not exceeding three years and a fine not exceeding three thousand Kuwaiti dinars or either of them, if this neglect resulted in harm to a person with a disability. If it leads to the death of the disabled, the punishment shall be imprisonment for a term not exceeding five years and a fine not exceeding five thousand dinars, or either of them. In case of return within three years from the date of the final verdict, the penalty shall be doubled.

ARTICLE (62)

Without prejudice to any severer penalty stated by another law, punishment shall be imprisonment for a term not exceeding one year and a fine not exceeding one thousand dinars, or either of them, to those who use the disability card without the right to do so.

ARTICLE (63)

Without prejudice to any severer penalty stated by another law, punishment shall be imprisonment for a term not exceeding one month and a fine not exceeding one hundred Dinars or by one of the two penalties to each person uses the parking of persons with disabilities with no right. In the case of return, the court may order the withdrawal of the driving license for a period no less than a month.

ARTICLE (64)

Without prejudice to any severer penalty provided for by another law, punishment shall be a fine of not less than five hundred dinars and not more than two thousand KD to the employer responsible, who refuses, without reasonable

excuse to employ a person with a disability nominated by the competent bodies to work for them in accordance with the provisions of this law, and those who do not commit to meeting the rates set for employing people with disabilities referred to in Article (14) of this law shall be fined. This fine will be multiplied according to the number of people to whom the violation has occurred.

In case of return over three years from the date of the final verdict, the penalty shall be doubled.

Chapter Ten

General Provisions

ARTICLE (65)

The Authority shall revise the value of the financial allocations granted to the disabled every three years from the date of implementing the provisions of this law.

ARTICLE (66)

The General Institution for Social Insurances is assigned to implement the provisions of the pensions decided under this law in which it shall be subject to the provisions of the Social Insurance law for matters not covered by a specific provision.

ARTICLE (67)

No public employee or any person charged with a public service is to mediate in any way with one of the bodies concerned with persons with disabilities, whether by order or request or plea or recommendation. Those bodies, in this case, must notify the Authority and the body the employee referred to works for, to take legal procedures against him. Only the guardian of a disabled person, or their first class relative, or those who have official authority over them may start the procedures regarding the documents of the disabled.

ARTICLE (68)

The authority shall determine the people in charge

(Friends of the disabled) to apply the provisions of this Law and the decisions issued implementing it, whether from its employees or from outside, and the authority shall issue a resolution determining their functions and authority of judicial control provided for them under this law.

ARTICLE (69)

The public treasury carries the financial burden resulting from the application of this law.

ARTICLE (70)

Law No. 49 of 1996 shall be referred to, and every provision violating the provisions of this law shall be considered null and void, and all the decrees issued implementing it shall remain applicable in matters not conflicting with the provisions of this law, until the issuance of regulations and decisions necessary for its implementation.

ARTICLE (71)

This Law shall be applicable after three months from the date of its publication in the Official Gazette.

ARTICLE (72)

The prime Minister and ministers are in charged – each of his own jurisdictions – for the implementation of this law

Emir of Kuwait
Sabah Al-Ahmad Al-Jaber Al-Sabah
Issued at Seif Palace on: Rabi’
Al - awwal 1431 AH.

Explanatory memorandum to the law No (8) for the year 2010 regarding the Rights of Persons with Disabilities In accordance with Article ten of the Constitution stating that: “The State cares for the young, and protect them from exploitation, and prevent the moral, physical and spiritual neglect” As provided under Article eleven of it that: “The State ensures aid for citizens in old age, illness or incapacity for work. And provides them social insurance services, social allowance and health care.” and starting from the Islamic “ concept based on interdependence and solidarity, and considering the care of persons with disabilities not a favor or compassion, but a duty to society and a commitment towards the state to ensure that persons with disabilities enjoy their material and political rights as they represent a category of the fabric of society having the same rights on an equal basis with other people with no disabilities without discrimination because of their disability. And for the consolidation and codification of these rights the legislature enrolled it in Law No. 49 of 1996 on the care of the disabled, and this laudable intervention of the legislature is not replaced by reconsidering the law as a whole, and re-formulating

it in an integrated system according with developments taking place at the local and international levels in the field of achieving further care for people with disabilities, ensuring their enjoyment of basic rights guaranteed by the Constitution and confirmed by International charters . Pursuant to these principles and putting them into practice, this law is proposed. The first chapter of it is to demonstrate the scope of its application, where the first article includes the definition of the meaning of some terms stated in order to prevent the reflection of the confusion of the meaning in-tended.

ARTICLE (2) of it determined the scope of its application regarding the persons including the Kuwaiti citizen and the children of the Kuwaiti woman of a non-Kuwaiti husband within the fields of health and educational care, and employment rights stated in this law. And it allowed the Validity of some of its provisions to persons with disabilities from non-Kuwaitis decision issued by the authority in accordance with the terms and regulations it considers after the approval of the board.

ARTICLE (3) states to treat the/ non-Kuwaiti disabled of a Kuwaiti mother the treatment of the Kuwaiti since birth, over lifetime, based on a resolution issued by the Minister of the Interior. In the second chapter entitled “Services”, **ARTICLE (4)** deter-mines the services provided by the government for persons with disabilities, and

permitted the development of other services on the condition that it shall to be based on a decision issued by the authority. In the third chapter, entitled under “Rights of Persons with Disabilities”

ARTICLE (5) obliges the Government to take administrative measures and to provide necessary equipment to ensure that persons with disabilities enjoy their civil and political rights.

ARTICLE (6) obliges the government to take administrative and regulatory procedures to ensure the inclusion of plans and development programs and the Government’s Action Program on the needs and services for persons with disabilities.

ARTICLE (7) the govern-mint shall provide precautionary, counseling, treatment and habilitation services for persons with disabilities in all treatment centers, and work to reduce the causes of disability, in addition to providing them with treatment abroad if necessary.

ARTICLE (8) the government is to provide specialized and trained medical cadres to provide therapeutic services for persons with disabilities, and provide health care and physical therapy in their homes to those by which the competent technical committee determines their need for such care.

ARTICLE (9) decides Govern-mint’s commitment to provide educational and teaching services and teaching aids for persons with disabilities and categories of slow

learning and learning difficulties on an equal basis with others in addition to providing education, professional and specialized cadres for them, as well as providing audio and visual means to help them complete their education. It also states that the Ministry of Education shall work to provide training courses for teachers in schools for discovery of learning difficulties and slow learning and how to deal with them, and the article obliged the authority to bear the costs of special tests to assess the slow learning and learning difficulties on the condition that the Ministry of Education shall commit to provide special centers for these tests from the date of applying This law.

ARTICLE(10)theGovernmentshalltakealladministrative and organizing arrangements for the integration of persons with disabilities, learning difficulties and slow learners in different stages of education preparing them for the integration into society.

ARTICLE(11)refers to the Government’s commitment to allocate a share of the seats in the missions and scholarships, both at home and abroad for persons with disabilities, and re-ferred the organization of that to a decision issued by the authority according to the type and degree of disability.

ARTICLE (12) the government shall provide habilitation and training centers, rehabilitation and training workshops for persons with disabilities in all

governorates and providing specialized technical cadres and the implementation of that shall take place within eight years from the date of applying the provisions of this law. In chapter four, entitled under “habilitation and Employment”

ARTICLE (13) states that the authority shall determine, in agreement with the professional bodies, training and habilitation stages and conditions of admission for persons with disabilities to training and habilitation centers, and cases where exemption from some of these conditions is allowed, and it states to give those who obtained vocational habilitation certificates the priority of recruitment in jobs and occupations taking into account the terms prescribed by the law in occupying those jobs.

ARTICLE (14), the governmental, civil and oil sectors, which employs fifty Kuwaiti worker shall at least employ a number of qualified persons with disabilities not fewer than 4% of the total Kuwaiti workers they have, and banned these bodies to refuse to employing the candidates for work without an acceptable reason other than disability, and it authorized the government to provide financial support to employers exceeding the determined percentage of employment, and referred that to a resolution issued by the competent authority upon the proposal of the authority.

ARTICLE (15) obliged employers to assign occupations

and job vacancies for people with disabilities according to their specialties on the condition that employers shall provide a statement periodically every six months for the Bureaus of the Civil Service ,the authority and the program of restructuring the workforce, and also required preparing the work environment appropriate for them.

ARTICLE (16) assigns the authority to determine the procedures ensuring the prevention of all forms of abuse of persons with disabilities at work.

ARTICLE (17), the State shall ensure that persons with disabilities enjoy promotions and privileges of employment and remuneration in all sectors on the condition that those who are distinct shall have priority in that. In chapter fifth entitled under “integration into society,”

ARTICLE (18) the general authority for Youth and Sports is obliged to take adequate measures to ensure the establishment of clubs and sports and cultural centers for people with disabilities, in accordance with international specifications.

ARTICLE (19) obliged the government to encourage athletes with disabilities and equaling them with others athletes.

ARTICLE (20) obliges governmental and civil bodies at the construction of facilities and buildings for general use, to adhere the general design referred to in Article (1) of this law

ARTICLE (21), public transport and private vehicles for general use shall be equipped with appropriate

means to serve persons with disabilities in order to be licensed.

ARTICLE (22), the authority shall aware society of the rights of persons with disabilities that preserve their humanity and dignity in ways it specified.

ARTICLE (23), the Information Ministry shall provide a sign language interpreter for the broadcast of news and cultural programs, sessions of the National Assembly and conferences and it determined a period for implementation of that within two years from the date of applying his law. In the sixth chapter, entitled “Social Care”

ARTICLE (24) stated the cooperation of the family in providing care for people with disabilities of its members and assigned the organization of their care to a resolution issued by the authority.

ARTICLE (25) is set to indicate who would undertake the care, and it assigns the husband and the wife as long as being able to perform it, and if this care was found unavailable, the responsible of this care by law shall be one of his relatives residing in Kuwait who is able to take responsibility for caring for the disabled, keeping them and supervising the affairs of their life, according to the following order; the children, then the children of the children, and then the brothers. If there are several members of the category, one of them is chosen to take

care of the disabled with notifying the supervisor of that. The article also pointed that if there is no agreement among members of one category, or none of the category previously mentioned offered to undertake the care, In that case, the authority shall refer the matter to the competent court to assign one of the relatives mentioned or from others to take care of the disabled or decide the disabled to stay in one of the social care centers according to each case and its circumstances.

ARTICLE (26) assigns the authority to appoint supervisors socially and psychologically specialized to supervise the care of people with disabilities, and they are entitled to have access to the information related to those who deserve the care necessary to perform their job, be it health information, civil or any other information from the bodies concerned. They are also entitled to call who are responsible for the care, and alert them to their duties in a binding manner, as well as control cases that violate of the provisions of this law, set the records necessary to that, and refer them to the competent bodies. In order to enable the authority to control and supervise the care of disabled,

ARTICLE (27) obliged the person in charge for the care of the disabled to notify the authority in writing in the event of the death of the disabled or illness or changing residence or absence from home.

ARTICLE (28) entitled the authority to ask the court

change the person in charge of care or refer the disabled to one of the care centers of the Ministry of Social Affairs and Labor as the need arises to do so. In the seventh chapter entitled ‘ privileges and exemptions’, **ARTICLE (29)** decides to grant monthly stipend for the disabled until the age of eighteen, according to the type and degree of disability on the condition that this stipend shall continue to be paid for him if they continue their university studies until the age of twenty-sixth. It also stated that the woman caring for a disabled of sever disability and not working deserves a monthly stipend, based on the terms and regulations set by the authority. **ARTICLE (30)** states the validity of the provisions of its following articles in this chapter for persons with severe and moderate disability unless other wise is specified for that. And as provided for in **ARTICLE (31)** that Kuwaiti people with disabilities shall gain a marriage grant equal to what non-disabled peers gain, even if the wife is non-Kuwaiti, provided that the marriage contract is authenticated in Kuwait. **ARTICLE (32)** decided the eligibility of persons with disabilities when they meet the conditions of enjoying residential care for the increase mandated by the article - regardless of whether their parents have enjoyed such increase or not - and their parents in which the terms enjoying residential care applies to them shall gain

an increase of ten thousand Kuwaiti Dinars added to the value of housing loan allocated to peers without disabilities, and it referred the organization of that to a decision issued by the authority in agreement with the Savings and Credit Bank. It also stated granting people with simple disabilities or their families the amount of five thousand dinars Kuwait, and showed the mechanism monthly deduction for the Savings and Credit Bank.

ARTICLE (33) decided the eligibility of the family in which one of its members is a disabled to obtain a mortgage from the Bank of Credit and savings and exclude the family from the provision of Article 30 of Law No. 47 of 1993 concerning the residential care, provided that the value of the real estate exceeds the value set in that article adding 50% of it.

ARTICLE (34) decided to grant people with disabilities or their families who meet the terms of enjoying residential care a nominal seniority not exceeding five years, according to the type and severity of disability.

ARTICLE (35) stated the eligibility of the Kuwaiti woman married to non-Kuwaiti and caring for a child or a husband with sever disability to obtain accommodation for use only, and this right shall not be removed if the disabled she nurses died.

ARTICLE (36), the social allowance prescribed by the law for children shall be in-creased, equaling (100%) of

the original value for each of the children with disabilities and it excluded calculating the children with disabilities from the number of children determined by law to grant such allowance, and pensions of those who deserve such allowance shall be re-settled, and it banned the financial exchange differences for the period preceding the date of applying this law. It also stated that such allowances shall not be subject to any deductions in the event of pension resettlement.

ARTICLE (37) exempts the disabled from all governmental fees for public services.

ARTICLE (38) decides the eligibility of the disabled employed woman to deserve a special vacation with full pay not calculated from her other vacation if she is pregnant and the competent technical Committee recommended that, and it stated the eligibility of the disabled woman working in governmental, civil and oil sectors to deserve a childbirth vacation for seventy days, and a vacation of maternity care following the childbirth vacation for four months with full pay, and six months with half salary. As provided for in **ARTICLE (39)** to exempt the disabled employee to from the organization of medical leave as determined by the competent technical committee and referred it to a decision issued by the authority according to the type and degree of disability. It also stated that the

employee or the employed woman who takes care of a child or spouse with a disability shall obtain a special leave with full pay if they were a companion with the disabled for treatment at home or abroad as determined by the competent technical committee.

ARTICLE (40) decided eligible the disabled employee and employed woman, regardless of the degree and severity of disability, or the employee or the employed woman who takes care of a child or spouse with severe and moderate disability to reduce working hours by two hours a day of fully-paid and it referred the organization of that to a decision issued by the authority.

ARTICLE (41) stated that as an exception from the provisions of the Social Insurances law and the law of pensions and retirement benefits for the military personnel, the insured or beneficiary whom the competent technical committee decides as a disabled shall deserve a pension equivalent (100%) of the salary if their counted period of pensionable service reached at least 15 years for the males and 10 years for females, and it did not stipulate reaching a certain age in this case in order to deserve this pension.

ARTICLE (42) as an exception from the provisions of the Social Insurances law and the law of pensions and retirement benefits for the military personnel ,the insured or beneficiary who takes care of (male or female) or spouse (male or female), with a severe or moderate

disability deserves a pension equivalent (100%) of the salary if the counted period of pensionable service reached 20 years for males and 15 Years for females, and it did not stipulate reaching a certain age in this case in order to deserve this pension.

ARTICLE (43), the person with a disability who is unable to work deserves a disability pension, and it referred the organization of that to a decision issued by the authority, and it banned the combination of such pension and monthly allocation in accordance with Article (29) and the pension owed to

ARTICLE (41) of this law or under the law Social insurances or pensions and retirement benefits for the military personnel, and on the condition that the bigger disability pension of them is the one paid for the disabled.

ARTICLE (44), exemption of tools and equipments of habilitation and reparative for people with disabilities from fees and taxes of all kind, and that the government shall work to provide them free of charge, based on a report from the competent technical committee.

ARTICLE (45) confirmed granting the disabled, whom the competent technical authority decides that their disability requires the use of a driver or a server, an allowance determined by the authority, on the condition that it shall be no less than 100 dinars.

ARTICLE (46) confirmed pro-viding the disabled with a

disability card, which guarantees the enjoyment of the services and benefits provided for in this Law. In the eighth chapter, entitled “Public Authority for people with disabilities”,

ARTICLE (47) stated the establishment of a public body concerned with the affairs of people with disability-ties with legal nominal personality under the supervision of First Deputy of the Prime Minister.

ARTICLE (48) explained the functions of the authority which give it the powers to ensure the initiation of supervising the activities relating to the care and habilitation of people with disabilities.

ARTICLE (49) mentioned how to form the board of the authority and it is decided to be headed by First Deputy of the Prime Minister or his deputy minister and the membership of ministers appointed so that the authority is at the level of responsibility placed on it, and that the board shall include to its membership representatives of non-profit organizations and clubs operating in the field of disability, and two qualified and experts in disability issues. It also authorized the board to issue its internal regulation to organize its work, the method of issuing its decisions and its periodic meetings.

ARTICLE (50) indicates how nonprofit organizations and clubs operating in the field of disability shall gather to choose their representatives in the board and the board of directors of the authority.

ARTICLE (51) stated to appoint a general director for the authority, of the specialists and experts in the fields of diagnosis, care and habilitation of people with disability and represents the authority before the judiciary and its relationship with others.

ARTICLE (52) mentioned how to form a board chaired by the general director and the membership of a representative for each of the Ministry of Health, Education and Higher Education, Social Affairs and Labor, the General Authority for Youth and Sports and the Civil Service Bureau, and four representatives of non-profit organizations and clubs in the disability field to be selected from outside the authority.

ARTICLE (53) entitled the board to issue the internal regulation of the board of directors which organize its work, how to issue its decisions and procedures of holding meetings of committees and work teams it considers forming , as well as determining the remunerations of members of committees, work teams , experts and consultants.

ARTICLE (54) stated the functions of the authority's board of directors.

ARTICLE (55) the authority must have a budget attached to the State's budget.

ARTICLE (56) mentioned how to obtain the financial resources of the authority.

ARTICLE (57) referred the determination of bodies

and departments which will move their subordination to the authority to a decision issued by the Cabinet.

ARTICLE (58) stated that employers working in the Supreme Council for Disabled Affairs issued by law No. 49 of 1996 regarding the care of the disabled shall be transferred to the authority and keep their ranks and functional levels they have occupied before. In the ninth chapter, entitled “Penalties”,

ARTICLE (59) stated on the criminal sanction to punish anyone who commits one of the actions stated under this article. It covered all those who it addressed the punishment of those who committed forgery in the disability card or used it knowing that it is forged, those who expressed or provided incorrect data to the competent body or unlawfully concealed information for the benefit of any of the rights or benefits decided by this law, those who helped people with no disabilities to impersonate a disabled, those who took advantage of their job in the authority to achieve personal interests for them or any body related to them directly or indirectly, deciding that the penalty to be imprisonment not exceeding a duration of ten years and a fine not exceeding two thousand KD, and without prejudice to any severer penalty provided for by another law.

ARTICLE (60) included penalties resulting from the violation of its provisions, there are penalties represented in imprisonment and reimbursement of what was spent

unlawfully, in addition to a penalty represented in a fine equivalent to the amount spent unlawfully and without prejudice to any severer penalties prescribed by Penal Code or any other law. Those sanctions are imposed on who impersonates a disabled that is entitled by law to obtain a particular amount of money and seized that money.

ARTICLE (61) stated the penalty on anyone who commits one of the acts set forth therein, stipulating that without prejudice to any severer penalty stated by the other law, shall be punished by imprisonment for a period not exceeding a year and a fine not exceeding one thousand dinars or by one of the two penalties on each person assigned to take care of one of the people with disabilities regardless of the source of this commitment and neglects to perform their duties or to take the necessary to carry out these duties or fails to do its obligations, and the penalty is imprisonment for a period not exceeding three years and a fine not exceeding three thousand Kuwaiti dinars or one of these punishments, if this neglect resulted in harm to the disabled, but if it resulted in death of the disabled, the punishment shall be imprisonment for a period not exceeding five years and a fine not exceeding five thousand dinars or by one of the two penalties. The penalty is doubled in case of return within three years from the date of the final verdict.

ARTICLE (62) decided, without prejudice to any severer penalty stated by another law, the penalty of imprisonment not exceeding one year and a fine not exceeding one thousand dinars, or one of the two penalties on each one who uses disability card used without the right to do so.

ARTICLE (63) decided, without prejudice to any severer penalty stated by another law, the punishment of imprisonment for a period not exceeding one month and a fine not exceeding one hundred dinars or by one of the two penalties on one each to use the parking of people with disabilities unlawfully, and in case of return, the court may order the withdrawal of driving license for a period not exceeding a month.

ARTICLE (64) stated to punish all who are committed by law to employ people with disabilities and refuse, without reasonable excuse or who does not commit to meet the rates of employing people with disabilities referred to in article (14) of this law, by a fine of not less than five hundred dinars not more than two thousand dinars, doubled in case of return within three years from the date of the final verdict. In the tenth chapter, entitled “General Provisions”

ARTICLE (65) obliged the authority to review the financial allocations granted to the disabled every three years to study the extent of entitlement of those allowances or if a change occurred to the condition of the beneficiary.

ARTICLE (66) assigned to the general authority for Social Insurances the implementation of the provisions of the pensions under this law in which shall be subject to the provisions of the Social Insurances law for matters not covered by a specific provision.

ARTICLE (67) banned on any public employee or person in charge of a public service to mediate with one of the bodies concerned with people with disabilities and it obliged those bodies to notify the body in which the employee works for.

ARTICLE (68) assigned to the authority appointing the persons responsible for applying the provisions of this law and the decisions issued implementing it, whether from its employees or from outside.

ARTICLE (69) stated that the public treasury shall carry financial burdens resulting from the application of the provisions of this law.

ARTICLE (70) decided to annul law No. 49 of 1996, and every provision is contrary to the provisions of this law, and the decisions issued for it shall remain applicable in matters not conflicting with the provisions of this law until the issuance of regulations and decisions necessary for its implementation.

ARTICLE (71), the implementation of this law is after three months from the date of its publication in the Official Gazette. Finally

ARTICLE (72), The Prime Minister and ministers are in charge - each of his own jurisdictions - for the Implementation of this law.

Law No.9 of 2010, the issuance of development plan for the years (2010/2011 / - 2013/2014)

- After reviewing the Constitution,
- And Law No. 27 of 1963 on Statistics and Census, and decisions amending it.
- Law No. 30 of 1964 establishing the Court of Accounts, as amended by Law No.4 of 1997.
- And Law No. 31 of 1978, on the rules of the preparation of public budgets and monitoring their implementation and final accounts, and decisions amending.
- Law No. 60 of 1986 on the economic and social planning, and decisions amending it.
- The Decree No. 33 of 2004 on the establishment of the Supreme Council for Planning and Development.
- The Decree No. 307 of 2007 regarding the amendment of some provisions of Decree No. 33 of 2004 on the establishment of the Supreme Council for Planning and Development.
- And the Decree No. 255 of 2008 on the issuance of the plan of general structure of the State of Kuwait.
- The National Assembly approved the following law which we have endorsed and enacted:

(ARTICLE ONE)

The general framework of the Development Plan for the years (2010/2011 – 2013/2014) attached to this law shall be applied.

In applying the provisions of this law, the following terms refer to the following meanings assigned to them:

Plan: The general framework of the development plan for the years (2010/2011 - 2013/2014) to be implemented during the period from the first of April 2010 to the end of March 2014.

Annual Plan: The part that the Government proposes its yearly implementation of the de-velopment plan.

Strategic goals: A set of fixed goals and targets to be achieved in the long term timeframe. The development plan represents its first stages and these goals may be general at the level of society as a whole or sectoral at the industry level itself.

Targets of the development plan: A set of goals, approaches, and objectives to be achieved during the timeframe of the development plan, whether these goals are general or sectoral objectives, the qualitative or quantitative.

Policies: A set of primary means to be followed in order to achieve the objectives of the development plan, whether these goals were general or sectoral.

Sector: is the set of units engaged in an activity or activities aiming at the production of goods and services and

ideas similar or complementary.

Program: A set of executional procedures concerned with a specific or one of its branches within the development plan for this sector.

Executional procedures: A set of tools that helps in the execution of policies followed and, consequently, to achieve the goals.

Project: Executional work for a particular sector and represents part of the program contained in the development plan for this sector.

Constructional project: The project in which its implementation require the establishment of buildings or structures regarding infrastructure.

Development project: The project on the development or the improvement of systems and services in various fields, whether in the field of computers (such as technical, information, and training field and related studies) and others.

Base year: The year from which the targets to be reached during the plan period are launched, which is for the current project plan is the year 2008/2009.

Target year: It is the final year of the plan period in which it is expected to achieve the goals set for the plan at its end, which, for the current project plan, is the year 2013/2014.

(SECOND ARTICLE)

Without prejudice to any rates assessed in any other law, the percentage of contribution to each of the companies referred to in the plan is determined and its shares are allocated as follows:

1- A percentage no more than twenty-four percent 24% of the shares to the government and bodies affiliated with it.

2- A percentage no less than twenty-six percent (26%) of the shares offered for sale in a public auction involving the participation of joint stock companies listed on the Kuwait Stock Exchange and other companies approved by the Cabinet, excluding competitor companies listed in the history of this auction, in which they are not allowed to contribute directly or indirectly in companies offered, and the auction knocks down to who offers the highest price per share above its original value plus the expenses of establishment and the premium of the issuance - if any - and the winner whom the auction knocks down to with the same price the auction knocks down to, is obliged to underwrite all shares that refer to the State in accordance with the provisions of Article three of this law.

3- Fifty percent (50%) of the shares allocated to the public underwriting of shares for all citizens.

4- The increase resulting from the sale of shares shall be transferred to the general reserve of the state in accordance with the provisions of clause (1) of this article.

(ARTICLE THREE)

The governmental body responsible for establishing the company shall undertake the determination of its capital and the distribution of all the shares allocated to the public underwriting equally among all Kuwaitis registered in the General Authority for Civil Information on the day of underwriting, and with no allocation to fractions of shares, on the condition that the value of these underwritings shall be paid by citizens to the state in accordance with the procedures specified by the governmental body referred to it without any interest or fees or increase above the price of the stock in underwriting no later than the day, which shall expire at the end of sixty days calculated starting from the beginning of the month following the month in which the governmental body itself undertook the inviting citizens through printed, audible, and visual means of Kuwaiti media to the payment of the value of the underwriting due on them.

(ARTICLE FOUR)

The fractions of shares that are not allocated to citizens shall be transferred to the state, and from after the day following the day of expiry of the deadline for citizens to pay the value of the under-writings according to the provisions of the preceding article, all shares, which their value has not been paid by citizens to the state within

that period for any reason, shall be also transferred to it. The state shall transfer the ownership of these shares within a period determined by the Cabinet to the company winning the auction, upon fulfilling their value from it according to the provisions of clause (2) of the second article of the law.

(ARTICLE FIVE)

The Government shall provide to the National Assembly, during the two years following the issuance of this law. The bills mentioned in the plan, and the secretariat of the Supreme Council for Planning and Development during the same year shall issue regulatory decisions on the implementation and the follow up of what is stated in the development plan, and propose arrangements and appropriate measures to implement the policies set forth in the plan, by the cooperation and coordination with the concerned authorities.

(ARTICLE SIX)

The Secretariat of the Supreme Council for Planning and Development shall prepare the detailed annual development plan on the level of each ministry, governmental department, body, or institution, affiliated or independent, coordinating and cooperating with all concerned bodies of the state, and shall be presented to the National Assembly simultaneously with the presentation of bills regarding the connection

of budgets of ministries, governmental departments, and bodies, affiliated and independent, preparing for its approval and issuance by a law.

And it shall prepare the general state's budget in light of the objectives, policies, and programs stated in these plans, and budget estimates shall be according to what is stated in the annual plans and the provisional targets, policies they contain, and the authorities referred to shall take the necessary measures to achieve that.

(ARTICLE SEVEN)

The quantitative goals mentioned in the plan are considered estimated amendable goals according to new developments during implementation and shall be reviewed in the annual plans in the light of available data

(ARTICLE EIGHTH)

All authorities concerned shall develop and complete their structures and systems regarding planning and the follow up in coordination with the Civil Service Bureau and the Secretariat of the Supreme Council for Planning and Development, and the preparation, implementation, and follow up of the annual plans, and its executional programs shall be under the direct supervision of the President of the authority or his authorized representative, in coordination with the Secretariat of the Supreme Council for Planning and Development.

(ARTICLE NINE)

The Secretariat of the Supreme Council for Planning and Development, in coordination with the Authority specified by the Cabinet, shall prepare a comprehensive system to follow up the implementation of the plan at the governmental authorities, from which to monitor the directions of the variables movement, and evaluation of economic and social phenomena to ensure their consistency with the orientation and goals set, and proposing arrangements and appropriate measures to apply policies set forth in the plan in coordination with the concerned authorities which shall commit to completing the forms and the technical documents prepared for that .

(ARTICLE TEN)

The concerned authorities shall commit to the directions, targets and policies set forth by the general framework of the Development Plan, and shall provide to the Secretariat of the Supreme Council for Planning and Development all data, statistics, indicators and information which reflect progress in implementing the plan and achieving its objectives within the deadlines set by the Secretariat.

(ARTICLE ELEVEN)

The Secretariat of the Supreme Council for Planning and Development shall commit to present to the Supreme Council for Planning and Development regular

periodic follow up reports every six months, including a comprehensive evaluation of the performance of the plan in all areas of economic, social, demographic, and administrative development. They shall also include an analysis of the causes of problems and difficulties that might hinder the achievement of the goals of the plan and suggestions on how to overcome them.

These reports are transmitted to the Cabinet for approval and then transferred to the National Assembly.

(ARTICLE TWELVE)

The minister concerned with supervising the Secretariat of the Supreme Council for Planning and Development shall follow up the decisions issued by the concerned authorities of implementing the plan to monitor its compliance with the plan, and he may require the amendment of any decision contrary to the provisions of the Plan, and to demand the issuance of the necessary decisions to implement it after taking the opinion of the General Secretariat of the Supreme Council for Planning and Development.

(ARTICLE THIRTEEN)

The Prime Minister and ministers - each in his own jurisdiction - shall implement this law, and it shall take effect from the first of February 2010.