

Memorandum of Understanding between the Government of the United Arab Emirates and the Government of India in the field of Manpower

The Government of the United Arab Emirates and the Government of India (herein after referred to as the parties),

Bearing in mind the friendly and cooperative relations existing between the two countries and their people;

Desiring to enhance the existing friendly relations between the two countries through developing the cooperation in the field of manpower based on the principles of mutual benefits;

Recognizing the benefits to be derived by both countries from close cooperation in the field of manpower;

Pursuant to the prevailing laws and regulations in the respective countries, have agreed as follows:

Article 1

For the purposes of this memorandum of understanding:

The term "manpower" means all the temporary contractual expatriate workers employed in the U.A.E for a certain period of time, after which the workers shall leave the U.A.E to their countries of origin or elsewhere.

Article 2

The Ministry of Labour in the U.A.E and the Ministry of Overseas Indian Affairs in India shall implement the provisions of this memorandum of understanding.

Article 3

The parties shall take measures to facilitate the mobilization and recruitment of manpower between the two countries and shall exchange visits and consult each other, exchange expertise and share knowledge and experience in job creation

and in generation of employment opportunities. Recruitment of manpower in India and its entry into the U.A.E shall be regulated in accordance with the relevant laws, rules and procedures of the two countries.

Article 4

Placement of manpower under this memorandum of understanding will be need based and all workers recruited shall be given protection under the labour law and regulation in the U.A.E.

Article 5

Every demand for workers shall state the required specifications and qualifications for the jobs and types of jobs needed. It shall also include the duration of contract, the conditions of employment, including the salary agreed on, the end of service benefits, medical facilities, leave entitlement, to and fro passage and other facilities such as transportation, accommodation etc and shall be supported by a copy of the work permit issued by the Ministry of Labour of the UAE in this behalf.

Article 6

The terms and conditions of employment of workers in the U.A.E shall be defined by an individual labour contract between the worker and the employer, which shall be in conformity with the work permit referred to in Article 5. This contract shall clearly state the rights and obligations of the two sides and shall be in conformity with the laws of both parties and shall be authenticated by the Ministry of Labour of the UAE. The employer shall not have the authority to amend or vary the provisions of the labour contract.

Article 7

The Arabic and English versions of the Labour contract shall be the only authentic versions recognized by the Ministry of Labour and the law courts in the U.A.E. In case of any dispute arising in relation to the provisions of the labour contract, between the employer and the worker both Arabic and English versions shall be valid.

Article 8

Workers shall have the right to remit all their savings to their country of origin or elsewhere in accordance with the financial regulations in the U.A.E.

Article 9

In case of dispute between the employer and the worker, complaint shall be presented to the competent department in the Ministry of Labour to endeavor for an amicable settlement. If no amicable settlement is reached, the complaint shall be referred to the competent judicial authorities for settlement.

Article 10

The Labour Contract shall terminate with the termination of its duration period without further notification. If the employer desires the continuation of the contract, he shall notify the worker, in writing, of his desire of renewal atleast thirty days before the termination of the Contract. The contract shall be renewed for a further period subject to mutual agreement of the first party and the second party.

Article 11

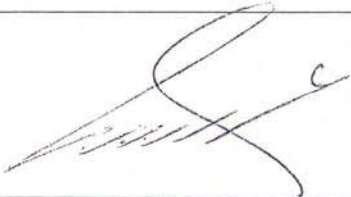
1. The two parties shall establish a joint committee for the implementation of this memorandum of understanding in general and perform the following functions in particular:
 - a. to review employment opportunities in the UAE and availability of corresponding skills in India
 - b. to co-ordinate between the two states in the implementation of this memorandum of understanding and to take necessary action in this regard.
 - c. to interpret the provisions of the memorandum of understanding in case of any dispute in this regard and to settle the difficulties that might arise in the implementation.
 - d. to propose review or amendment of any of the articles of this memorandum of understanding whenever necessary.
2. The committee shall be composed of at least three members from each party, and shall meet at least once a year or as deemed necessary by the parties, alternately in the U.A.E and in India.

Article 12

1. This memorandum of understanding shall enter into force on the date of its signing.
2. This memorandum of understanding shall be in force for a period of four years and shall be automatically extended for four years consecutively unless it is terminated in writing by either party by giving three months notice in advance.

In witness whereof the undersigned being duly authorized by their respective governments have signed this memorandum of understanding.

Done in New Delhi on December the thirteenth in the year two thousand and six in Arabic and English languages, both texts are being equally authentic

For the Government of the United Arab Emirates	For the Government of India
	
Dr. Ali Bin Abdulla Al-Kaabi Ministry of Labour	Shri Vayalar Ravi Ministry of Overseas Indian Affairs