

O.G. 79/64

DECREE No. 17561 OF 18 SEPTEMBER 1964

## Regulating the work of aliens

The President of the Lebanese Republic,  
Whereas the Lebanese Constitution,  
Whereas the Code of Labour of 23 September 1946, notably articles 9 and 54,  
Whereas the Law of 10 July 1962 concerning the entry, exit, work and stay  
of aliens in Lebanon, notably articles 6 and 25,  
On proposal of the Minister of Labour and Social Affairs,  
Following the advice of the State Council by its Decision No. 66 of 18/6/1964,  
And after the approval of the Council of Ministers in the course of its meeting  
held on 26 August 1964,  
Decrees the following :

Article 1

Without prejudice to the enforcement of the principle of reciprocity, and the provisions of specific laws and regulations in force, as well as well as conventions previously approved by the legislature or which would have been previously approved by the Ministry of Labour and Social Affairs concerning foreign experts engaged for the execution of work required for public interest, the issue of work permits on the Lebanese territory to aliens is submitted to the following conditions :

## PRIOR APPROVAL

Article 2

Any alien seeking entry into Lebanon to carry on a profession or do any job, paid or free of charge, is required to obtain the prior approval of the Ministry of Labour and Social Affairs. However, if the alien is an artist, such approval is to be given by the Directorate of the General Security.

Article 3

Application for the issue of a prior approval shall be filed with the Ministry of Labour and Social Affairs either through the Lebanese Mission abroad, or via the legal representative in Lebanon of the party concerned.

Article 4

The application must include all information regarding his technology and possibilities and, particularly, his name, his nationality, his date of birth, his religion, the nature and duration of his work, his qualifications, the employer's name, if the case concerns a wage-earner or salary-earner, and finally an undertaking that the said approval shall benefit none in his family.

Article 5

In case the alien who has filed the application for prior approval is a wage-earner or salary-earner, the employer must equally submit to the Minister of Labour and Social Affairs an application wherein he declares that he approves of the arrival of the alien, such application to be supported by evidence and documents confirming the bona fides of the statements contained in the petition of the foreign national and a word contract duly legalised by a Lebanese Notary or by one of the Lebanese diplomatic Missions accredited abroad.

Whenever the alien wishes to undertake a work on his own account or represent any company, he is required to file with the Ministry of Labour and Social Affairs, through the Lebanese Mission abroad, or via a legal representative in Lebanon, copy of the evidence and documents confirming the bona fides of the statements contained in his application and declare the extent and possibility of Lebanese manpower contribution.

## WORK PERMIT

Article 6

Any alien who should have obtained prior approval is required, within 10 days of his entry into Lebanon, to file with the Ministry of Labour and Social Affairs, a petition for the release of a work permit as is provided under article 25 of the Law of 7 October 1962.

The Ministry may cancel the prior approval in case the beneficiary has not entered Lebanon within a maximum period of three months dating from the dispatch of the prior approval by the Ministry of Labour and Social Affairs.

The prior approval shall equally be considered cancelled as a matter of course if he fails to come to the Ministry to exchange it for a work permit within the time-limit of 10 days as prescribed in the first paragraph of the present article, except for cases of force majeure.

Article 7

The work permit is an extension of the prior approval and a complementary condition to the latter. If the validity period of the permit is elapsed or if its renewal is refused, the effect of the prior approval is equally suspended and the party concerned shall be required, in this event, to obtain a fresh one if he wishes to work in Lebanon.

Article 8

Provided that the Lebanese national is given the benefit of preferential right, it is possible to grant the alien residing in Lebanon or who intends entering it after obtaining prior approval, a work permit or to renew same, if he meets one of the following conditions :

- 1 - If he is a specialist or an expert and that his job cannot be done by a Lebanese national. The interested Department may require the employer to publish a notice on his own expense, in three local dailies that the Department shall designate, at least three times. The notice shall state the nature of the job, the qualifications required, and it shall invite interested parties to contact, to this end, the Control Department of Working Aliens at the Ministry of Labour and Social Affairs. The interested Department is authorised to evaluate those cases where it shall require the compulsory training of a Lebanese national as a condition and shall fix its duration in the light of the importance of specialisation and the qualifications of the Lebanese national.
- 2 - If he has entered Lebanon prior to 1 January 1954, resided in it ever since, and has been working in a concern at least nine months at a stretch per calendar year.
- 3 - If he has taken to wife a Lebanese national. He shall be required to prove that he has been married for at least one calendar year on the evidence of a declaration issued by the Directorate General of the Personal Status Office in Beirut or by one of its provincial services.
- 4 - If he is born of a Lebanese mother or if he is of Lebanese origin. In this event he will be required to produce supporting evidence either by a declaration issued from the Directorate General of the Personal Status Office in Beirut or one of its provincial services, or eventually by extract from a Court award, final and unchangeable.
- 5 - If he is one of the managers of foreign companies, a chief accountant or a deputy manager, in one of the branches of these companies in Lebanon or operating in the Middle East.
- 6 - If he is the representative of a foreign company by virtue of a legal mandate and if he exercises no activity direct with the public.
- 7 - If he is the Head of a concern, a handicraft, a profession or an industry and that he meets the following two conditions :
  - A - That he has been residing in Lebanon since before the beginning of 1954 and that he has initiated his activity before 1 January 1960.
  - B - If he entered Lebanon after 1 January 1960 or if he wished taking residence in it after having obtained prior approval, on condition that his capital is not under LL 50,000 and that he has at least three Lebanese wage-earners or salary-earners in his employ.

However, if aliens have founded jointly a private company, the capital of each partner must not be under LL 50,000. They must equally employ Lebanese wage-earners or salary-earners in the proportion of three wage-earners or salary-earners per partner.

#### Article 9

The Minister of Labour and Social Affairs shall designate, each year, in the course of the month of December, on the proposal of the General Manager, and following the advice of

interested Government Administrations and Agencies, when the case so requires, the jobs and professions which the Ministry considers as essentially reserved to Lebanese nationals.

#### Article 10

An order issued jointly by the Minister of Labour and Social Affairs and the Minister of National Education shall lay down the conditions required for foreign teachers to qualify to carry on their profession in private educational establishments.

### GENERAL PROVISIONS

#### Article 11 (as modified by Decree No. 1582 of 25 April 1984)

- 1 - Applications for a work permit shall be filed, in Beirut with the Ministry of Labour - Control Department of Working Aliens, and in the Mohafazats (governorates) with the regional departments attached to the Ministry of Labour.
- 2 - The Minister shall give a decision on these applications, and he shall sign the cards relating thereto ; he may decide to delegate these powers to the Director General or to the Heads of the administrative units directly attached to him.
- 3 - In the Mohafazats (governorates), the Head of the regional department attached to the Ministry of Labour shall give a decision on the applications of servants and agricultural labourers only, and he shall sign the labour cards relating thereto.

#### Article 12 (as modified by Decree No. 1582 of 25 April 1984)

The Head of the Control Department of Working Aliens in Beirut and the Heads of the regional departments in the Mohafazats (governorates) shall deliver the work permit signed by the Minister, and they shall notify his decisions for rejection within fifteen days.

#### Article 13 (as modified by Decree No. 1582 of 25 April 1984)

Decisions concerning applications for prior approval, work permit or permit renewal, must be taken within a maximum time-limit of one month dating from the filing of the application, supported by relevant documents. The decision concerning one of these applications cannot be postponed beyond this period, except with the approval of the Minister.

#### Article 14 (as modified by Decree No. 14268 of 4 March 2005)

The work permit may be granted or renewed for a maximum period of three years dating from the day of its issue. Any permit for which application for renewal has not been filed at least one month before the expiry of its validity period shall be considered cancelled as a matter of course and the alien becomes deprived of the work permit and open to proceedings and penalties as are provided by the laws and regulations in force.

Article 15

It is forbidden to any holder of a prior approval or work permit to change the nature of his job or to move to another concern before having obtained the prior approval of the Ministry of Labour and Social Affairs.

Article 16

It is possible to re-examine applications previously rejected on the production of new documents which interested parties were not in a position to submit in due course.

Article 17

The work permit shall be cancelled at any moment if it appears that the documents previously submitted were inaccurate and whenever the interest of Lebanese manpower so requires, notably in the following cases :

- 1 - If the concern dismisses a Lebanese wage-earner or salary-earner in conformity with the provisions of article 50 of the Lebanese Code of Labour and retains to his post a foreign wage-earner or salary-earner with the same qualifications and conditions of work.
- 2 - If the concern refuses to give priority to a Lebanese national meeting the various work conditions required.
- 3 - If the concern fails to honour its undertaking to initiate a Lebanese national to work in the place of the alien.
- 4 - If the alien infringes the conditions set in the prior approval and the work permit.
- 5 - If the alien has been convicted for a crime or an infamous offence.

Article 18

Trade unions may submit every year, in the course of January, an approximate list of the number of Lebanese in each profession, as well as the name of the unemployed, their address and their qualifications.

Article 19

An order from the Director General of the Ministry of Labour and Social Affairs shall designate the documents which must be presented with each category of applications, it being understood that in all cases it is required to produce an extract of the Police Record the date of which does not go back beyond six months.

Article 20

The Ministry of Labour and Social Affairs is authorised to require the different administrative and public services to suspend any formality presented by an alien or a foreign firm likely to lead him to do any job in Lebanon, with or without remuneration, so long as the interested party does not produce the regulation permit to work in Lebanon referred to under the Law of 10 July 1962.

Similarly, they shall suspend these formalities whenever the alien is guilty of any infringement to the provisions of the Code of Labour, the law governing the residence of aliens as well as decrees and orders referring thereto.

Article 21

Any infringement to the provisions concerning prior approval puts the contravener under the penalties of article 32 of the Law of 10 July 1962; and any infringement to the stipulations of the present decree, to the exclusion of those mentioned in the preceding paragraph, makes the contravener open to penalties provided under article 2 of the Law of 17 September 1962 amending articles 107 and 108 of the Lebanese Code of Labour.

Article 22

The provisions of the present decree are not applicable to applications registered with the Control Department of the Working Aliens prior to the date of its publication in the Official Gazette.

Article 23

The present decree shall come into force upon its publication in the Official Gazette.

Zouk, 18 September 1964

Signed : Fouad Chehab

By the President of the Republic  
The acting President of the Council of Ministers  
Signed : Gebran Nahas

The Minister of Labour and Social Affairs

Signed : Dr Rida Wahid