

627

**Egyptian Wakayeh / Government Bulletin – Issue No. 227 (Supplement - A)**  
**Dated 5<sup>th</sup> October, 2003**

**The Ministry of Manpower And Emigration**  
**Decree No. 213 Of the year 2003**  
**Issuing The Statute Regulating The**  
**Employment of Irregular Labour Force**

Minister of Manpower and Emigration,

After thoroughly reviewing the Trade Unions Law as promulgated by Law No. 35 of the year 1976 and its amendments;

The Local Administration System Law as promulgated by Law No. 43 of the year 1979 and its amendments, and its Executive Statues;

Article No. 26 of the Labour Law as promulgated by Law No. 12 of the year 2003;

The International Conventions subscribed by the Arab Republic of Egypt;

And upon consultation with the concerned ministers and the General Federation of Egyptian Trade Unions,

***DECREES THE FOLLOWING***

**Article : 1**

A committee shall be established at the Ministry of Manpower and Emigration for the follow-up of the employment of the irregular labour force, particularly, the seasonal farm workers, seamen, miners and quarry men, and contractor's laborers. Such committee shall be comprised as follows :

- |   |          |
|---|----------|
| - Head of the Ministry's Main Head Office Sector  | Chairman |
| - Head of the Central Department for Employment Regulation                                | Member   |
| - General Director of the General Department for permanent and temporary employment       | Member   |
| - General Director of the General Department for external employment                      | Member   |
| - General Director of General Department for vocational health and safety at the Ministry | Member   |

- |   |        |
|---|--------|
| - Representative of the Ministry of Social Insurance                | Member |
| - Representative of the Ministry of Local Development               | Member |
| - Representative of the General Federation of Egyptian Trade Unions | Member |
| - Representative of the concerned employers organization            | Member |

The committee shall seek the assistance of whom it deems of experienced persons when appropriate.

### Article : 2

The committee shall be concerned with laying down the policy of employing the irregular labour force and the follow-up thereof, particularly:

- Suggesting rules regulating the employment of such categories, and the conditions of vocational health and safety, as well as the transport and living means that should be taken thereof, the financial and administrative by-laws, regulating such employment so as to be submitted to the Minister of Manpower and Emigration, to issue the necessary decrees, after having consulted with the concerned ministers and the General Federation of Egyptian Trade Unions.
- Investigating the problems facing the irregular labour force and proposing the possible solutions thereof.
- Studying the legislations enacted concerning the irregular work, and submitting the proposed recommendations in this respect.
- Studying the International and Arab labour standards and submitting their proposals as for the approval thereon.
- Submitting proposals on the mechanisms implementing the rules regulating the employment of such categories as a prelude to issue the ministerial decrees relating thereto.
- Coordinating with the concerned authorities or which is concerned with inspecting any actions relating to the affairs of the irregular labour force.
- Studying the requests of licensing the offices of employment of irregular labour force.

### Article : 3

The central department for employment regulation, after having submitted to the Minister of Manpower and Emigration, shall be entitled to issue all the instructions regulating the recording of the aforesaid labour force, in coordination with the manpower and emigration directorates and offices, together with extracting the cards belonging thereto, as follows:

- Printing of cards of serial numbers.
- Determining, in cooperation with the Ministry of Local Development and the concerned trade unions, the locations where such labour force is available.
- The Manpower office shall prepare periodical reports on the employment situation of the irregular labour force.

### Article : 4

The employer shall not be allowed to employ irregular labour force through any entrepreneur or laborers provider contractor.

Whoever violates the provisions of the present article shall be liable to the penalties prescribed upon in article No. (240) of the Labour Law, the violator shall pay a fine not less than L.E 1000 (One Thousand Egyptian Pounds) and not exceeding L.E. 5000 (Five Thousand Egyptian Pounds), the fine shall be multiplied according to the number of laborers against whom the crime having been committed. The fine shall be doubled in case of recidivism.

The Minister of Manpower and Emigration may - upon submitting the matter by the committee as set forth in article No. 1 of the present decree - authorize to the societies, establishments and unionist organizations as for the members thereof to establish recruitment offices for the unemployed subject to the provisions of the Labour Law and the present decree.

### Article : 5

The agencies authorized to recruit the irregular labour force shall have to follow the instructions given herebelow:

- Those who are processing the work at the quarters, authorized to recruit the irregular labour force shall be both practically and scientifically experienced in such a field.
- A register shall be kept at the recruitment offices for listing those seeking employment. Employment nomination shall be according to registry priority in such registers.
- The laborers, prior being appointed or during appointment procedures, shall be viewed with the rights and obligations thereof, arising out of the employment contracts and the items of the agreement. The laborers shall be furnished with copy of the contract.

Such recruitment offices shall protect the laborers from being exploited by brokers.

The concerned General Trade Union shall monthly notify the Manpower Directorate with all data of the laborers the employment contracts thereof having been reviewed.

#### **Article : 6**

The employer contracting with irregular labour force to work for him, shall have to provide the necessary transportation and living means for such laborers without any deduction from the agreed upon wage.

#### **Article : 7**

Any violation of the provisions of the present decree and the other statutes implementing thereof shall be subject to the penalties set forth in Article No. (241) of the Labour Law which enforces a fine penalty not less than L.E 50 (Fifty Egyptian Pounds) and not exceeding L.E 500 (Five Hundred Egyptian Pounds). The fine shall be multiplied according to the number of laborers against whom the crime having been committed. The fine shall be doubled in case of recidivism.

#### **Article : 8**

The present Decree shall be published in the Egyptian Wakayeh / Government Bulletin and shall come into force effective the day following the date of its publication.

**Issued on 4 October 2003.**

**Minister of Manpower and Emigration  
Ahmed Ahmed El Amawy**