STATE OF KUWAIT

NEW PRIVATE SECTOR LABOUR LAW NO.6 OF 2010

WITH EXPLANATORY MEMORANDUM

In Al-Kuwait Al-Yawm, The Official Gazette, Issue No. 963 Dated 21Feb. 2010
LAW NO. 6 OF 2010
CONCERNING LABOUR IN PRIVATE SECTOR

Having perused the Constitution;
The Penal Code issued by the Law No. 16 of 1960 and its amending laws; and
Law No. 38 of 1964 on Labour in Private Sector and its amending laws; and
Law No. 28 of 1969 regarding Labour in Oil Sector; and
The Social Security Law issued by the Amiri Order Law No. 61 of 1976 and its amending laws; and
Law Decree No. 28 of 1980 issuing the Maritime Law and its amending laws; and
Law Decree No. 38 of 1980 issuing the Civil & Commercial Procedure Law and its amending laws; and
Law Decree No. 67 of 1980 issuing the Civil Code duly amended by the Law No. 15 of 1996; and
Law Decree No. 64 of 1987 establishing a Labour Department at the Court of First Instance; and
Law Decree No. 23 of 1990 organizing the judiciary and the amending laws thereof; and
Law No. 56 of 1996 issuing the Industrial Law; and
Law No. 1 of 1990 regarding the Health Insurance on Aliens and applying some fees on health services; and
Law No. 19 of 2000 concerning the Support and Encouragement of National Labour Force to work for Non-Governmental parties and its amending laws; and
The National Assembly hereby approves the following law, which we hereby sanction and issue:
CHAPTER I GENERAL

PROVISIONS Article 1
In the application of the provisions of this law, the terms stated hereunder shall have the following meanings:

1. Ministry: denotes the Ministry of Social Affairs & Labour
2. Minister: denotes the Minister of Social Affairs & Labour
3. Labourer: Every male or female who does a manual or intellectual labour in favour of an employer, under his management and control against a fixed wage.
4. Employer: denotes every natural or legal person that employs labourers against a fixed wage.
5. Organization: denotes an organization consisting of a group of labourers or employers whose labours, professions or jobs are similar or related to each other and shall care for their interests, defend their rights and shall also represent them in all issues related to their affairs.

Article 2
The provisions of this law shall be enforceable to the private sector employees.

Article 3
The provisions of this law shall be enforceable to the marine work contract in all issues which are not especially stipulated in the Maritime Law; or the text of this law shall be more beneficial to the labourer.

Article 4
The provisions of this law shall be enforceable to the Oil Sector in all issues which are not especially stipulated in the Oil Sector Labour Law; or the text of this law shall be more beneficial to the labourer.

Article 5
The following workers shall be excluded from the implementation of the provisions of this law:
- Workers being subject to the enforcement of other laws and the provisions of the relevant laws.
- Domestic Workers regarding whom a decision shall be issued by the competent Minister for organizing their affairs and the rules and regulations governing the relationship between them and their employers.

Article 6
Without prejudice to any other better privileges and rights prescribed for
labourers in their individual or collective employment contracts or in the special systems or the applicable rules and regulations at the employer or according to the ethics of profession or the public customs, norms and traditions, the provisions of this law shall represent the minimum limit for the labourers' rights.

CHAPTER II EMPLOYMENT, APPRENTICE-SHIP AND VOCATIONAL TRAINING
SECTION I: EMPLOYMENT

Article 7
The competent Minister shall issue the decisions organizing the conditions of employment in the Private Sector, especially the following conditions:
1. Conditions for labour force transfer from one employer to another.
2. Conditions for allowing labourers to work as part-timers with one employer to another employer.
3. The data which the employers shall provide to the Ministry in respect of the government employees who are duly licensed to work for other employers after the official working hours.
4. Some occupations, professions and works which shall be filled only after passing the relevant professional tests as per the rules and regulations to be set forth by the Ministry in coordination with the competent authorities.

Article 8
Every employer shall advise the Competent Authority of his labour force requirements. Also, he shall inform the Competent Authority annually of the number of the employees working for him. This shall be made in the forms especially prepared for this purpose according to the terms and conditions regarding of which a decision shall be issued by the Minister.

Article 9
A public authority of a separate legal personality and an independent balance sheet shall be founded and to be named: "The Public Authority for Labour Force" under the control of the Minister of Social Affairs & Labour. This Authority shall undertake the jurisdictions prescribed for the
Ministry in this law. Also the Authority shall recruit and employ the expatriate labour force according to the applications submitted by employers. Within one year from the effective date of this law, an organizing law shall be issued with regard to this Authority.

Article 10
The employer is banned to employ foreign labour force unless they are duly authorized by the Competent Authority to work for him. The Minister shall issue a decision on the rules, documents and fees to be charged from the employer. In case of refusal, the refusal decision shall be reasonable. Furthermore, the refusal decision shall not be relevant to the capital amount, otherwise the decision shall be entirely null as if it is not issued. An employer shall not recruit labourers from outside the country or appoint labourers from inside the country without making them to work for him. If it is evident that he is not actually in need of those labourers, in this case, the employer shall bear the expenses for returning the labourer to his country.

If the worker abandons coming to his work and worked for another employer, the employer shall be obliged to return the employer back to his home country, upon registering an absconding notice against the worker by his main sponsor.

Article 11
Both the Ministry and the competent authority shall be banned to exercise any segregation or preferential treatment while dealing with employers concerning the issuance of labour permits or transfers, for instance by issuing these permits to some employers and refusing this to other employers under any reasons or excuses. The Ministry shall have the right, for regulatory reasons, to cease the issuance of labour permits and transfers for a maximum period of two weeks per year. However, the Ministry may not exclude certain employers of ceasing regulations and leave others during this period. Any act deemed in contradiction to this provision shall be entirely void.
SECTION II APPRENTICESHIP & VOCATIONAL TRAINING

Article 12
Every person who attains 15 years and enters into a contract with a firm for the purpose of learning a profession within a specific time period shall be considered as a professional apprentice, according to the terms and conditions to be agreed upon and also in all that is not especially stipulated in this Chapter. The professional apprenticeship contract shall be subject to the provisions concerning the juvenile employment stated in this law.

Article 13
The professional apprenticeship contract shall be made in writing and issued in three copies, one copy for each contract party and the third copy shall be given to the competent Authority at the Ministry within one (1) week for authentication. The contract shall state the profession, the term of its learning, its consecutive phases and the progressive remuneration of every learning stage, provided that the remuneration in the last stage shall not be less than the minimum limit prescribed for the present employment contract. In all cases, the remuneration shall not be decided on the basis of the production or a piece of work.

Article 14
An employer may cancel the apprenticeship contract if the apprentice violates his assigned duties under the contract or if it is evident from the periodic reports prepared on him that he is not ready to learn. Likewise, the apprentice may also terminate his contract, provided that the party who is willing to terminate the contract shall give notice to the other party of this desire at least seven days in advance.

Article 15
Vocational training shall mean the theoretical and practical tools and programs that give labourers the chance to develop their knowledge and skills or attend the job training within the firm so as to enhance their
abilities, to improve their productivity, prepare them for certain professions or transfer them to others. Training shall be organized in institutes, centers or establishments that achieve this purpose.

Article 16
The Minister, in cooperation and coordination with the competent educational and professional institutions, shall fix the necessary terms & conditions to be satisfied for holding the vocational training programs as well as the prescribed limits for the training period, theoretical & practical programs and the system of examination and certificates to be issued in this respect and the information to be written therein. This decision shall bind one firm or more to provide training for labourers in other centers or institutes if the first firm hasn't got training centers or institutes.

Article 17
The firms which are subject to the provisions of this Chapter shall pay the worker his full wages for his training period whether inside or outside the firm.

Article 18
The professional apprentice and labourer trainee shall be obliged, after the completion of his learning or training period, to work for the employer for a similar period of his apprenticeship or training in a term of not more than five years. If he is in breach of these obligations, the employer may reimburse from him the expenses spent for his learning or training, in proposal to the remaining period to be spent in the work.

SECTION III EMPLOYMENT OF JUVENILES

Article 19
Employment of those who did not attain 15 years of age shall be banned.

Article 20
Juvenile employment who are between the age of 15 and 18 years may be made by the permission of the Ministry under the following conditions:

a) To be employed in such works and trades other than those hazardous & harmful to health, in respect of which
a decision shall be issued by the Minister.

b) To be medically checked up, before the employment, and thereafter periodically for not more than six months. The Minister shall issue a decision determining these works and trades in addition to the professions, procedures and dates organizing the periodic medical examination.

Article 21

The juveniles maximum working hours shall be 6 (six) hours per day, on condition that they shall not be made to work for more than 4 hours continuously, which shall be followed by at least one hour rest break. Juveniles shall not have to work additional working hours or during weekly off days, holidays or between 7:00pm to 6:00am.

SECTION IV

ENPLOYMENTOFWOMEN

Article 22

Women shall not be employed at night between 10:00 pm to 7:00 am, save those who work in hospitals, health centers, private treatment houses and other health institutions regarding of which a decision shall be issued by the Minister of Social Affairs & Labour, on condition that the employer shall in all the above cases ensure the security requirements for women in addition to the provision of means of transport from and to the place of work.

The official work hours during Holy month Ramadan shall be excluded from the above provisions.

Article 23

The employment of women in dangerous, hard or harmful to health trades and works shall be prohibited. Also women shall not be employed in such jobs which are violating their morals and based on the utilization of their femininity in a manner which is not in line with the public morals. Moreover, women shall not be employed in institutions which provide service exclusively for men. The Minister of Social Affairs & Labour, in consultation with the Consultant Committee for Labour Affairs, shall issue a decision to specify these jobs and entities.
Article 24
The pregnant woman shall be entitled to a paid maternity leave of 70 (seventy) days which shall not be included within her other leaves, provided that the delivery shall happen during this period.

The employer, after expiry of the maternity leave, may give a female labourer upon her request a leave without salary for not more than four months to take care of her child.

The employer shall not terminate the service of a female labourer while she is in her maternity leave or discontinue her joining the work due to a sickness which shall be evidenced by a medical report that it is arising of pregnancy or delivery.

Article 25
A female labourer shall be given two (2) hours in order to breast feed her child during the official working hours, in accordance with the terms and conditions to be determined by the Ministry's decision. An employer shall arrange a Day Care Center for children below four (4) years if the number of women in his firm is more than fifty (50) or the number of employees therein is more than 200.

Article 26
A female labourer shall have the right to the same salary given to the male labourer, if she performs the same job.

CHAPTER III INDIVIDUAL WORK CONTRACT SECTION I
WORK CONTRACT FRAMEWORK

Article 27
Every person who attains 15 years of age shall be entitled to sign a work contract for an unlimited period. In the case of limited period contract, this period shall not exceed one year until he attains the age of 18 years old.

Article 28
An work contract shall be prepared in writing and shall particularly consist of the date of signing the contract, the effective date, amount of wage, contract period if is for a limited period and the nature of work. The contract shall be drawn up into three
copies; one for each party whereas the third copy shall be sent to the Competent Authority at the Ministry. If the work contract is not prepared in a written document, the contract shall be deemed as prevailing and in this case the labourer shall evidence his rights through all evidencing methods.

If the work contract is for a limited or unlimited period, the labourer wage shall not be reduced during the validity of the contract. Any agreement signed before the validity of the contract or subsequent thereto shall be deemed absolutely void as it is related to the public order. Also an employer may not assign the labourer to perform a work which is not in line with the nature of the work stated in the contract or not compliant with the qualifications and experiences of the labourer on the basis of which the contract is signed with him.

Article 29
All contracts shall be made in Arabic language and the translation of which in any foreign language can be added to it, but the Arabic language shall have preference in case of discrepancies. The provision of this article shall be applicable to all correspondence, bulletins, bylaws and circulars issued by the employer to his labourers.

Article 30
If the employment contract is for a limited period, its term shall not be more than five (5) years and not less than one year. The contract may be extended upon expiry by the agreement of both parties.

Article 31
If the work contract is for a limited period and both parties continue to implement it after the expiry of its term without extension, it shall be automatically renewable for similar periods under the same conditions contained therein, unless the two parties agree to renew it under other conditions. In all cases, the renewal shall not affect the labourer's accrued dues arising from the previous contract.
SECTION II
OBLIGATIONS OF LABOURER & EMPLOYER
REGULATIONS AND PENALTIES

Article 32
The labourer probation period shall be specified in the work contract provided that it shall not exceed hundred working days. Either party may terminate the contract during the probation period without notice. If the termination is made by the employer, he shall pay the labourer his terminal service indemnity for his employment period according to the provisions of this law.
A labourer may not be employed under the probation period with the same employer for more than once.
The Minister shall issue a decision organizing the rules and regulations of the work during the probation period.

Article 33
If the employer subcontracts work or any part the work to another employer under the same work conditions, the employer to whom the work is assigned shall treat his labourers and those of the main employer equally in all their rights and dues. The two employers shall jointly work together in this respect.

Article 34
The employer who signs a contract for the implementation of a government project or employs his labourers in remote areas, he shall provide a suitable accommodation and means of transport for his labourers free of charge. In the event of not providing them an accommodation, he shall give them a suitable housing allowance. Remote areas and suitable accommodation conditions as well as the housing allowance shall be determined by a decision from the Minister.
In all other cases in which the employer shall be obliged to provide an accommodation for his labourers, he shall be subject to the provisions of the decision provided for in the previous paragraph regarding the conditions of the suitable accommodation and fixing the housing allowance.

Article 35
The employer shall fix in an open
place at the work center the rules and regulations of penalties applicable to
the violating workers, provide that the rules and regulations shall ob-serve
the following:
a) The regulations shall specify the contraventions which may be com-
mittced by workers.
b) They shall include progress penal-
ties for contraventions.
c) No more than open punishment shall be imposed on one single con-
travention.
d) No Penalty shall be imposed on a labourer for an act committed outside the place of work unless it is related to the work.
e) A labourer shall not be punished for any act committed after the ex-piry of fifteen (15) days from the date of its proof.

Article 36
The employer shall approve the penalties rules & regulation, before its application, by the Ministry. The Ministry may amend these regu-
lations according to the nature of the firm activity or work conditions in such a way which is in line with the provisions of this law. The Ministry shall present these regulations to the competent organization, if any. If there is no competent organization, then the regulations shall be referred to the General Union in order to give its remarks and proposals on these regulations.

Article 37
The labourer shall not be punished unless he is informed in writing of the contravention committed by him and after hearing his testimony, receiving his pleading and proving the same in the minutes to be lodged in the labourer's file. The labourer shall be notified in writing of the penalties imposed on him, their type, extent, reasons for imposition and the punish-
ishment which he may exposed to if he repeated the same act.

Article 38
No deduction may be executed from the worker's wage for a period of more than five days monthly. If the penalty exceeded this limit, the extra amount shall be reduced from the sal-ary of next month or months.

Article 39
The labourer may be prevented to continue his work for the interest of
the investigation conducted by the employer or his representative for a period not exceeding ten days. If the investigation with the labourer has concluded that he is not responsible for the relevant act, he shall be paid his salary for the period of suspension.

Article 40
The employer shall deposit the deducted amounts from the labourer wage of in a fund to be allocated for social, economic and cultural activities for the benefit of the labourers. The deduction penalties imposed on the labourers shall be registered in a special record showing the labourer name, amount of deduction and the cause of its application. In the event of dissolution of the firm, the deduction proceeds in the fund shall be distributed among the existing workers at the time of dissolution in proportional to the service term of each. The Minister shall issue a decision on the rules and regulations organizing the above fund and the distribution method.

SECTION III
EXPIRY OF EMPLOYMENT CONTRACT & TERMINAL SERVICE INDEMNITY

Article 41
Without prejudice to the provisions of Article (37) of this law:

a) The employer may terminate the labourer's service without notice, indemnity or remuneration if the labourer commits one of the following acts:

1. If the labourer commits a fault that resulted in a gross loss to the employer.

2. If it is evident that the labourer has used any fraudulent act or cheating to obtain the work.

3. If the labourer discloses any secrets related to the firm he works for which caused or could have caused certain losses to it.

b) The employer may terminate the labourer in one of the following cases:

1. If the labourer has been convicted of a crime affecting honor, honesty or morality.

2. If he commits an act against the
public morals in the place of work.
3. If he commits any assaults upon a fellow worker, the employer or his representative during work or because of work.
4. If he commits a breach of, or fails to carry out any of the obligations imposed on him under the terms of the relevant contract and the provisions of this law.
5. If he repeatedly disobeys the instructions of the employer.
In all these cases, the termination decision shall not result in depriving the labourer of his terminal service indemnity.

The terminated worker for any of the above cases in this Article shall have the right to appeal the termination decision before the competent Labour Circuit according to the procedures stipulated in this law. If it is evident by virtue of a final court judgment that the employer has terminated the labourer in an arbitrary way, the latter shall be entitled to a terminal service indemnity and compensation for the material and moral damages incurred by him.

In all cases, the employer shall inform the Ministry by the termination decision and its causes. The Ministry shall advise the Labour Force Restructuring Program accordingly.

Article 42
If a labourer discontinues work without an acceptable reason for seven consecutive days or twenty interrupted days within one year, the employer may deem him resigned legally. In this case, the provisions of Article (53) of this law shall be applicable on the labourer’s eligibility to terminal service indemnity.

Article 43
If a labourer is imprisoned due to a charge by the employer, under a preventive imprisonment or in execution to a non-final court judgment, he shall be considered as suspended from the work but the employer shall not terminate his employment contract unless he is convicted by virtue of a final court judgment.

If a judgment is issued on his innocence from the charge(s) attributed to him by the employer, the employer
shall be obliged to pay him his wage for the period of suspension along with indemnifying him in a fair compensation to be decided by the court.

Article 44
If the contract is made for an unlimited period, either of the two parties may terminate it after giving notice to the other in writing; and the notice shall be made in the following manner:

a) At least three months prior to the termination of the contract, in the event of monthly salary labourer.
b) At least one month prior to termination of contract, in case of other labourers. If the party who terminated the contract does not observe the notice period, he shall be obliged to pay the other party a notice period amount equal to the labourer's salary for the same period.
c) If the termination notice is made by the employer, the labourer shall have the right to be absent from work for one full day within a week or eight (8) hours during the week in order to search for another job along with his entitlement to his wage for the absent day or hours.

The labourer shall have the right to fix the absent day and hours provided that he shall inform the employer at least in the day preceding his absence.
d) The employer may terminate the labourer during the notice period along with calculating the labourer service term continuously until the expiry of that period, together with the effects arising thereof particularly the labourer's entitlement to his wage for the notice period.

Article 45
The employer may not use his right to terminate the contract under the previous Article while the labourer enjoys one of his leaves provided for in this law.

Article 46
The service of the labourer shall not be terminated without reason or due to his trade union activity or as a result of claiming for or enjoyment of his legitimate rights according to the provisions of the law. Also, a labourer service shall not be terminated by reason of his sex, origin or religion.
Article 47
If the work contract is for a limited period and either party terminates it without having any right to do so, he shall then be obliged to compensate the other party for the damage incurred by him, provided that the compensation amount shall not exceed what is equal to the labourer's wage for the remaining period of the contract.

While fixing the damage extent with regard to the two contracting parties, the prevailing customs, work nature, contract term, and generally all other considerations which may affect the damage in terms of its existence and extent. Any debts which may be due for the other party shall be deducted from the compensation amount.

Article 48
A labourer shall have the right to terminate the work contract without notice together with his entitlement to the terminal service indemnity in any of the following cases:

a) If the employer does not abide by the provisions of the contract and the law.

b) If an assault is committed against him by the employer or whoever represents him or by instigation or incitement by either of them.

c) If his continuation of doing the work will threaten his safety or health by a decision by the Medical Arbitration Committee at the Ministry of Health.

d) If the employer or his representative has introduced any act of cheating or fraud at the time of contracting in relation to the contract conditions.

e) If the employer charges the labourer of committing a criminal act and a final judgment is issued and declared his innocence.

f) If the employer or whoever represents him has committed an act that violate the morals against the labourer.

Article 49
The employment contract shall expire by the death of the labourer or if it is evident that he is unable or disable to perform his duty or by reason of such a sickness that consumed his sick leave, by a certified certificate from the competent official medical authorities.
Article 50
The work contract shall expire in the following cases:
a) Issuance of a final court judgment that declares the bankruptcy of the employer.
b) The final closure of the firm.
However, if the firm is sold or merged in another firm or if it is transferred by the means of inheritance, donation or any other legal action, the work contract shall be effective on the successors under the same conditions mentioned therein. The rights and obligations of the previous employer towards the labourers shall be transferred to the employer who replaces him.

Article 51
The labourer shall have the right to the terminal service indemnity as per the following manner:
a) A ten days wage, for every one year of service of the first five years and fifteen (15) days wage for every one year of service for the following years, provided that the total indemnity shall not exceed a year wage, with regard to the labourers who receive their wages per day, week, piece or per hour.
b) A fifteen-day-wage for every one year of service of the first five years, and one month salary for every year of the following years, provided that the total indemnity shall not exceed one and a half year wage, with regard to monthly paid labourers.

A labourer shall be entitled to the terminal service indemnity for any part of the year in proportion to the period of service he spent in the work. The amount of any debts or loans which may be due from the labourer shall be deducted from the terminal service indemnity.

In this connection, the provisions of the Social Security Law shall be applicable, provided that the employer shall be obliged to pay the net difference between the amounts he affords against the labourer's subscription in the Social Security and the due amounts for the labourer against the terminal service indemnity.

Article 52
Without prejudice to the provisions of Article (45) of this law, the labourer shall be entitled to the terminal
service indemnity, as stipulated in the previous Article, in full in the following cases:

a) If the contract is terminated by the employer.

b) Upon the expiry of the term of the limited contract period without being renewed.

c) If the contract is terminated according to the provisions of Articles (48, 49, 50) of this law.

d) If the female labourer terminates the contract from her part due to her marriage within one year from the date of such marriage.

Article 53
The labourer shall have the right to receive half the terminal service indemnity, as stipulated in Article (51), if he terminates the unlimited period contract from his own part, and the term of his service is not less than three (3) years and did not complete five (5) years. If the period of his service has reached five (5) years and did not complete ten (10) years, then he shall be entitled to two-thirds of the indemnity. If the term of his service has reached ten (10) years, he shall then be entitled to the full indemnity.

Article 54
The labourer whose work contract has expired shall obtain from the employer a service termination certificate which consists of a statement of his period of service, profession and the last salary he obtained. This certificate shall not include any expressions which may harm the labourer or it may be issued in such a form that may reduce the chances of work before him, whether explicitly or implicitly. The employer shall return to the labourer any documents or certificates which may be submitted by him.

CHAPTER IV
LABOUR SYSTEM & CONDITIONS

SECTION I : WAGES

Article 55
The word wage denotes the basic salary received or should be received by
the worker against or because of his work in addition to all the elements stipulated in the contract or employer's rules & regulations. Without prejudice to the social allowance and children allowance prescribed according to the above mentioned Law No. (19) of 2000, the allowances, remunerations, commissions, grants, donations or cash privileges received by the labourer periodically shall be included within the calculation of the wage.

If a labourer wage is determined as a share of the net profit and the firm did not realize profit or realized little profit so that the labourer's share becomes not consistent with the work performed by him, then his wage shall be estimated on the basis of a similar wage or according to the prevailing traditions in this profession or for justice requirements.

Article 56
Wages shall be paid on a working day in the legal currency in circulation together with observing the following:

a) Monthly rate workers shall be paid their salaries at least once a month.
b) Other workers shall be paid their salaries at least once every two weeks.

The payment of salaries shall not be delayed after the seventh day of the due date.

Article 57
The employer who have labourers work for him according to the provisions of this law shall deposit their salaries in their relevant accounts opened with local financial institutions. A copy of the statements sent to those institutions in this regard shall be forwarded to the Ministry of Social Affairs & Labour. A decision shall be issued by the Council of Ministers, according to the proposal of the Minister of Social Affairs & Labour and the Minister of Finance, which shall determine those institutions and the rules for dealing with these accounts in terms of the expenses, commissions and organizing rules & regulations in this regard.

Article 58
The employer shall not transfer a la-
bourer who works in a monthly salary to another class without securing the labourer's written consent and without prejudice to the rights obtained by the labourer during his work under the monthly salary.

Article 59
a) No more than 10% of a worker's wage may be deducted for the settlement of any debts or loans which may be due for the employer; and the employer shall not receive any interest on such entitlements.

b) The retention of the wage accrued by the labourer or deduction of any part from this wage may not be made, save within the limits of 25% for settling a debt of alimony, food, clothes and other debts, including the employer's debts. In the event of coincidence, alimony debt shall have preference over any other debts.

Article 60
The labourers shall not be obliged to buy any foodstuff or commodities from certain shops or to buy from the employer's products.

Article 61
The employer shall undertake to pay the salaries of his labourers during the closure period if he intentionally closes the firm in order to force the labourers to submit or surrender to his demands. Also, he shall be obliged to pay the salaries of his labourers for the entire period during which the firm is closed, whether totally or partially, for any other reason which the workers have no hand in it, since the employer would like them to continue to work with him.

Article 62
When calculating the labourer dues, the last salary paid to him shall be considered. If a labourer receives a salary on the basis of piece work, the relevant estimate shall be made on the average wage duly paid to him for the actual working hours during the last three months.

The assessment of cash and in kind incentives shall be made by dividing the average of what is received by the labourer from the salary during the last twelve months into the entitlement. If the term of his service is
less than one year, the average shall be computed in accordance with the percentage period spent in the service. A labourer's wage shall not be reduced during the course of his work for any reason whatsoever.

Article 63
The Minister shall issue a decision within a period of not later than every five years in which he shall fix the minimum wages according to the nature of profession and trade, taking into account the inflation rates witnessed by the country, after consultation with the Consultant Committee for Labour & Organization Affairs.

SECTION II
WORK HOURS & WEEKLY OFF DAYS

Article 64
Without prejudice to the provisions of Article (21) of this law, the labourer shall not be made to work for more than 8 hours a day or 48 hours a week, save the cases provided for herein. Working hours during the holy month of Ramadan shall be 36 hours a week.

The working hours of hard labour, health harmful labour and hazard labour or for hard conditions may be reduced by virtue of a decision to be issued by the Minister.

Article 65
a) The labourer shall not be made to work for more than five continuous hours per day without being followed a break period of not less than one hour. Break hours shall not be calculated within the working hours.

The banking, financial and investment sector shall be exempted from this provision and the working hours shall be eight continuous hours.

b) Upon the approval of the Minister, labourers may be made to work without any break for technical or emergency reasons or in office works, provided that the total worked hours per day shall be, according to the provision of the above Article 64, at least one hour less.

Article 66
Without prejudice to the provisions of Articles (21) & (64) of this law, a labourer may be made to work overtime hours under a written order issued by the employer if that is neces-
sary for preventing the occurrence of a dangerous accident or for the repair of any breakdowns arising thereof or for avoiding a certain loss or meeting such works more than the daily required work. The additional working hours shall not be more than two hours per day and in a maximum number of one hundred eighty (180) hours per year. Also the additional work periods shall not exceed three days a week and ninety days per year. Furthermore, this shall not prevent the labourer's right to evidence his being entrusted by the employer to perform an additional work through all methods of proof, or the labourer's right to obtain a wage against the overtime hours in a rate which is more than his ordinary rate in a similar period by 25%. When calculating this wage, the provisions of Article (56) of this law shall be applicable. The employer shall keep a special record for the overtime work hours indicating the dates of relevant days, number of overtime hours and the respective wages for the additional work which he assigned to the labourer.

Article 67
The labourer shall have the right to one fully paid weekly off day which shall be fixed by 24 continuous hours after every six worked days. An employer, when necessary, may make a labourer to work during his weekly off day if the work conditions so requires. The labourer shall receive at least 50% of his salary in addition to the original salary. Also he shall be compensated another day for his off day.

The provision of the previous paragraph shall not affect the calculation of the labourer's dues including his daily wage and leaves where these dues shall be calculated by dividing his salary into the number of the actual working days without calculating therein his weekly off days, although the off days are paid days.

Article 68
The official holidays granted to a labourer with full pay are:

a) Hijiri New Year Day - One day
b) Ascension (Isra & Miraj) Day - One day
c) Eid Al Fitr (Lesser Bairam)
- Three days  

d) Waqfat Arafat Day - One day  
e) Eid Al Adha (Greater Bajram) - Three days  
f) Prophet Birthday One day  
g) National Day (25th February) - One day  
h) Liberation Day (26th February) - One day  
i) New Gregorian Year One day  

If the work circumstances require keeping any labourer in work on any of the official holidays, he shall be paid a double wage together with an alternative compensation day.

Article 69
Without prejudice to the provision of Article 24 herein, the labourer shall have the right to the following sick leaves during the year:
- 15 days - with full wage  
- 10 days - with three quarter wage  
- 10 days- with half wage  
- 10 days - with quarter wage  
- 30 days - without wage  
The sickness which needs a sick leave, shall be evidenced by a certificate from the physician to be determined by the employer or the doctor who is in-charge of a government health cen-ter. In the event of any conflict re- 

In relation to the serious diseases which are difficult to cure, then such diseases shall be excluded by a deci-
sion from the competent Minister in which he shall specify the type of such diseases.

SECTION III  
PAID ANNUAL LEAVES  

Article 70
The labourer shall have the right to a paid annual leave of thirty days. However, a labourer shall be entitled to a leave for the first year only after the completion of at least nine months in the service of his employ-er. Official holidays and sick leave days penetrating the leave shall not be counted in the annual leave. The labourer shall have the right to leave for the fractions of the year in pro-

V1Ce.
Article 71
The labourer shall have the right to be paid his due salary for the annual leave in advance before obtaining his leave.

Article 72
The employer shall have the right to determine the annual leave date, and may grant it partially upon securing the consent of the labourer after the expiry of the first fourteen days thereof. The labourer shall have the right to accumulate his leaves on condition that they shall not exceed the leaves of two years. Also, the labourer may obtain the leave in one time upon the approval of the employer. Moreover, annual leaves may be accumulated by the mutual agreement of both parties for more than two years.

Article 73
Without prejudice to the provisions of the above Articles (70) & (71), the labourer shall have the right to receive a cash equivalent against his accumulated annual leave days upon the expiry of the contract.

Article 74
Without prejudice to the provisions of the above Article 72, the labourer shall not have the right to assign his annual leave, with or without compensation. The employer shall have the right to reimburse from the labourer any salary paid by him against the leave if it is proven that he is working during his leave with another employer.

Article 75
The employer may give the labourer a paid leave for education in order to obtain a higher qualification in the field of his work, provided that the labourer shall be obliged to work for the employer a period equal to the education leave period which shall not exceed five (5) years period. If the labourer is in breach of this condition, he shall be obliged to reimburse the salaries received by him during the leave period in proportion to the remaining period to be spent by the labourer in the work.

Article 76
The labourer who completes two
continuous years in the service of his employer shall be entitled to a paid leave of 21 days for performing Raj rituals, provided that he should not have previously performed the Raj.

Article 77
The labourer shall have the right to a leave with full pay of three days upon the death of a first or second grade relative.

A female Muslim labourer whose husband expires shall be entitled to a fully paid leave of four months and ten days as from the date of death for the period of waiting (iddat), provided that she shall not practice any work with a third party for the entire leave period. The conditions for granting such leave shall be organized by a decision from the Minister.

Also, a non-Muslim female labourer whose husband passes away shall be entitled to be paid a full leave salary of twenty one (21) days.

Article 78
The employer may grant the labourer, upon his request, a special leave without pay in addition to the above-mentioned other leaves.

SECTION IV
OCCUPATIONAL SAFETY & HEALTH
FIRST BRANCH

RULES OF OCCUPATIONAL SAFETY & HEALTH MAINTENANCE

Article 80
Every employer shall keep a separate labour file for every worker comprising of a copy of the work permit, copy of work contract, copy of his Civil Identity Card, copies of relevant annual & sick leaves documents, overtime hours, work injuries, occupational diseases, penalties im-
posed on the labourer, service termination date, service termination reasons, copy of receipts of any papers, tools & experience certificates delivered by the labourer to the employer, which shall be delivered to him after the expiry of his work.

Article 81
Every employer shall keep occupational safety records according to the forms, rules and regulations regarding of which a decision shall be issued by the Minister.

Article 82
The employer shall fix in a conspicuous place at the work center an approved rules & regulations by the competent Labour Department at the Ministry, consisting in particular of the daily working hours and the break period therein, the weekly off day and official holidays.

Article 83
The employer shall take all needful precautionary safety measures for securing the safety of his labourers, machinery, equipment, circulated materials in the firm and the persons utilizing these materials against the work hazards.
Also the employer shall provide the required safety and occupational health instruments & kits regarding of which a decision shall be issued by the competent Minister upon seeking the opinion of the competent authorities.
The labourer shall not be afforded with any expenses or any amounts may be deducted from his salary against the provision of protection measures & safety tools for him.

Article 84
The employer shall explain to the labourer, before commencing his work, the hazards which he may be exposed to and the necessary protection measures he should have. The Minister shall issue the relevant regulatory decisions on the instructions and precautionary warning signboards to be fixed in conspicuous places in the work center, and the personal safety measures which the employer shall provide for the different activities.
Article 85
The Minister, upon seeking the opinion of the competent authorities, shall issue a decision identifying the kinds of activities which shall abide with the provision of the necessary equipment and tools for the workers' safety & occupational health in such installations, along with the appointment of the specialized technicians or specialists for controlling and ensuring to what extent the safety & occupational measures conditions have been observed. Also the decision shall indicate the qualifications and responsibilities of those technicians and specialists as well as their training programs.

Article 86
The employer shall take the necessary precautionary measures for protecting workers against health hazards and occupational diseases resulting from the practice of such work, and shall further provide the necessary first aid kits and medical services.
The Minister shall have the right, upon obtaining the opinion of the Minister of Health, to issue the decisions organizing these precautionary measures, occupational diseases schedules, professions and industries that cause such diseases, schedules of harmful materials and the permissible concentrates for such materials.

Article 87
The labourer shall exert the necessary protection efforts, and he shall undertake to utilize them diligently any protection measures under his possession and to implement the relevant instructions stipulated for his safety, health and protection against injuries and occupational diseases.

Article 88
Without prejudice to the provisions of the Social Security Law, the employer shall be obliged to arrange the required insurance coverage over his workers with insurance companies against work injuries and occupational diseases.

SECOND BRANCH WORK INJURIES & OCCUPATIONAL DISEASES

Article 89
Upon the enforcement of the work
injuries insurance terms & conditions as per the Social Security Law, these provisions – with regard to the insured who are subject to this insurance – shall replace the provisions stipulated in the following Articles in relation to the work injuries and occupational diseases.

Article 90
If the worker is injured due to reason and in the course of or on his way to and from the work, the employer shall report the accident immediately upon its occurrence or promptly upon having knowledge thereof, as the case may be, to each of the following:-

a) The Police Station of the area under whose jurisdiction the place of work is situated.

b) The Labour Department under whose jurisdiction the place of work is situated.

c) The Public Institution for Social Security or the insurance company in which the workers are insured against the work injuries. This proclamation may be made by the worker if his health so permits and also, it may be notified by whoever represents him.

Article 91
Without prejudice to the provisions of the Law No. (1) of 1999 concerning Health Insurance over the expatriates and the application of fixed fees against the health services, the employer shall bear the expenses of the injured labourer treatment against work injuries and occupational diseases with a governmental hospital or a private clinic to be determined by him, including the value of the medicine and transport expenses. The attending doctor shall determine in his report the treatment period, the percentage of disability resulting from the injury and to what extent the worker is able to continue the performance of his work.

Each of the labourer and the employer, by an application to be submitted to the competent department, may object to the medical report within one month from the date of being informed thereof before the Medical Arbitration Committee at the Ministry of Health.
Article 92
Every employer shall provide the Ministry of Health with statistical statement about work injuries accidents and occupational diseases that took place at his firm on periodic basis. The Minister shall issue a resolution fixing the necessary time period for submission of such statistics.

Article 93
A labourer who suffers a work injury or occupational disease shall be entitled to receive his wage for the entire treatment period fixed by the medical doctor. If the treatment period exceeds six months, he shall be entitled only to half the wage until his recovery or proven disability or death.

Article 94
The injured labourer or his beneficiaries shall be entitled to receive compensation for work injuries or occupational diseases pursuant to the schedule to be issued by a resolution from the Minister, upon taking the opinion of the Minister of Health.

Article 95
A labourer shall lose his right to the compensation for the injury if the investigation proved that:

a) The labourer has willfully injured himself.
b) The injury has occurred as a result of gross misconduct and intentional act by the labourer. Any act committed by the injured under the effect of drinks or drugs and every violation to the instructions regarding the protection against the work hazards and occupational harms that should be hanged in a conspicuous place at the work center, shall be deemed as willful misconduct unless the injury leads to the death of the labourer or results in a permanent disability of more than 25% of the total disability.

Article 96
If a labourer suffers from an occupational disease or any relevant symptoms are developed on him during his service or within one year after leaving the service, he shall then be subject to the provisions of Articles (93, 94, 95) of this law.

Article 97
1. The medical report issued by the attending doctor or the decision of the Medical Arbitration Committee on the condition of an injured labourer shall identify the liability of the
previous employers, and those em-
ployers shall be bound – each in pro-
portion to the period spent by the la-
bourer in his service – if the industries and trades they practice can cause the disease which the la-
bourer suffers from.
2. The labourer or his eligible benefi-
ciaries shall receive the compensa-
tion stipulated in Article (94) from the Public Institution for Social Se-
curity or the insurance company with which the labourer is insured, as the case may be, and each of them may claim the previous employers to honour their obligations as provided for in paragraph (1) of this Article.

CHAPTER V COLLECTIVE
LABOUR RELA- TIONS
SECTION I
ORGANIZATIONS OF LABOUR-
ERS & EMPLOYERS
AND RIGHT OF TRADE UNIONS

Article 98
The right of forming federations by employers and trade unions by la-
bourers is secured in conformity with

the provisions of this law. The provi-
sions of this Chapter shall be effec-
tive on the labourers in the private sector and shall be applicable to the labourers in the government & oil sectors such a manner which shall not be contradictory to the laws that organize their affairs.

Article 99
All Kuwaiti labourers shall have the right to form among them trade un-
ions that look after their interests and work for improving their material and social conditions, and to repre-
sent them in all the matters that concern. Similarly, employers may form federations for the same objectives.

Article 100
The following procedures should be adopted in the establishment of a trade union:
1. A number of laboureres who wish to establish a trade union or a number of employers who desire to form a federation shall meet in a general consistent assembly by announcing the same in at least two daily newspapers for a period not less than two
weeks as from the date of general assembly, provided that they shall fix the meeting place, time and objectives.

2. The constituent general assembly shall approve the articles of association of the organization and it may be guided in this regard by the model bylaw to be issued by virtue of a resolution from the Minister.

3. The Constituent Assembly shall elect the Board of Directors pursuant to the provisions of its Articles of Association.

Article 101
The Articles of Association of the organization shall state the objectives & purposes for which it has been established, its membership conditions, the rights & obligations of its members, the subscriptions to be collected from the members, the jurisdictions of the ordinary & extraordinary general assembly, the number of the board of directors members, its membership conditions, its term & jurisdictions, the budget rules & regulations, the procedures required for amending the articles of association of the organization, procedures for its dissolution and manner of liquidating its funds as well as the books & records to be kept by the organization and the bases of self-supervision.

Article 102
The elected board of directors shall, within 15 days from the date of its election, deposit the organization incorporation documents with the Ministry.

The legal entity of the organization shall be proved as from the date of issue of the Ministers' decision approving its incorporation after the deposit of the duly completed documents with the Ministry.

Article 103
All labourers, employers and their organizations, upon enjoying the rights provided for in this Chapter, shall observe all the applicable laws in the country like all other organized entities; and they shall practice their activity within the limits of the objectives stated in the articles of
association of the organization without any violation or deviation from these objectives.

Article 104
The Ministry shall direct and guide labourers trade unions and employer's federations towards the proper application of the law and the manner of how to make entries in the financial books & records related to each organization. Also, it shall guide them towards rectifying any missing in the entered data and entries there- m.

Trade unions shall be prohibited from the following:
1. Engaging in political, religious or sectarian issues.
2. Investing their funds in financial or real estate speculations or any other type of speculations.
3. Accepting donations & bequests, except under the consent of the Ministry.

Article 105
Trade Unions shall have the right, upon the approval of employers and the competent authorities in the country, to open canteens & restaurants for serving the labourers within the limit of the establishment. Article 106
The declared trade unions pursuant to the provisions of this chapter may form among them such federations to take care of their common objectives, Also, the declared federations under the provisions of this law may form among them general federation provided that there shall not be more than one general federation for each of the labourers & employers. Upon forming the federations & general federation, the same procedures related to trade unions' formation should be followed.

Article 107
Federations, the general federation and trade unions shall have the right to accede to Arab or international federations which they believe that their interests are related thereto, provided that they shall inform the Ministry of the accession date. In all cases, they shall observe in this regard that such accession should not violate the public order or the State public interest.
Article 108
Employers & labourers' organizations may be dissolved voluntarily by a resolution to be issued by the general assembly according to the organization's article of association. The trade union's property after its dissolution shall be decided on pursuant to the resolution of the general assembly, in case of the optional dissolution.
Moreover, the board of directors of the organization may be dissolved by filing a case by the Ministry before the Court of First Instance so as to issue a judgment on the dissolution of the board of directors of the trade union if it commits such an act that violates the provisions of this law and the laws related to keeping the public order and morals. The court judgment may be appealed within 30 days from the date of issue at the Court of Appeal.

Article 109
Employers should provide labourers with all the decisions, rules & regulations related to their rights & obligations.

Article 110
An employer may dedicate one or more members of the trade union or federation board of directors for following up the trade union affairs with the labor department or the competent authorities in the country.

SECTION II COLLECTIVE EMPLOYMENT CONTRACT

Article 111
The collective or group employment contract is the contract which regulates the work conditions and circumstances between one or more labourers trade union or federation, on one hand, and one or more employers or whoever represents them from employer's federations, on the other hand.

Article 112
The collective or group employment contract should be made in writing and duly signed by the labourer. This contract shall be presented to the general assembly of labourers trade
unions and employers federations or both parties, and it should be approved by the members of those organizations pursuant to the provisions of the Articles of Association of the organization.

Article 113
The collective employment contract should be a limited period contract provided that its term shall not be more than 3 years. If the two contract parties have continued to implement the same after the expiry of its term, then it should be deemed renewed for one year period under the same conditions stated therein unless the contract conditions stipulates otherwise.

Article 114
If either party of the collective employment contract is not desirous to renew it after the expiry of its term, he shall inform the other party and the competent Ministry in writing at least three months from the contract expiry date. If the contract parties are multiple, then its termination with regard to one party shall not result in its termination with regard to the other parties.

Article 115
1. Any condition in the individual employment contract or collective employment contracts which violates the provisions of this law shall be deemed void and null even if it precedes the execution of this law unless such condition is more beneficial to the labourer.

2. Any conditions or agreement signed before or after the enforcement of this law under which the labourer waives any right granted by this law shall be deemed null and void. Also, any reconciliation or quit-claim deed that comprises a reduction or release from a labourer's rights due to him under the employment contract during its validity period or three months after its expiry shall be null and void whenever it violates the provisions of this law.

Article 116
The collective employment contract shall be effective only after its registration with the competent Ministry and a summary of which is published in the Official Gazette.
The competent Ministry may object to any conditions it deems as violating the law, and the two parties shall amend the contract within 15 days from the receipt of such objection, otherwise the registration application will be deemed as if it did not take place.

Article 117
A collective employment contract may be concluded at the level of the enterprise, industry or at the national level. If the collective employment contract is concluded at the level of the industry, then it should be signed on behalf of the labourers by the federation of such industry's trade unions. If it is concluded at the national level, then it should be signed by the general federation of labourers. The concluded contract at the industry's level shall be considered as amendment to the contract signed at the enterprise's level; and the contract signed at the national level shall be deemed as amendment to any of the other two contracts, within the limits of the common provisions stipulated therein.

Article 118
The provisions of the collective employment contract shall be applicable to:

a) Labourers' trade unions and federations that concluded the contract or joined it after its conclusion.
b) Employers or their federations that signed the contract or joined it after its conclusion.
c) The trade unions organizing the federation that signed the contract or joined it after its conclusion.
d) Employers who joined the federation that signed the contract or joined it after its being concluded.

Article 119
Labourers' withdrawal or dismissal from the trade union shall not affect their being subjugated and governed by the provisions of the collective employment contract if such withdrawal or dismissal took place subsequent to the date of signing the contract or joining it by the trade union.

Article 120
Those who have not entered into contracts from among the labourers'
trade unions or federations, or employers or their federations, may join
the collective employment contract after the publication of its summary
in the Official Gazette by the agree-
ment of both parties requesting the accession without any need for tak-
ing the consent of the main contract-
ing parties.
The accession shall be made by vir-
tue of an application to be submitted
to the competent Ministry duly
signed by both parties. The approval
of the competent Ministry to the ac-
cession application shall be pub-
lished in the Official Gazette.

Article 121
The collective or group employment
contract signed by the firm's trade
union shall be applicable to all la-
bourers of the firm even if they are
not members of such Trade Union,
this shall be without prejudice to the
provision of Article (115) of this law in relation to the most beneficial con-
ditions to the labourer. As for the
contract signed by a federation or
trade union with a specific employer,
it shall be effective only to the la-
bourers of the relevant employer.

Article 122
The labourers & employers organiza-
tions which are a party of the collect-
ive employment contract may file all
cases arising out of the breach of the
contract conditions in favor of any
member of such organization without
need for a power of attorney to be is-
sued by him for this purpose.

SECTION III COLLECTIVE

LABOUR DIS-
PUTES

Article 123
Collective or group labour conflicts
are those disputes arising between
one or more employers and all his la-
bourers or some of them because of
labour or work conditions.

Article 124
If collective conflicts have arisen,
both parties shall resort to direct ne-
gotiation between the employer or
his representative and the labourers
or their representatives. The compe-
tent Ministry shall have the right to
delegate its representative to attend
these negotiations in the capacity of supervisor.
In case that they reached a mutual agreement among them, then such agreement should be enrolled with the competent Ministry within 15 days pursuant to the rules & regulations in respect of which a resolution shall be issued by the Minister.

Article 125
Either party to the dispute- if the direct negotiation did not lead to a solution- may submit an application to the competent Ministry for the amicable settlement of such dispute through the Collective Labour Disputes Committee regarding of which a resolution shall be issued by the Minister.
The application should be signed by the employer or his authorized representative or by the majority of the dispute labourers or by whomever they authorize to represent them.

Article 126
The labour disputes reconciliation committee shall be formed from the following:

a) Two representatives to be selected by the employer trade union or the disputing labourers.
b) Two representatives to be selected by the employer (s) who are a party of the dispute.
c) Chairman of the Committee and representatives of the competent Ministry to be appointed by the competent Minister by a resolution in which he shall also specify the number of the dispute parties representatives.
The committee may seek the opinion of whoever deems useful for the performance of its task. In all the previous stages, the competent Ministry may demand such information it deems necessary for settling the dispute.

Article 127
The reconciliation committee shall complete its looking into the dispute within one month from the date in which it receives the application. If it could solve the dispute, totally or partially, it shall then evidence the agreed points in minutes to be prepared in three copies to be signed by
the attending parties. The agreement shall be deemed as a final and binding agreement to both parties. However, if the reconciliation committee is not able to settle the dispute within the prescribed period, then it shall refer the dispute or refer the un-agreed upon points thereof, within one week from the date of the last meeting of the committee, to the arbitration board duly accompanied with all the documents.

Article 128
The arbitration board of collective labor disputes shall be formed as follows:-
1. A circuit of the court of appeals, to be annually appointed by the general assembly of this court.
2. A head of prosecution to be delegated by the Public Prosecutor.
3. A representative for the competent Ministry to be appointed by its Minister.
The parties of the dispute or their legal representatives shall appear before the arbitration board. Article 129
The arbitration board shall look into the dispute in a period not later than twenty (20) days from the date of arrival of its papers to the Clerical Department. Either party to the dispute should be notified of the session date at least one week prior to its holding; and the dispute shall be decided on within a period not exceeding three months from the date of the first session for looking into the dispute.

Article 130
The arbitration board shall have all the power and authorities of the court of appeal pursuant to the provisions of the judiciary organizing law and the Civil & Commercial Procedures Code. The arbitration shall issue justified and causative decisions which shall be the same as those decisions issued by the court of appeal.

Article 131
As an exemption from the provision of Article (126) of this law, the competent Ministry may, in the event of collective dispute and if the necessity so requires, interfere without request by one of the dispute parties to settle the dispute amicably. Also, it may re-
fer the dispute to the reconciliation committee or arbitration board as it deems appropriate. The parties to this dispute, in this case, shall submit all the documents required by the competent Ministry, and they shall appear, if so summoned, before the board.

Article 132
The parties of the dispute are prohibited to stop the work, totally or partially, during the direct negotiation proceedings or before the reconciliation committee or the arbitration board due to the interference of the competent ministry in the disputes pursuant to the provisions of this Chapter.

CHAPTER VI
LABOUR INSPECTION & PENALTIES
SECTION I
LABOUR INSPECTION
Article 133
The competent employees to be identified by the Minister by a resolution shall have the authority of legal & judicial capacity to oversight the implementa\ment of this law and its executive rules, regulations & decisions. Those employees shall perform their duties with due honesty, impartiality, persistence and they shall undertake not to disclose the secrets of employers which they may have access to by virtue of their work. Accordingly, each of them shall perform the following oath before the Minister:

"I swear by Almighty Allah to perform my duties with due honesty, credibility and impartiality, and to keep top confidential the information which I may have access to by virtue of my work even after the end of my service".

Article 134
The employees referred to in the previous Article shall have the right to enter work places during the firm's official working hours, and to have access to all books & records, and to request such data & information related to manpower affairs, Also, they shall have the right in this connection to check and take samples of the circulated materials for analysis pur-
pose; and they shall further be enti-
tled to enter such places allocated by
employers for labour services pur-
poses, and they may seek the assis-
tance of the public force for the exe-
cution of the functions of their tasks.
Moreover, those employees shall have
the right to prepare minutes on the
contraventions committed by em-
ployers and to grant them the neces-
sary period for rectifying the relevant
contravention, and to refer the pre-
pared minutes on such contraven-
tions to the competent court so as to
impose the punishment provided for
in this law.

Article 135
The inspection employees, if the em-
ployer is in breach of the provisions
of Articles (83, 84, 86) of this law
and the promulgated resolutions in its
implementation in such a manner that
threatens by environment pollution,
harmful to the public health or the
safety & health of labourers, may
prepare minutes on the relevant con-
travention and refer it to the compe-
tent Minister who shall have the
right, in coordination with the com-
petent authorities, to issue a resolu-
tion on the lockout of the business
concern, totally or partially, or to
stop the use of a certain machine(s)
till the rectification of such contra-
vention.

Article 136
The employees who are authorized to
conduct the inspection shall have the
authority to issue notices on the com-
mitted contravention by the labourers
working without a specific work cen-
ter, and they shall have, in this re-
spect, the right to seek the assistance
of the public authorities and to coor-
dinate with the concerned authorities
regarding the goods left by any of the
said labourers and whose owners
cannot be identified.

SECTION II
PENALTIES
Article 137
Prejudice to any other harder penalty
provided for in any other law,
whoever violates the provisions of
Articles (8, 35) herein, shall be pun-
ished by a penalty of not more than
KD 5001-. In case of repeating the
same act within three years from the final judgment date, the penalty shall be doubled.

Article 138
Without prejudice to by any harder penalty provided for in any other law, whoever violates the provision of paragraph (3) of Article (10) of this law shall be punished by imprisonment for not more than three years and a fine not more than KD 1,000/- or with both penalties.

Article 139
In case of breach to the provisions of Article (57) herein, an employer shall be punished by a penalty not exceeding the total of labourers dues which he fails to pay, without prejudice to his obligations to pay these dues to the labourers in the same procedures provided for in Article (57) hereina-bove.

Article 140
Without prejudice to any harder penalty provided for in any other law, whoever fails to enable the competent employees specified by the Min-ister to perform their duties provided for in Articles (133, 1.34) herein, shall be punished by a fine not to exceed KD 1,000/-.

Article 141
Without prejudice to any harder penalty provided for in any other law, whoever violates the remaining provisions of this law and the executive resolutions thereto shall be punished as follows:
a) The party in breach shall be given a notice to rectify the contravention within the period specified by the Ministry provided that it shall not be more than three months.
b) If the contravention is not rectified or remedied within the prescribed period, the violating party shall be punished by a penalty of not less than KD 100/- and not more than KD 200/- per every labourer against whom the penalty is committed. In the event of repetitions, within three years from the date of the final judgment, the penalty should be doubled.

Article 142
Whoever violates the writ of suspen-
sion or closure issued pursuant to the provisions of Article 135 herein without remedying the contraventions notified to him by the competent employees, shall be punished by imprisonment for a period not exceeding six months and a fine not more than KD 1000/-, or with one of the two penalties.

CHAPTER VII CONCLUDING PROVISIONS

Article 143
A Consultant Committee for Labour Affairs shall be formed by a resolution by the Minister consisting of representatives of the Ministry, Manpower Restructuring & State Executive Body Program, Employers & Labourers organizations and whoever the Minister deems appropriate, whose task is to give opinion on the issues presented to it by the Minister.

The resolution shall also issue the necessary procedures for inviting the committee for meeting, work therein and how to issue its recommendations.

Article 144
Upon denial, the actions filed by the labourers under the provisions of this law, after the lapse of one year from the employment contract expiry date shall not be heard. The provisions of Clause (2) of Article (442) of the Civil Code shall be applicable to denial. The actions filed by labourers or their beneficiaries shall be exempted from the judicial fees. However, the court—upon rejecting such actions—may bind the party who files the case to pay all or part of the expenses. Labour cases shall be looked into forthwith on prompt summary basis.

Article 145
As exemption from the provision of Article (1074) of the Civil Code, the rights of labourers prescribed according to the provisions of this law shall have preference & priority over all employer's money, such as movables & real estates, except private residential dwellings. These amounts shall be collected after the legal expenses, the due amounts for the public treasury, and document keeping and repair costs.
Article 146
A case should be preceded by an application to be filed by the labourer or his beneficiaries to the competent labour department which shall summon the dispute parties or their representatives to appear. If the department could not reach an amicable settlement, it shall refer the case, within one month from the case submission date, to the Court of First Instance to decide on it. The referral shall be made by a memorandum comprising a summary of the dispute, pleadings of both parties and comments of the department.

Article 147
The Clerical Department at the Court of First Instance shall, within 3 days from the receipt of the application, schedule a session for looking into the case which shall be notified to both parties of the dispute.

Article 148
The Minister shall issue the necessary rules, regulations & decisions for implementing this law within six months from the date of publishing this law in the Official Gazette, in consultation with employers and labourers.

Article 149
Law No. 38 of 1964 on the Private Sector Labour shall be repealed and the labourers shall reserve all the rights arising thereof before its cancellation; and all the implementing resolutions thereof shall remain applicable in such a manner which is not contradictory to the provisions of this law till the issue of the executive rules, regulations, decisions and by-laws for this law.

Article 150
The Prime Minister and Ministers, each within his jurisdiction, shall implement this law which shall be operative as from the date of its publication in the Official Gazette.

AMIR OF KUWAIT SABAH AL AHMED AL JABER ALSABAH

Issued at Sief Palace on: 26th Safar, 1431 H. Corresponding to: 10th February, 43
By the discovery of oil in the State of Kuwait as well as the social, economic and political changes that had resulted and accompanied this discovery, new types of labour had emerged. Therefore, it was natural for the legislator to work for organizing these types of labour in such a way that shall be consistent with the nature of these new labourers and be compliant with the spirit of work and copes with the modern renaissance and boom that began to prevail in the different aspects of life in the country. Hence, the competent persons began to think of the necessity of issuing a law for the private sector labour in order to regulate the relationship between labourers and employers because this will have positive effects on the Gross Domestic Product (GDP) on one hand, and coping with the global attitudes for taking care of the working class, on the other hand.

The first law for organizing labour in Kuwait had come out in the year 1959. Then, this law was amended by virtue of the Amiri Decree No. (43) of 1960 and thereafter the Law No. (1) of 1961 until it has been cancelled by virtue of the Law No. (38) of 1964 on the Private Sector Labour. This law had been subject to several amendments that aimed at securing special privileges to the labourers who are working in the oil sector by virtue of the Law No. (43) of 1968 that added a new Chapter to this law under Chapter Sixteen concerning the employment of labourers in the oil industry. Then, the Law No. (28) of 1969 was issued for canceling and replacing this Chapter for regulating the necessary benefits for Oil Sector-labourers.

Consequently, the basic law that gov-
ems the labour relations is the Law No. (38) of 1964 concerning the Private Sector Labour. Regarding the Law No. (28) of 1969, it concerns particularly the oil labour sector within the limits of the definitions and provisions stipulated in this law, and all other kinds of labour shall be applicable to the Private Sector Labour Law being the general law that regulates the relationship between the two parties of production in this sector.

Due to the fact that the labour law has always been targeting a basic aim that intended to make a fair balance between the interests of labourers and their protection on one hand, and that of the employers on the other hand, due to the positive effects of this balance on the Gross Domestic Product in general.

Now, the Kuwaiti arena has witnessed new developments, social and economic changes that necessitate the introduction of a new approach to the amendments of the existing law. Also, both the Arab and international arenas have witnessed many developments that cannot possibly be ignored especially that the State of Kuwait is one of the foreign labour force recruiting countries. For all these reasons, the urgent necessity has arisen for amending the current Law No. (38) of 1964 so as to accommodate and cope with the new developments, particularly that this law has been under enforcement for more than thirty years.

While thinking seriously to amend this law, two attitudes have emerged—the first one aims at amending certain provisions of the current Law in such a way that complies with the new developments of the economic and social changes, and thereafter the amendments can come successively whenever there is a need to such modifications.

As for the second attitude, that obtained the views of the majority of supporters, aims at issuing a new law which shall be compliant with the circumstances of the current stage including the new emerging developments, provided that there should be taken into consideration upon preparing the draft of the law the future ambitions and realization of the intend-
ed goals through the replacement of the expatriate labour force by the nationallabour force - whenever it can be possible - and this is one of the main objectives of the State that should finally be achieved.

The Ministry of Social Mfair & Labour has drafted the bill of the attached law in the light of a comprehensive approach for the labour laws in the region as well as the International & Arab Labour Agreements besides the most recent jurisprudent attitudes and the judicial principles set forth by the Kuwaiti judiciary in the current law.

Accordingly, several successive committees have been formed from the Ministry representatives, employers who are represented by the Kuwait Chamber of Commerce & Industry, and the labourers who are represented by the General Federation for Kuwait Employees for thoroughly examining and scrutinizing this law. These committees have carefully discussed the draft, amended and reworded certain articles through many sessions until the law has been approved in its semi-final copy which has adopted a future approach and avoided any aspects of shortage or omission in the current law in order to put the State of Kuwait in its right position among those countries with advanced labour legislations.

Therefore, for the purposes of prevalent benefits and realizing the same goal intended by the legislators towards arriving at the grade of perfection, the concerned parties have decided to poll the opinion of the related governmental authorities represented by the Public Authority for Housing Care, Ministry of Commerce & Industry, Higher Council for Planning & Development, Ministry of Health, Ministry of Justice, Ministry of Oil, Kuwait Municipality, Kuwait University, the Public Institution for Social Security, the Public Authority for Applied Education & Training and the Civil Service Commission (General Secretariat for Labour force).

A special committee has been established for conducting the necessary contacts and correspondences with those authorities and providing them with the semi-final copy of the draft
law, receive their replies and make the necessary final review in the light of the received answers. The response of those authorities and their efforts were all positive where the committee has been provided with valuable proposals which are appreciated by the committee and considered, the thing that has resulted in the proof reading of the draft law articles one by one together with re-wording the necessary articles thereof in the light of those suggestions as well as adding new articles or paragraphs thereto.

The Ministry of Social Affairs & Labour, due to its keenness to cope with the contents of the International Agreements on labour, especially those agreements to which the State of Kuwait has acceded or ratified, the Ministry has sought the assistance of the International Labour Organization (ILO) within the framework of the technical aid provided by the ILO to the Member States and whose experts have assisted in reviewing certain provisions of the draft law and arranged its chapters in such a manner that it is issued in its final current form.

The draft of this law comes in seven chapters, Chapter One is about the General Provisions; Chapter Two regulates the Employment, Apprenticeship & Vocational Training Provisions; Chapter Three is on the Individual Employment Contract; Chapter Four on Labour Conditions & System; Chapter Five on Collective Labour Relations; Chapter Six on Labour Inspection & Penalties; and finally Chapter Seven is on the Concluding Provisions.

In all the foregoing, the draft of the law has developed new rules & regulations which are deemed necessary by the legislator comprising more guarantees to the both parties of production in such a manner that ensures justice and stability in labour relations in the country and also secures that these rules & regulations will cope with similar legislations applicable abroad, especially the International & Arab Agreements duly ratified by the State of Kuwait.

Hereunder we will shed light on the articles of the law according to the order of its chapters:
CHAPTER 1

GENERAL PROVISIONS

This Chapter comprises the articles from Article (1) to Article (6), where Article (1) has specified what is meant by the term "The Competent Ministry" and defined it by the Ministry of Social Affairs & Labour, and defined "The Competent Minister" by the Ministry of Social Affairs & Labour. Also, this Article has defined term like "Labourer", "Employer" and the concept of "Organization". Article (2) has specified the scope of enforcement of the law when it decided that it shall be applicable to the labourers in the private sector. In this meaning, the definitions assigned to each of the "Labourer" and the "Employer" in Article 1 should be considered so that what is meant by the expression "the labourers in the private sector" can be defined clearly. Article (3) has determined the scope of the applicability of the draft law to the marine employment contract in all which is not particularly provided for in the Maritime Law, or the text of this law shall be more beneficial to the labourer. Also, Article (4) provides for the applicability of the provisions of this law to the labourers in the Oil Sector in all which is not particularly provided for in the Oil Sector Labour Law, or the text of this law shall be more beneficial to the labourer. Article (5) has exempted the labourers whose relationships with their employers are regulated by other laws. Regarding the Domestic Labourers, i.e. house servants or maids and the like, this Article has referred the governing of the relationship between them and their employers to a decision to be issued by the competent Minister for organizing their affairs in this respect.

Article (6) acknowledges a principal rule which is duly prescribed in jurisprudence and the judiciary and being codified by most of the modern legislations. That is to say the provisions of this law, including all the rights and benefits stipulated for labourers therein, represent the minimum limit
for labourers' rights which shall not be assigned and any agreement to the contrary will be deemed as null and void. As for the better rights and benefits stipulated in collective or individual employment contracts or the applicable rules & regulations by the employers that exceed what is provided for in this law, they should be enforced and labourers shall be treated accordingly.

In other words, since the rights and benefits prescribed for labourers in this law represent the minimum limit secured for them by the legislator, no agreement may be made for affecting these rights unless such agreement is more beneficial to labourers, whether the agreement is made upon entering into or during the validity of the contract. This is for the purpose of coping with the spirit of legislation related to the public interest on one hand, and also in implementation to a definitely confirmed fact that the human psyche has but to hate anything that reduces its rights after being prescribed.

CHAPTER 2

EMPLOYMENT, APPRENTICESHIP AND VOCATIONAL TRAINING

SECTION 1: EMPLOYMENT

Article (7) authorizes the Competent Minister (i.e. Minister of Social Affairs & Labour) to issue the organizing decisions to the conditions for employment in the Private Sector. Article (8) requires every employer to inform the Competent Authority of his labour force requirements in the relevant forms prepared for this purpose as well as the type and number of the labourers in the light of any expansion or shrinking in his activity, in periodic basis according to the terms and conditions in respect of which a decision shall be issued by the competent Minister.

Article (9) decides the establishment of public authority of a separate legal entity and an independent budget to be named: "The Public Authority for Labour force" under the supervision of the Minister of Social Affairs & Labour and it shall carry out the ju-
risdictions prescribed for the Ministry in this law. Also the authority shall recruit and employ the expatriate labour force according to the applications submitted by employers. Within one year from the enforcement of this law, an organizing law shall be issued in respect of this authority.

Article (10) determines the rules and procedures in the employment of non-Kuwaitis in such a way that governs the competent Ministry's control on the labour market and to direct it in such a manner that conforms to the goal of the state to gradually replace the expatriate labour force by the Kuwaiti labour force. In this connection, this Article prohibits any employer to recruit foreign labour force or to employ labourers from inside the country without having them to work for him or if it becomes proven that he is not actually in need of them.

Furthermore, this Article bans employers to employ non-Kuwaiti labourers unless they hold labour permits issued by the competent labour department entitle them to work for him. This is for treatment of the recruitment of foreign labour force more than what is needed on one hand, and for regulating the labour market on the other hand, by having every labourer to work for the employer who recruited him. Accordingly, this Article prescribed that the employer is to bear the expenses for returning the labourer back home. Also, the Article binds the Ministry if the employer's application for recruiting foreign labour force is rejected, such rejection should be justified; and that the capital amount should not be taken as a cause for such rejection, for ensuring the best supervision over the performance of the government in the event of the rejection.

At the end of this Article, it provides that if the labourer discontinue to come to work and joined work with another employer, the latter shall undertake to return the employer back to his country, after filing an absconding proclamation against the labourer by his main sponsor. Article (11) stipulates that the Minis-
try is prohibited to practice any discrimination or preference while dealing with employers for issuance of work permits or transfers. Also, it authorizes the Ministry, for such reasons it decides, to stop the issuance of work permits and transfers for a period not more than two weeks per year, provided that the Ministry may not exempt some employers of this stopping procedure and disregard others during this period.

SECTION II APPRENTICESHIP & VOCATIONAL TRAINING

This Section consists of Articles from (12 to 18) in which the law introduces the Professional Apprenticeship Contract for giving the opportunity for creating a suitable environment for developing the national human resources necessary for burdening the future's responsibilities, particularly upon securing them the necessary training and education. Article (12) defines the professional apprentice, and it has expressly mentioned that the professional apprentice contract shall be subject to the terms and conditions for juveniles' employment as provided for in this law.

Article (13) stipulates that the professional apprenticeship contract shall be written and issued in three copies, one for each contract party, whereas the third copy shall be forwarded to the Competent Authority at the Ministry within one week for attestation. Also, this Article prohibits the fixing of the remuneration on the basis of production or piece in order to manifest the educational nature of the professional apprenticeship contract which is different from the ordinary employment.

Article (14) permits an employer to terminate the apprenticeship contract if the apprentice violates his assigned duties under the contract or if it is proved from the periodic reports prepared on him that he is not ready to learn. Similarly, the Article entitles the apprentice to terminate his contract and fixed seven days as a notice period which both contract parties shall observe.
After Article (15) has defined what is meant by vocational training, as explained in its express words, Article (16) provides that the competent Minister shall issue a decision on the necessary terms & conditions to be satisfied for holding the vocational training programs ... etc.

The Article stipulates that the decision may include the binding of one establishment or more to provide training for labourers in other centers or institutes if the first establishment hasn't got training centers or institutes.

Article (17) requires such establishments to pay the labourer his full wage for his training period whether within or outside the establishment. Article (18) binds each of the professional apprentice and the labourer trainee to work for the employer, after the completion of his learning or training period, for a similar period of his apprenticeship or training in a maximum term of five years. It also gives the employer the right, in case of breach of these obligations, to reimburse from them the expenses he borne for this learning or training, pro-rata the remaining period to be spent in the work.

SECTION III EMPLOYMENT OF JUVENILES

This Section consists of Articles from (19) to (21), whereas Article (19) prohibits the employment of those who are under 15 years of age. Article (20) defines juveniles as those whose age is falling between 15 and 18 years and allows their employment by the permission of the competent Ministry under two conditions, the first one is to be employed in industries and trades other than those hazardous & harmful to health, regarding of which a decision shall be issued by the Minister; and the other condition is to be medically examined, prior to employment, and thereafter periodically for not more than six months.

Article (21) fixes the maximum hours of work for juveniles by 6 (six) hours per day, provided that they are not made to work for more than 4 hours continuously, which shall be
followed by at least one hour rest break. Also, the Article bans juveniles to work additional working hours or during weekly off days, holidays or between 7:00pm to 6:00 am, bearing in mind that these hours are normally night hours.

SECTION IV EMPLOYMENT

OF WOMEN

This Section comprises Articles from (22) to (26), where Article (22) prohibits the employment of women at night during 10:00 pm to 7:00 am, except those who work in hospitals, health centers, private treatment houses and other health institutions in respect of which a decision shall be issued by the Minister of Social Affairs & Labour, provided that the employer shall ensure the security requirements for women in addition to the provision of means of transport from and to the place of work. Article (23) prohibits the employment of women in hazardous, hard or harmful to health trades shall be prohibited. Also they shall not be employed in such jobs which are harmful to morals and based on the exploitation of their femininity in a manner which is not consistent with the public morals. Moreover, women shall not be employed in institutions which provide service exclusively for men. The Minister of Social Affairs & Labour, in consultation with the Consultant Committee for Labour Affairs, shall issue a decision to specify these jobs and entities.

Article (24) provides that the female labourer shall be entitled to a paid maternity leave of 70 (seventy) days which shall not be included within her other leaves, provided that the delivery shall take place during this period, together with granting a female labourer upon her request, after expiry of the maternity leave, a leave without pay for not more than four months.

Also, the employer shall not terminate the service of a female labourer while she is enjoying her maternity leave or discontinue joining the work due to a sickness which shall be proved by a medical report that it is resulting from pregnancy or delivery.
Article (25) the legislator stipulates for granting a female labourer 2 hours break for breast feeding her child during the working hours, in accordance with the terms and conditions to be specified by the Ministry's decision. Also, he binds the employer to establish a Day Care Center for children below 4 years if the number of women is more than 50 or the number of employees therein is more than 200.

Article (26) stipulates for equal treatment for the female labourer by giving her the same salary given to her male counterpart, if she performs the same work without any discrimination between them, so that the special regulation provided in this law on the employment of women shall not be taken as a justification or reason for fixing a certain wage for women less than the recognized prescribed wage for men for the same work.

CHAPTER III INDIVIDUAL EMPLOYMENT CONTRACT

SECTION 1

EMPLOYMENT CONTRACT STRUCTURE

Article (27) defines the labourer's eligibility to sign an employment contract by attaining the age of 15 years old if the contract is an unlimited period contract; and in the case of a limited period contract, such period shall not exceed one year until he attains 18 years of age. This provision is in line with the provision of Article (94) of the Civil Law in this respect. Article (28) stipulates that the contract should be prepared in writing and it shall contain all the details related to the contract. Also, the contract shall be issued in (three copies, one for each party whereas the third copy shall be forwarded to the competent department). If the contract is not prepared in a written document, in this case the labourer shall prove his right through all evidencing methods.

Article (29) is keen to stipulate that all the contracts shall be prepared in Arabic language and the translation
of which in any foreign language may be added to it, but the Arabic language shall legally prevail in case of any discrepancies. Also, what is applicable to contracts shall be applicable to all correspondence, bulletins, bylaws and circulars issued by the employer to his labourers.

Article (30) confirms that if the employment contract is a limited period contract, its term shall not exceed 5 years and not less than one year together with it may be renewed upon expiry by the agreement of both parties.

Article (31) prescribes that if the employment contract is a limited period contract and both parties continue to implement after the expiry of its term without renewal, it shall be automatically renewable for similar periods under the same conditions contained therein, unless the two parties agree to renew it under other conditions.

In any case, if the limited period contract is renewed, this shall not affect the labourer's accrued rights arising from the previous contract, and the labourer shall be entitled to the acquired rights under the previous contract.

SECTION2
ON THE OBLIGATIONS OF LABOURER & EMPLOYER AND DISCIPLINARY PENALTIES

Article (32) provides that the probation period shall be specified in the employment contract but preconditioned that it shall not exceed 100 working days. Like the text as mentioned in the Law No. 38 of 1964, this Article provides that the labourer may not be employed under the probation period with the same employer for more than once, and this it has clarified the ambiguous in the said law when it gives the right to both parties to terminate the contract during the probation period. However, if the termination is made by the employer, he shall pay the labourer his end of service remuneration for his employment period according to the provisions of this law.

Article (33) came similar to the provision of the Law No. 38 of 1964 in terms of the necessity of equal treatment between all labourers if the em-
player subcontracts work to any other employer under the same work conditions under the same working conditions, the labourers of both parties shall be treated equally and the two employers shall jointly work together to pay the dues of the labourers of the main employer. Article (34) binds the employers who are involved in the execution of governmental projects or those who make their labourers work in such areas which are remote from the inhibited areas, they shall provide a suitable accommodation and means of transport for their labourers, confirming that it shall be free of charge.

And in the event of not providing them an accommodation, the employer shall give them a suitable housing allowance. Remote areas and suitable accommodation conditions as well as the housing allowance shall be determined by a decision from the Minister.

Articles from (35) to (40) explain the disciplinary rules & regulations to be observed by the employer before applying any penalty on his labourers as well as the necessary guarantees for reserving the labourers' rights to defend himself and refute the contraventions attributed to him. Also, the employer undertakes to approve the penalties bylaw before the application of its provisions by the competent Ministry which shall have the right to enter any amendments thereto in such a way which is in line with the nature and circumstances of the work.

Article 38 provides for the principle of not exceeding the deduction which may be executed from the labourer's wage for a period of more than 5 days per month. Article 39 has introduced the principle of suspending the labourer to perform his work for the interest of the investigation but the suspension shall not exceed 10 days, together with reserving his right to receive his salaries for the period of suspension if the investigation concludes that he is not responsible.

Article (40) is introduced in this Section and after it prescribed the employer's compliance to deposit the deduction proceeds from the wages of his labourers in a fund to be allocated for social, economic and cultu-
eral activities for the benefit of the labourers; and after it prescribed the employer's obligation to keep a special record for the deductions made against the labourers, the Article introduced a provision for the distribution of the deduction proceeds available in the fund among the existing labourers in the firm equally in the event of its dissolution for any reason. Also, this Article provides that the Minister shall issue a decision on the rules & controls organizing the above fund and the distribution method.

SECTION III
TERMINATION OF EMPLOYMENT CONTRACT & END OF SERVICE INDEMNITY

This Section consists of Articles from (41) to (55). In Article (41), the legislator explained the cases in which an employer may terminate the labourer's service without notice, indemnity or remuneration. This Article is similar to Article (48) in which a labourer may terminate the employment contract without notice together with his entitlement to the full end of service indemnity. Also, this Article explains the cases in which a labourer shall be entitled to the end of service indemnity upon his termination. Moreover, it gives the terminated labourer the right to appeal the termination decision before the competent Labour Circuit. If it is proved that the employer has terminated the labourer in an arbitrary way, he shall be entitled to an end of service indemnity and compensation for the damages incurred by him as a result of such termination. Furthermore, this Article binds the employer, in all cases, to inform the Ministry by the termination decision and its causes, and the latter shall advise the Labour force Restructuring Program accordingly.

Article (42) entitles the employer, if a labourer discontinues work for seven consecutive days or twenty interrupted days within one year, to deem him as resigned. In this case, the provisions of Article (53) shall be applicable on the labourer's eligibility to the end of service indemnity.

Article (43) comprises new provisions governing a labourer's dues if he is imprisoned under a preventive
imprisonment or in execution to a non-final court judgment due to a charge by the employer, and decided to deem him as suspended from the work and the employer shall not terminate his employment contract unless he is convicted in a final judgment. If a court judgment is issued on his innocence the employer should be obliged to pay him his wage for the period of suspension in a fair compensation to be decided by the court.

Article (44) mentions the procedure to be followed upon the termination of an unlimited period contract where either shall notify the other at least three months prior to the termination of the contract in the event of monthly salary labourers; and at least one month in case of other labourers.

Also, this Article determines the compensation to be payable by the party who terminated the contract if he does not observe the notice period by an amount equal to the labourer's salary for the same period.

Article (45) prohibits the employer to use the right of termination authorized to him under the above Article while the labourer or female labourer enjoys one of his leaves provided for in this law in order to protect the labourer not to be surprised of being terminated while enjoying any of his leaves.

Also Article (46) prohibits the employer to terminate the labourer contract unless this is based on the labourer's abilities, behavior or the firm or firm's operation requirements. In particular, Article 46 does not consider the contract termination reasons by the employer because they are related to the basic rights duly guaranteed under the constitution and the international agreements that secure the labourer's right to accede to or join labourers trade unions, exercise his trade union right, freedom of faith, litigation and that nothing shall affect his rights due to the racial or sectarian beliefs.

Article (47) explains the rules of compensation which both parties to the limited period employment contract shall be complied with if terminated by either party prematurely without having any right to do so, he shall then be obliged to compensate
the other party for the damage incurred by him for an amount equal to the labourer's wage for the remaining period of the contract, provided that upon determining the damage for both contract parties the prevailing customs, work nature, ... etc. and generally all other considerations which may affect the damage in terms of its existence and extent. The same Article has decided the swap or setoff principle between any debts which may be due for the employer and the compensation amount to the labourer.

Article (48) provides for the cases in which the labourer may terminate the employment contract together with his entitlement to the end of service indemnity.

Article (49) and Article (50) the contract termination cases by the force of the law, whereas Article 49 explains the contract termination cases for a reason related to the death of the labourer or if it is proved that he is disable to perform his duty or by reason of the expiry due to the exhaustion of his sick leaves, while Article (50) explains the employment contract termination cases represented the firm's transfer to a third party through selling or merging or inheritance, donation or any other legal action, or the final lockout of the firm or the issue of a final judgment on the employer's bankruptcy.

If the firm is transferred to a third party according to the above means, Article (50) prescribes that the labourers' dues shall become a payable debt by the assignor and assignees jointly. Also, it authorizes labourers to continue work with the person to whom the firm is transferred together with binding the latter by the obligations arising from the employment contract signed by the assignor.

Article (51) provides for the end of service indemnity due for labourers working on monthly salary basis as well as the other classes. For the first class, this Article decides fifteen-day-wage for every one year service of the first five years and thereafter one month salary for every year of the following years provided that the total indemnity shall not exceed one and a half year wage.
As for the second class, it prescribes ten day wage, for every one year service of the first five years and a fifteen day wage for every one year service for the following years, provided that the total indemnity shall not exceed a year wage. The Article prescribes in both cases that the a labourer shall be entitled to the end of service indemnity for any fractions of the year in proportion to the period of service he spent in the work; and binds the employer to pay the net difference between the amounts he affords against the labourer's subscription in the social security and the due amounts for the end of service indemnity.

Article (52) explains the cases in which a labourer shall be entitled to the full end of service indemnity. Article (53) clarifies the partial entitlement cases to the end of service indemnity if the labourer tenders his resignation in an unlimited period contract from his part, when it made him be entitled to half the end of service indemnity if the term of his service is not less than three years and did not complete five years. If the period of his service has reached five years and did not complete ten years, he shall be entitled to two-thirds of the indemnity. If the term of the labourer service has reached ten years, he shall be entitled to the full indemnity.

Thereafter, comes Article (54) and stipulates that the labourer whose employment contract is terminated shall obtain from the employer a service termination certificate comprising a statement of his period of service or experience. The Article also prohibits employers that this certificate shall not include any expressions which may insult the labourer or it may be issued in such a form that may reduce the chances of work before him; and it bound the employer to return to the labourer any documents or certificates which may be submitted by him.

CHAPTER IV LABOUR

SYSTEM & CONDITIONS
This Chapter consists of Four Sections and Articles from (55) to (97):

**SECTION I: WAGES**

This Section comprises the Articles from (55) to (97), where Article (55) defines the meaning of the word "Wage" by the basic salary received or should be received by the labourer against his performance of the work including all other elements provided for in the contract like the allowances and remunerations or prescribed by the employer's rules & regulations.

The concept of wage shall not include the bonuses & grants which may be paid voluntarily by the employer to the labourer.

Also, it shall not include the amounts or other privileges received by the labourer for meeting the actual expenses or necessary expenditure required for the performance of the work or by the reason of the work nature like the car allowance allocated for the work trips or the accommodation provided for the watchmen of the real estates or buildings and the means of transport which the employer provides for his labourers in remote areas. All these latter benefits are not deemed as wage and shall not be included therein.

However, the wage shall include the social allowance and children allowance as per the Law No. (19) of 2000 or any other financial privileges granted by the state to the labourer periodically.

Moreover, this Article has added a new provision for dealing with the wage when it is a share of the net profits and stipulated at the end of this Article that if a labourer's wage is fixed as a share of the net profit and the firm did not realize profit or realized a very few profit so that the labourer's share becomes not consistent with the work performed by him, then his wage should be estimated on the basis of a similar wage or according to the prevailing customs in this profession or for justice requirements.

Article (56) is quite keen to provide that wages shall be paid on a working day in the legal currency in circulation, and fixed a certain limit for paying labourers' wages who work on
monthly basis at least once a month, and the other labourers shall be paid their wages at least once every two weeks. Also, this Article added that the payment of wages shall not be delayed after the seventh day of the due date.

Article (57) binds the employer who employs labourers according to the provisions of this law and the Oil Sector Law No. (28) of 1969 to deposit the dues of his labourers in their relevant accounts opened with local financial institutions and a copy of the statements be dispatched to the Ministry.

Article (58), for avoiding any damages to labourers, does not allow an employer to transfer a labourer who works in a monthly salary to another class without his written consent and without prejudice to the rights obtained by the labourer during his work under the monthly salary.

In order to protect the labourers' rights, Article (59) provides that the employer shall not deduct more than 10% of labourer's wage for the settlement of any debits or loans due to the employer, and no interests may be received against such dues. Also, it provides that the attachment of the wage due to the labourer or deduction of any part thereof may not be made, save within the limit of (25%) for settling a debt of alimony, food, clothes and other debts, including the employer debts. In the event of coincidence, alimony debt shall have priority over other debts.

The legislator, in order to enhance the protection of labourers, Article (60) provides that a labourer shall not be obliged to buy any foodstuff or commodities from certain shops or to buy from the employer's products.

Article (61) has introduced a new provision that binds an employer to pay the wages of his labourers during the lockout period if they have no in this lockout. Also, the employment contract shall not be terminated for the same reason.

Article (62) is quite serious to confirm the applicable principle in the Law No. (38) of 1964, i.e. upon calculation of labourer dues, the last salary paid to the labourer shall be considered. If a labourer receives a wage on the basis of piece work, the
relevant estimate shall be made on the average wage duly paid to him for the actual working hours during the last three months. The estimation of cash and in kind incentives shall be made by dividing the average of what is received by the labourer from the wage during the last 12 months into the entitlement. If the term of his service is less than one year, the average shall be calculated based on the percentage period spent in the service; and in addition to that a labourer's wage shall not be reduced during the course of his work for any reason whatsoever.

Article (63) has introduced a new provision that requires, by a decision from the competent Minister, the preparation of schedules on the minimum limit of wages according to the nature of profession and trade, for responding to future requirements and coping with the modern trends for setting a minimum limit of wages for securing a reasonable standard of living for labourers and in such a manner that shall act as a motivation for the Kuwaiti labour force and encouragement to join work in the private sector. The decision shall be issued after consultation with the Consultant Committee for Labour & Organization Affairs.

SECTION II WORKING HOURS & WEEKLY OFF DAYS

This Section comprises Articles from (64) to (69), where Article (64) has fixed the weekly working hours by 48 hours, as a general principle, in such a manner that a labourer shall not be made to work for more than 8 hours a day. Here the provision of Article (33) of the Law No. (38) of 1964 is amended which was stipulated as "A labourer manot be made to work for more than 8 hours per day or 48 hours a week" where the opinion is different about the optional word "or" in terms of the extent of the possibility of increasing the number of the daily working hours to more than 8 hours when it is satisfied by the maximum limit of the working hours by 48 hours a week. So, for finalizing this debate, the views came to the conclusion that the old text
shall be replaced by the current text as provided in this law.

Accordingly, Article (64) puts it in a decisive way that the labourers' working hours shall be 48 hours per week and the daily working hours shall not exceed 8 hours except in the cases provided for in the law. This is in order to stick to the opinion which says that the labourer should be protected in every day of his working days, and therefore stipulates that the daily working hours should not be more than 8 hours save within the limits of the exceptions stipulated in the law.

Also, this Article has introduced a new provision which stipulates that the working hours during the holy month of Ramadan shall be 36 hours a week.

Moreover, the same article provides that the working hours of hard labour, health harmful labour and hazardous labour or for hard conditions may be reduced by a decision from the Minister.

Article (65), after having acknowledged the provision of the second paragraph of Article (33) of the Law No. (38) of 1964 which prohibits making a labourer work for more than five continuous hours per day without being followed a break period of not less than one hour and such break hours shall not be calculated within the working hours, but it exempted from this provision the banking, financial and investment sector where the working hours shall be eight continuous hours.

Thereafter, this Article has introduced a new provision necessitated by the practical requirements and allows, upon the approval of the Minister, labourers may be made to work without any break for technical or emergency reasons or in office works, provided that the total worked hours per day shall be, according to the provision of Article 64 herein, at least one hour less.

Article (66) sets forth the rules & regulations for overtime hours where it provides that a labourer may be made to work an additional period by a written order from the employer if that is necessary for preventing the occurrence of a dangerous accident or for the repair of any faults arising...
thereof or for avoiding a certain loss or meeting such works more than the daily required work. Also, it fixed the overtime working hours per day, week and per year; and that the additional work periods shall be added by 25% of ordinary wage for the same period and the employer is bound to keep a special record for the overtime work.

Article (67) gives the labourer the right to one fully paid weekly rest day which shall be fixed by 24 continuous hours after every six worked days. However an employer, for the work requirements and necessity, may make a labourer to work during his weekly rest day if the work conditions so requires. In this case, the labourer shall receive at least 50% of his wage in addition to the original wage and he shall be compensated another day for his rest day.

Article (68) fixes the official holidays granted to a labourer with full pay as per the number stated therein and fixed the total due official holidays for the labourer by 13 days a year.

If the work circumstances require keeping any labourer in work on any of the official holidays, he shall be paid a double wage, i.e. his ordinary salary multiplied into two along with an alternative compensation day. This double wage shall be taken as a basis for calculating the overtime hours necessitated by the work conditions in this day.

The due sick leaves in the light of the provision of Article 69 have become, on condition that the sickness shall be proved by a medical certificate, as follows:

- 15 days with full wage
- 10 days with three quarter wage
- 10 days with half wage
- 10 days with quarter wage
- 30 days without wage

The sickness that requires a sick leave shall be proven by certificate from the physician determined by the employer or the doctor in-charge in a government health center. In the event of any conflict regarding the eligibility to the sick leave or its term, then the medical doctor certificate shall prevail.

The last paragraph stipulates that regarding serious diseases which are
difficult to cure, they shall be ex-empted by a decision from the com-petent Minister which shall specify the type of such diseases.

SECTION III

PAID ANNUAL LEAVES

This Section consists of Articles from (70) to (79), where Article (70) has increased the labourer's right to the annual leave by making it thirty (30) days for every service year. Also, a labourer shall be entitled to leave for the fractions of the year in proportional to the period spent in work, even if during the first year of service. Official holidays and sick leave days falling within the leave shall not be counted in the annual leave. Article (71) added that the labourer shall be entitled to be paid his due wage for the annual leave in advance before enjoying his leave in order to prepare his affairs. Article (72) gives the employer the right to fix the date of annual leave, and may grant it partially upon securing the consent of the labourer after the expiry of the first fourteen days thereof. Also, it gives the labourer the right to accumulate his leaves provided that they shall not exceed the leave of two years. Also, he may enjoy the leave in one time upon the consent of the employer. Moreover, annual leaves may be accumulated by the mutual agreement of both parties for more than two years. Article (73) provides for the labourer's right to receive a cash equivalent against his accumulated annual leave days upon the expiry of the contract, taking into consideration the provisions of Articles (71, 71) herein.

Article (74) does not gives the labourer the right to waive his annual leave, with or without compensation for the lofty aims intended by the legislator when prescribed this leave, namely the labourer's comfort and reactivation of his working spirits. Therefore, this Article gives the employer the right to refund from the labourer any wage paid by him against the leave if it is proven that he is working during his leave with an-
other employer. As encouragement for labourers to study and education, Article (75) has introduced a new provision stipulates that the employer may grant the labourer a paid leave for education for obtaining a higher qualification in the field of his work, provided that the labourer shall undertake to work for him a period equal to the education leave period in a maximum limit of five years. If the labourer violates this condition, he shall be obliged to reimburse the wages received by him during the leave period in proportion to the remaining period to be spent by the labourer in the work.

Also, Article (76) has introduced a new provision stipulates that the labourer who spent two continuous years in the service of his employer shall have the right to a paid leave of 21 days for performing Haj rituals, provided that he should not have previously performed the Haj. Moreover, Article (77) introduced a new type of leaves when it stipulates that the labourer shall be entitled to a fully paid leave of three days upon the death of a first or second grade relative.

A female Muslim labourer whose husband passes away shall be entitled to a fully paid leave of 4 (four) months & 10 (ten) days as from the date of death for the period of waiting (iddat), provided that she shall not practice any work with a third party for the entire leave period. The conditions for granting such leave shall be organized by a decision from the Minister.

Also, a non-Muslim female labourer whose husband passes away shall be entitled to a fully paid leave of 21 days.

Article (78) has also introduced another leave with full pay that the employer shall have the right to grant the labourer a fully paid leave for attending Labour Periodic Conferences & Social Gatherings. The Minister shall issue a decision on the conditions, rules & regulations organizing this leave.

Article (79) entitles the employer to grant the labourer, upon his request, a special leave without pay in addi-
tion to the other leaves referred to in this Section.

SECTION IV

OCCUPATIONAL SAFETY & HEALTH

This Section comprises Articles from (80) to (97), and it is divided into two branches:

First Branch: On Maintaining Rules of Occupational Safety & Health

This Branch consists of Articles from (80) to (88), where Articles from (80) to (83) explain the types of records and files which an employer should maintain for his labourers and shall consist of all the required entries of the necessary information about all types of the different leaves, work injuries, occupational diseases, occupational health & safety, service start date, service termination date, and all necessary data and records in the light of these articles, together with binding the employer to hang in a conspicuous place at the work center the bylaws of penalties, working hours system, weekly off days and official holidays in addition to the provision of the necessary occupational health & safety means in such a way that protects labourers against the work hazards, and the labourer shall not be burdened with any expenses or deducting any amounts from his wage against the provision of protection means for him.

Article (84) requires the employer to explain to the labourer, before undertaking his work, the hazards which he may be exposed to and the necessary protection means he should take. The Minister shall issue the necessary decisions on the instructions and precautionary warning sign boards to be fixed in conspicuous places in the work center, and the personal safety tools which the employer shall supply for the different activities.

Article (85) stipulates that the Minister, upon taking the opinion of the competent authorities, shall issue a decision specifying the types of activities which shall comply with the provision of the necessary equipment and tools for labourers' safety & occupational health, along with the appointment of the specialized techni-
cians or specialists for operating these equipments.
In the meantime when Article (86) requires the employer to take the necessary precautionary measures for protecting labourers, Article (87) requires the labourers, likewise, to use the necessary protection means, and to undertake to utilize carefully any protection means under their possession and to execute the relevant instructions issued in this respect.
The legislator, in order to enhance the protection of labourers, Article 88 obliges the employer to make the necessary insurance coverage over his labourers with insurance companies against work injuries and occupational diseases, together with taking into consideration the provisions of the Social Security Law. SECOND BRANCH

WORK INJURIES & OCCUPATIONAL DISEASES

This Branch consists of Articles from (89) to (97). In this branch the legislator introduced a new provision which provides in Article (89) that the following provisions related to work injuries and occupational diseases shall not be applicable to the insured persons who are subject to the insurance provisions for the work injury stipulated in the Social Security Law upon its application on them.
In Article (90), it explains the actions which the employer – or the labourer if his condition permits – shall take upon the occurrence of the injury as well as the authorities to be informed thereof.
Article (91) stipulates that the employer shall bear the expenses of the injured labourer treatment against work injuries and occupational diseases with a governmental hospital or a private clinic to be specified by him, including the value of the medicine and transport expenses. The attending doctor shall specify in his report the treatment period, the percentage of disability resulting from the injury and to what extent the labourer is able to continue the performance of his work. All this shall be without prejudice to the provisions of the Law No. (1) of 1999 on health insurance. Also this Article
entitles each of the labourer and the employer may object to the medical report before the Medical Arbitration Cortunittee at the Ministry of Health. Article (92) binds every employer to provide the Ministry of Health with statistical statement about work injuries accidents and occupational diseases that took place at his firm on periodic basis.

Article (93) gives the labourer who suffers a work injury or occupational disease the right to receive his full wage for the entire treatment period fixed by the medical doctor. If the treatment period exceeds six months, he shall be entitled only to half the wage until his recovery or proven disability or death.

Article (94) stipulates that the injured labourer or his beneficiaries shall be entitled to receive compensation for work injuries or occupational diseases according to the schedule to be issued by a decision from the Minister, upon taking the opinion of the Minister of Health.

Article (95) refers to the cases in which the injured labourer shall be deprived of his right to the compensation for the injury and the scope of this depriving.

Article 96 extends the prescribed protection to the labourer under the to the provisions of Articles (93, 94, 95) of this law if he suffers from an occupational disease or any relevant symptoms are developed on him even after leaving the service within one year.

Article (97) binds the previous employers for whom the labourer has worked, each in proportion to the period spent by the labourer in his service, to compensate the labourer or his beneficiaries for his injury as per the manner stipulated in this text, and gives the insurance company or the Public Institution for Social Security the right to claim, after compensating the labourer or his beneficiaries, for the compensation as provided for in paragraph (1) of this Article.

CHAPTER V COLLECTIVE LABOUR RELATIONS

SECTION I
ORGANIZATIONS OF LABOURERS & EMPLOYERS
AND RIGHT OF TRADE UNIONS

This Chapter consists of Three Sections and Articles from (98) to (110), where Article (98) ensures the right of forming federations by employers and trade unions by labourers in conformity with the provisions of this law.

Also, this Article prescribes the principle of forming federations and trade unions for labourers and sectors with their different classes, the private, government & oil sectors in consistence with the principle of freedom of forming the associations and trade unions as prescribed in the Article 43 of the constitution, and also in compliance with the relevant international agreements, particularly the Agreement No. (87) of 1948 on the freedom of trade unions and securing the right of accession to trade unions.

Article (99), after confirming the right of forming trade unions and federations, it specifies the purpose for establishing such organizations which is represented by looking after the interests of the members of the organization, improving their material and social conditions, and to represent them before third parties.

Article (100) does not put as a precondition the completion of a certain number of labourers or employers for the establishment of a trade union or federation, as the case may be. Rather, it gives this right in conformity with the declared principles in the constitution and the relevant international agreements. Also, this Article has explained the required procedures for forming trade unions or federations.

Article (101) provides for the basic information that should be included in the Articles of Association of the organization, the rights & obligations of its members and how to practice its activity.

Article (102) explains that the elected board of directors shall, within 15 days from the date of its election, deposit the organization incorporation documents with the Ministry. Also, it explains the manner of evidencing legal entity of the organization.
Article (103) stipulates that the labourers and employers, upon enjoying the rights provided for in this Chapter, shall observe all the applicable laws in the country and shall practice their activity within the limits of the objectives stated in the articles of association of the organization.

Article (104) obliges the competent Ministry to direct and guide labourers trade unions and employer's federations towards the proper application of the law and the manner of how to make entries in the financial books & records ... etc. and also stipulates the activities which trade unions are prohibited to practice.

Article (105) gives trade unions the right, upon the approval of employers and the competent authorities in the country, to open canteens & restaurants for serving the labourers within the limit of the establishment.

Article (106) confirms the trade unions' right to form federations to take care of their common objectives, and also, the right of the federations to form a general federation provided that there shall not be more than one general federation for each of the labourers & employers.

Article (107) stipulates that the federations, the general federation and trade unions shall have the right to accede to Arab or international federations which they believe that their interests are related thereto, provided that they shall inform the Ministry of the accession date.

Article (108) has mentioned two methods for the dissolution of employers & labourers' organizations:

1. The voluntarily dissolution by a decision to be issued by the general assembly according to the organization's article of association.

2. The legal dissolution by virtue of a court judgment to be issued upon the request of the competent Ministry for the dissolution of the board of directors on the basis of the organization's violation to the provisions of the law or the articles of association.

Also, this article stipulates that the court judgment may be appealed within 30 days from the date of issue at the Court of Appeal.

The trade union's property after its dissolution shall be decided on accor-
ding to the decision of the general assembly, in case of the optional dissolution.

Article (109) has introduced a new provision that binds employers to provide labourers with all the decisions, rules & regulations related to their rights & obligations.

Article (110) authorizes the employer to dedicate one or more members of the trade union or federation board of directors for following up the trade union affairs with the labor department or the competent authorities in the country.

SECTION II COLLECTIVE EMPLOYMENT CONTRACT
This Section which consists of Articles from (111) to (122) is introduced for governing the collective or group employment contract which had not been particularly regulated before under any of the previous labour laws.

Article (111), defines the collective or group employment contract as the contract which regulates the work conditions and circumstances between one or more labourers trade union or federation, on one hand, and one or more employers or whoever represents them from employer's federations, on the other hand.

Article (112) puts as a precondition that the collective employment contract should be prepared in writing and duly signed by both parties. The consent with regard to labourers' trade unions and employers' federations should be issued by the members of those organizations according to the provisions of the Articles of Association of the organization.

Article (113) puts it as an obligation that the collective employment contract should be a limited period contract provided that its term shall not be more than 3 years. If the two contract parties have continue to implement the same after the expiry of its term, then it should maintain its capacity as a limited period contract for one year period under the same conditions stated therein. All this shall be subject to that the contract itself contains special conditions that conflict with the prescribed provision stipulated in this text.

Article (114) provides that if either
party of the collective employment contract is not desirous to renew it after the expiry of its term, he shall inform the other party and the competent Ministry in writing at least three months from the contract expiry date.

If the contract parties are multiple, then its termination with regard to one party shall not result in its termination with regard to the other parties.

Article (115) sets forth an important guarantee represented by the nullity of any condition in this contract if it violates any provisions stipulated in the articles of this law except those conditions that comprise such rights or privileges in the law which are more beneficial to the labourers, as a minimum limit for their rights.

Also, this Article provides that any conditions or agreement signed before or after the enforcement of this law under which the labourer waives any right granted by this law shall be deemed null and void. Also, any reconciliation or quitclaim deed that comprises a reduction or release from a labourer's rights due to him under the employment contract during its validity period or three months after its expiry shall be null and void whenever it violates the provisions of this law.

Although the collective employment contract, like an individual employment contract, is principally a mutual satisfaction contract, however, Article 116 puts as a precondition for its effectiveness that it shall be registered with the competent Ministry and a summary of which shall be published in the Official Gazette.

Further, the second paragraph of the same Article authorizes the competent Ministry to object to any conditions it deems as violating the law, and obliges the two parties to amend the contract within 15 days from the receipt of such objection, otherwise, the registration application will be deemed as if it did not take place.

Article (117) stipulates that this contract may be concluded, either at:

1. The firm's level;
2. The industry level; or
3. The national level.

Also, this Article provides that if the
contract is concluded at the level of the industry, then it should be signed by the federation of such industry's trade unions; and if it is concluded at the national level, it should be signed by the general federation of labourers. Moreover, it deems the concluded contract at the industry's level to be considered as an amendment to the contract signed at the firm's level; and the contract signed at the national level shall be deemed as an amendment to any of the other two contracts, within the limits of the common provisions stipulated therein.

Article (118) has mentioned the body-corporates, natural persons and other classes which shall be subject to the provisions of the collective employment contract including, first, labourers' trade unions and federations that concluded the contract or joined it after its conclusion; second, employers or their federations that signed the contract or joined it after its conclusion; third, the trade unions organizing the federation that signed the contract or joined it after its conclusion; and fourth, employers who joined the federation that signed the contract or joined it after its being concluded. Thus, the text will accommodate and contain the largest possible base of labourers and employers in the collective employment contract. Consequently, this will ensure the best factors of group labour relations stability along with the potential positive economic and social outcomes arising thereof.

Article (119) confirms that the labourers' withdrawal or dismissal from the trade union shall not affect their right to enjoy the conditions of this contract together with their compliance with the obligations stipulated therein, if such withdrawal or dismissal took place subsequent to the signing the contract or joining it by the trade union.

For the generalization of the benefits derived from the positive effects of the collective employment contract, Article (120) Those who have not entered into contracts from among the labourers' trade unions or federations, or employers or their federations, may join the collective employment contract after the
publication of its summary in the Official Gazette by the agreement of both parties requesting the accession without any need for taking the consent of the main contracting parties. The accession shall be made by virtue of an application to be submitted to the competent Ministry duly signed by both parties. The approval of the competent Ministry to the accession application shall be published in the Official Gazette. Article (121), has established an important principle which stipulates that the collective or group employment contract signed by the firm's trade union shall be applicable to all labourers of the firm even if they are not members of such Trade Union, this shall be without prejudice to any other provision related to the most beneficial conditions to the labourer in an individual employment contract. On the other hand, as for the contract signed by a federation or trade union with a specific employer, it shall be effective only to the labourers of the relevant employer.

The provision of Article (122) adopts the principle of proxy on behalf of the members when it established that the labourers & employers organizations which are a party of the collective employment contract may file all cases arising out of the breach of the contract conditions in favor of any member of such organization without need for a power of attorney to be issued by him for this purpose.

SECTION III COLLECTIVE LABOUR DISPUTES
This Section includes Articles from (123) to (132) which aim at maintaining the stability of labour relations especially when the dispute involves large numbers of labourers, due to the work or its conditions, against one or more employers. Article (123) defines the collective or group labour conflicts as those disputes arising between one or more employers and all his labourers or some of them because of labour or work conditions. Thus, this text has widened the collective dispute concept so as to be deemed as such if it
arises because of the work and is not restricted only to just the conditions, as in Article (88) of the Law No. (38) of 1964 where the disputes were deemed as individual even if they are filed by all the labourers or part of them if the labour relation still exists so long as the cause of the dispute or conflict is related to a certain provision in the law or the contract.

Therefore, the legislator is quite keen that the dispute shall bear the collective description even if the cause of the dispute is referred to the labour itself and not related only to its conditions, as per the manner explained hereinabove. This is in order to achieve a stable environment in labour relations whether at the firm, industry or level or the similar activity or at the national level, by solving this dispute and removing its causes within a short time period. Also, this will reduce the resort to the courts and intends to minimize the number of court judgments looked into before courts.

Article (124) specifies the first actions to be taken by the dispute parties for solving the collective conflicts, where both the dispute parties shall resort to direct negotiation between the employer or his representative and the labourers or their representatives. Also, this Article authorizes the competent Ministry shall have the right to delegate its representative to attend these negotiations in the capacity of supervisor and be acquainted of the dispute beginning and aspects.

The second paragraph of this Article stipulates that in case that the reached a mutual agreement among them, then such-agreement should be enrolled with the competent Ministry within 15 days according to the rules & regulations in respect of which a decision shall be issued by the Minister.

If the dispute parties failed to reach a solution as mentioned above, Article (125) provides that either party to the dispute may submit an application to the competent Ministry for the amicable settlement of such dispute through the Collective Labour Disputes Committee regarding of which a decision shall be issued by the Minister. The application should be
signed by the employer or his authorized representative or by the majority of the dispute labourers or by whom-ever they authorize to represent them. Article (126) stipulates for the formation of a reconciliation committee and that this disputes reconciliation committee shall be formed from two representatives to be selected by the employer trade union or the disputing labourers, two representatives to be selected by the employer (s) who are a party of the dispute, and the Chairman of the Committee and representatives of the competent Ministry to be appointed by the competent Minister by a decision in which he shall also specify the number of the dispute parties representatives.

The committee may seek the opinion of whoever deems useful for the performance of its task. In all the previous stages, the competent Ministry may demand such information it deems necessary for settling the dispute.

Article (127) fixes the rules and procedures which the reconciliation committee shall follow until the stage for signing a final amicable settlement which shall be deemed as a final and binding agreement to both parties. However, if the reconciliation committee is not able to settle the dispute within the prescribed period, then it shall refer the dispute or refer the un-agreed upon points thereof, within one week from the date of the last meeting of the committee, to the arbitration board duly accompanied with all the documents.

Article (128) provides for the formation of the arbitration board of collective labor disputes which shall be formed of a circuit of the court of appeals, to be annually appointed by the general assembly of this court, a head of prosecution to be delegated by the Public Prosecutor, a representative for the competent Ministry to be appointed by its Minister. The parties of the dispute or their legal representatives shall appear before the arbitration board.

For ensuring a better speed for settling the collective disputes, Article (129) obliges the arbitration board to look into the dispute in a period not later than twenty (20) days from the date of arrival of its papers to the
Clerical Department; and either party to the dispute should be notified of the session date at least one week prior to its holding; and the dispute shall be decided on within a period not exceeding three months from the date of the first session for looking into the dispute.

Article (130) provides that the arbitration board shall have all the power and authorities of the court of appeal according to the provisions of the judiciary organizing law and the Civil & Commercial Procedures Code. The arbitration shall issue justified and causative decisions which shall be the same as those decisions issued by the court of appeal.

'Article (131) has introduced a new principle that the competent Ministry may, in the event of collective dispute and if the necessity so requires, interfere without request by one of the dispute parties to settle the dispute amicably. Also, it may refer the dispute to the reconciliation committee or arbitration board as it deems appropriate. Also, this Article binds both the parties to this dispute, in this case, shall submit all the documents required by the competent Ministry, and they shall appear, if so summoned, before the board.

Article 132 prohibits the parties of the dispute to stop the work, totally or partially, during the direct negotiation proceedings or before the reconciliation committee or the arbitration board due to the interference of the competent Ministry in the disputes according to the provisions of the Article (131).

It goes without saying that the provisions of this Section govern only the continuous labour relations between the parties of the dispute (the employer and labourers), otherwise, the dispute will be deemed as personal whatever the parties involved therein.

CHAPTER VI

LABOUR INSPECTION & PENALTIES

SECTION I LABOUR INSPECTION
Article (133) grants the authority of legislative and judicial capacity to the competent employees to be identified by the Minister by a decision to oversee and control the implementation of this law and its executive rules, regulations & decisions, provided that those employees shall perform their duties with due honesty, impartiality and persistence and they shall undertake not to disclose the secrets of employers which they may have access to by virtue of their work. Also, they shall perform the necessary legal oath before the Minister: 

Article (134) specifies the powers and authorities of those employees and they shall have the right to enter work places during the firm's official working hours, and to have access to all books & records, and to request such data & information related to labour force affairs, Also, they shall have the right in this connection to check and take samples of the circulated materials for analysis purpose; and they shall further be entitled to enter such places allocated by employers for labour services purposes, and they may seek the assistance of the public force for the execution of the functions of their tasks. 

Article (135) gives the official competent employees of the ministry the right to take the necessary actions, in coordination with the other competent authorities, to issue a decision on the lockout of the business concern, totally or partially, or to stop the use of a certain machine(s) till the rectification of such contravention. Article 136 gives the official employees the authority to issue notices on the committed contravention by the labourers working without a specific work center. 

SECTION II
PENALTIES

This Section comprises Articles from (137) to (142) in which we notice in general that the legislator tends towards hardening the punishments against the violators to such an extent which is harder than what was prescribed in the Law No. (38) of 1964 after it became proven that those penalties were not enough to prevent the violators to commit such contraventions.
Accordingly, Article (137) provides for the punishment and penalty of not more than KD 500/- applicable on whoever violates the provisions of Articles (8, 35) herein; and in case of repeating the same act, the penalty shall be doubled.

Article (138) has introduced the punishment by imprisonment for not more than three years and a fine not more than KD 1,000/- or with both penalties to be applicable on whoever violates the provision of paragraph (3) of Article (10) of this law.

Article (139) provides for the penal punishment against the employer who will be in breach of the provisions of Article (57) herein.

Also, the legislator, due to its belief on the controlling role carried out by the Ministry on the firms so as to make sure to what extent they observe the rules, regulations and measures of occupational health & safety as well as the Ministerial Decisions issued for the implementation of the same, it has stipulated in Article (140) a penalty against whoever fails to enable the competent employees specified by the Minister to perform their duties provided for in Articles (133, 134) herein, shall be punished by a fine not to exceed KD 1,000/-, so as to confirm this principle.

Article (141) explains the method of notification about the contravention in order to remove the causes of violation and the prescribed punishment thereof. Also, it prescribed a penalty on whoever violates the remaining provisions of this law and the executive decisions thereto.

In order to reactivate the Ministry controlling role, Article (142) stipulates that whoever violates the writ of suspension or closure issued according to the provisions of Article 135 herein without remedying the contraventions notified to him by the competent employees, shall be punished by imprisonment for a period not exceeding six month and a fine not more than KD 1000/-, or with one of the two penalties.

CHAPTER VII

CONCLUDING PROVISIONS

This Chapter comprises Articles
from (143) to (150), where Article (143) stipulates that a Consultant Committee for Labour Affairs shall be formed by a decision by the Minister consisting of representatives of the Ministry, Labour force Restructuring & State Executive Body Program, Employers & Labourers organizations and whoever the Minister deems appropriate, whose task is to give opinion on the issues presented to it by the Minister. This decision shall also issue the necessary procedures for inviting the committee for meeting, work therein and how to issue its recommendations. The legislator, in order to strengthen the protection of labourers and to ensure that they receive their labour rights, he brought the provision of Article (442) of the Civil Code, along with all the warranties provided for therein to the cases and lawsuits filed by the labourers. This is contrary to what was applicable in the light of Article (96) of the Law No. 38 of 1964, where Article (144) of this law stipulates that the actions filed by the labourers under the provisions of this law, after the lapse of one year from the employment contract expiry date shall not be heard.

Upon denial, the provision of paragraph (2) of Article (442) of the Civil Code shall be applicable, where the employer who sticks to not hearing the lawsuit must give oath that he has actually settled the debt to the labourer. If he is a heir or legal representative of the debtor or for his heirs, he shall perform the oath that he has no knowledge of such debt or he knows that it has been settled. This oath shall be taken by the court spontaneously without being demanded to do so.

Finally, the same Article provides in its last paragraph that the actions filed by labourers or their beneficiaries shall be exempted from the judicial fees. However, the court - upon rejecting such actions – may bind the party who files the case to pay all or part of the expenses. Labour cases shall be looked into forthwith on prompt summary basis.

Article (145) of the law has introduced a new provision which stipulates that the rights of labourers prescribed according to the provisions of
this law shall have preference & priority over all employers' money, such as movables & real estates, except private residential dwellings. These amounts shall be collected after the legal expenses, the due amounts for the public treasury, and document keeping and repair costs.

Article (146) puts it as a pre-requisite that a case should be preceded by an application to be filed by the labourer or his beneficiaries to the competent labour department which shall summon the dispute parties or their representatives to appear. If the department could not reach an amicable settlement, it shall refer the case, within one month from the case submission date, to the Court of First Instance to decide on it. The referral shall be made by a memorandum comprising a summary of the dispute, pleadings of both parties and comments of the department.

According to the Article (147), the Clerical Department at the Court of First Instance shall, within 3 days from the receipt of the application, schedule a session for looking into the case which shall be notified to both parties of the dispute.

Article (148) stipulates that the Minister shall issue the necessary rules, regulations & decisions for implementing this law within six months from the date of publishing this law in the Official Gazette, in consultation with employers and labours. Article (149), after it has provided for the cancellation of the Law No. (38) of 1964 and the amending laws thereto, this Article adds that the labourers shall maintain all the rights arising thereof before its cancellation; and all the implementing decisions thereof shall remain applicable in such a manner which is not contradictory to the provisions of this law until the issue of the executive rules, regulations, decisions and bylaws for this law.

Finally, Article (150) requires the Prime Minister and Ministers, each within his jurisdiction, to implement this law which shall be operative as from the date of its publication in the Official Gazette.
(28) J 0ylAll J .kA:..l ll U.L.o
r...,Z J N ih W <1969)
J J :Jl t_IbJ J L< U 1).1
J J - r""J...l...0...:i...lJ...l...U ...I...lI:...lI:4J
(38) J 0ylA.II WI ...;o; tll..Jl
J t_LkA..l J oI......I. J (1964)
(1969) (28) J0yu. IIIlJ. _...;11
r...- C: i....k:4:ll Jt......:Jl e h_JL...1...u;
, 0ylA.II ihJ c; )}l K-""JlJ ...;.;_r:.jI
C: 'Jl._J J e- al OJ:3;..ws, L L J,
J 4...-oJLJ _r-!JICJ4 'Jl.
. t_LkA..l IHJ ol.:j:Jl J..;0:;:iJl..Jl
U. J-4-- J-J. Jl0yU0\Z:J;
0:;:i.bU.6;JlJ-4 J 1 L....I
W.wA J \\;If r-Hk> J JL-11
U !_..DJ _; \ L: _r J 'Jl
i
i
if0yl tl;Jl J,J-4...:-: J\ 1 r 6:;j}I c-4\ 4...>-ULJ.s- ...G.Jih, U_

\...l..a::9"'JlJ 4 
. 'Jl.:;.;.;.jy;A:"l.I. r
fll

' UJlOyU.JIj ..u;J}a:JlJ
\ J.r ly:Jt5 JlJ.Il.lJ . ...;I0I;...;U.;.;y:;.:J
0i.J t...ol"> 1111f 'J .\ -...;.;.1 1
--U c; Jj- 11 JJJJJ era _...s:.ll
i....I J.J..I ii .!..D.II,
' :JI
(1964) (38) J 0yu. III J _,.jJl
1 =>, o.A:..l l-1 ...,;...;A:"l.lC: U. JLI-1
J.J... L0yUJH l L _,...G.J
.0} IJ.s-
Ol.5 Oy:UJJ u-...u; c:;? i:}l
2010.4.10 大学

ラジオ

2010.11.10 大学

ラジオ

2010.11.11 大学

ラジオ

2010.11.12 大学

ラジオ

2010.11.13 大学

ラジオ

2010.11.14 大学

ラジオ

2010.11.15 大学

ラジオ

2010.11.16 大学

ラジオ

2010.11.17 大学

ラジオ

2010.11.18 大学

ラジオ

2010.11.19 大学

ラジオ

2010.11.20 大学

ラジオ

2010.11.21 大学

ラジオ

2010.11.22 大学

ラジオ

2010.11.23 大学

ラジオ

2010.11.24 大学

ラジオ

2010.11.25 大学

ラジオ

2010.11.26 大学

ラジオ

2010.11.27 大学

ラジオ

2010.11.28 大学

ラジオ

2010.11.29 大学

ラジオ

2010.11.30 大学

ラジオ

2010.12.1 大学

ラジオ

2010.12.2 大学

ラジオ

2010.12.3 大学

ラジオ

2010.12.4 大学

ラジオ

2010.12.5 大学

ラジオ

2010.12.6 大学

ラジオ

2010.12.7 大学

ラジオ

2010.12.8 大学

ラジオ

2010.12.9 大学

ラジオ

2010.12.10 大学

ラジオ

2010.12.11 大学

ラジオ

2010.12.12 大学

ラジオ

2010.12.13 大学

ラジオ

2010.12.14 大学

ラジオ

2010.12.15 大学

ラジオ

2010.12.16 大学

ラジオ

2010.12.17 大学

ラジオ

2010.12.18 大学

ラジオ

2010.12.19 大学

ラジオ

2010.12.20 大学

ラジオ

2010.12.21 大学

ラジオ

2010.12.22 大学

ラジオ
"J4 o_r.JJ JoW14. *1
.<.S I

(59) o|.|0
(81J1O) (r" rsi t_lA:......lJ":J- i
,)^3 iJy,.JJJ.,u3 JoL.....ll (y"
LA.....":L L..... =>La!tA..... -
. o..lu 4J y>y,.J1

I "":JJJ.-- 1j ":J-
J "":JJ <t:4 JjJ.:JilJJJoL.....U
,...ll3 "":JJ (.r:L(J1 J25 ) Jj....?.
ji ■ jji5l.11 ..rJ.lJ}4 "" ;; r:r.J1
L.....,.l; ..lII ..; 4 <S \1 i.Jy,.Jll
J/> ..; r. i t"";:JJJ ■
..;S_r.";:iJy,.Jll
(60) o|.|0
3 i ..U.i., 1JoWlii)U"d
. L:,..l! jiiJ (y"
(61) o|.|0
Jj l L;: ..,;:4
0 U iJJ.U, ...l:. ...J IIJJU:"l0_r...J
J")l;:; ..JW- )'iJ t.r-P)J J>-. JL--11
J4)'. JL}.J JiiJ
A L-5 UJ. J"i Yflr 3i o:.;11 J:bU<:..;:L,.;:J
.11.1JL.....ll J>";,
Ji ) 1) II l
(62) o|.|0
JoW1<..Jb.....o L>-.J _rl_r.
iJ. rO.T JoW1 iJLS oWl;;; i
oW.IZIA.k....p o_r.i jii: 4J i
<table>
<thead>
<tr>
<th>J</th>
<th>y</th>
</tr>
</thead>
<tbody>
<tr>
<td>:f oJ Jbl:...II _rj}l d' } J</td>
<td></td>
</tr>
<tr>
<td>JJ &quot;-;:-l:...II bJ J01 Jl</td>
<td></td>
</tr>
<tr>
<td>I A _r11 IS_r:::J LIY: J</td>
<td></td>
</tr>
<tr>
<td>- JU J-.--II Lp</td>
<td></td>
</tr>
<tr>
<td>U:UL0 J J d' _a.:a.:II)lAy) i i</td>
<td></td>
</tr>
<tr>
<td>J--40 J1:.;&quot;.ll bJ 0U J</td>
<td></td>
</tr>
<tr>
<td>..yUl</td>
<td></td>
</tr>
<tr>
<td>(3s) o Lo</td>
<td></td>
</tr>
<tr>
<td>J 0i I L,.. P</td>
<td></td>
</tr>
<tr>
<td>I:.;II-l_rj:14...;&gt; J</td>
<td></td>
</tr>
<tr>
<td>U;O</td>
<td></td>
</tr>
<tr>
<td>J ifl_r II JUI _..;: j</td>
<td></td>
</tr>
<tr>
<td>:O Lo;.;.;J1._11):1 I y l.t.-1</td>
<td></td>
</tr>
<tr>
<td>Jl-JI d' C3J</td>
<td></td>
</tr>
<tr>
<td>...;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.;.</td>
<td></td>
</tr>
</tbody>
</table>