

Law No. 4 of 2007 Enacting the Common System of Extending Insurance Protection to Citizens of the Cooperation Council of the Arab Gulf States Working Outside Their Countries in Any Member State of the Council 4 / 2007

Number of Articles: 26

Table of Content

Issuance Articles (1-3)

Part 1 (1-7)

Definitions, General Provisions and Scope of Application (Jurisdiction) (1-7)

Part 2 (8-10)

Registration procedures (8-10)

Part 3 (11-13)

Procedures for Collecting Contributions (11-13)

Part 4 (14-17)

Ending the Contribution (14-17)

Part 5 (18-23)

Final Provisions (18-23)

We Hamad Bin Khalifa Al-Thani, Emir of the State of Qatara

After the perusal of the Constitution,
Law No. 24 of 2002, Retirement and Pensions, as amended by Law No. 33 of 2004,
Resolution of the Supreme Council of the Cooperation Council for the Arab Gulf States Passed by Its Twenty Fifth Session, Manamah, Kingdom of Bahrain, December 2004, Approving the Draft Common System of Extending Insurance Protection to Citizens of the Cooperation Council of the Arab Gulf States Working Outside Their Countries in Any Member State of the Council, Resolution of the Supreme Council of the Cooperation Council for the Arab Gulf States Passed by Its Twenty Sixth Session, Abu Dhabi, State of United Arab Emirates, December 2005 Approving the Request by the State of Qatar to be Exempted from the Application of the Common System of Extending Insurance Protection to Citizens of the Cooperation Council of the Arab Gulf States Working Outside Their Countries in Any Member State of the Council until 1/1/2007,
The Proposal of the Board of the General Authority for Retiring and Pensions; and
Draft Law submitted by the Council of Ministers,
Took into consideration the opinion of the Shura Council;
Have enacted the following Law:

Issuance Articles

Article 1 - Introduction

The provisions of the Common System of Extending Insurance Protection to Citizens of the Cooperation Council of the Arab Gulf States Working Outside their countries in any member state of the council, appended to this Law, shall apply.

Article 2 - Introduction

Article (2)

The State shall bear, on behalf of its citizens working in the GCC countries, the cost of the nominal period and the additional sums legally due in the cases of termination of service.

Article 3 - Introduction

All competent authorities, each within its respective competence, shall implement this Law. It shall come into force as of January 1, 2007.

Part 1

Definitions, General Provisions and Scope of Application (Jurisdiction)

Article 1

1. **System:** the common system of extending insurance protection to citizens of the Cooperation Council of Arab Gulf States working outside their countries in any Member State of the Council.
 2. **Council:** the Cooperation Council of Arab Gulf States.
 3. **GCC:** Member States of the Cooperation Council for the Arab Gulf States.
 4. **Workplace State :** any of the GCC countries where the employee / worker is subject to this system.
 5. **The home country of the worker's:** nationality of a worker in any of the GCC countries..
 6. **Citizens of GCC countries:** Nationals of GCC States working in other GCC states.
 7. **Civil retirement/social insurance bodies,** the concerned bodies in the GCC countries entrusted with the application of law/civil retirement system /social insurance.
 8. **Law/ system of civil retirement /social insurance:**
 - A. Laws / Regulations applicable to civil retirement in the GCC States.
 - B. Laws / systems of social insurance applicable in the GCC States, including the system of insurance for workers abroad.
 9. **Employee:** Any citizen of the GCC countries employed to work in any of the state administrative units, public bodies and agencies in any of the GCC countries to which the provisions of law / system of civil service apply.
 10. **Worker:** Any citizen of GCC countries employed to work for an employer, natural or legal person, in any of the GCC countries for a wage.
 11. **Employer:** Any of the following natural or legal persons employing one or more employees / workers and subjected to the provisions of this law.
 - A. State administrative units and public bodies and agencies to which the provisions of Law / System of Civil Service Retirement apply.
 - B. Companies, establishments and bodies of private sector and other sectors subjected to the provisions of Law.
-

Article 2

Pursuant to the provisions of this law / systems of civil retirement / social insurance in force in the GCC countries shaapply to their citizens working in other GCC countries.

Article 3

Enforcement of this law shall be entrusted to the civil retirement / social insurance bodies in the GCC countries.

Article 4

Application of the provisions of this law shall be mandatory on GCC citizens working in other GCC member states, subject to the following conditions:

1. That the provisions and conditions contained in this law / system of civil retirement / social insurance is applicable to them in their countries of origin..
 2. That their employers are also subjected to the provisions of the law / system of civil retirement / social insurance in the state where the workplace is located.
 3. That they are nationals of one of the GCC countries and have documents proving their nationality.
-

Article 5

Application of this System shall be limited to the insurance branch of retirement / old age, disability, illness and death. This shall not preclude the application of the insurance branch of work injuries and occupational diseases for the employee / worker and in accordance with the provisions in force in the country where work is located.

Article 6

Civil retirement / social insurance bodies in the Employee's/worker's Home State shall:

1. Prepare a Manual explaining the provisions of the System / Law applied by them, including rates of contributions payable and the procedures to be followed to insure employees / workers according to the law/system of the employee/worker's home state. They shall circulate this manual to the civil retirement/social insurance bodies of the GCC countries.
 2. Provide the civil retirement/social insurance bodies in the GCC countries with insurance forms required in the application of this law.
 3. Open a bank account to enable employers and civil retirement/social insurance bodies to deposit the amounts payable in pursuant of this System.
 4. Designate an administrative body or unit responsible for following up the implementation of the requirements of this law with the administrative bodies or units in the civil retirement/social insurance bodies in the GCC countries.
-

Article 7

Civil retirement/social insurance bodies of the country where the workplace is located shall do the following:

1. Take measures that oblige employers to apply the provisions of this law.
 2. Take measures to familiarize employers with the provisions of this law and provide them with the insurance application forms and Manual prepared by the civil retirement / social insurance bodies in the home countries of their employees..
 3. Designate the administrative body or unit to be responsible for the implementation of this law in the civil retirement/social insurance bodies in the GCC countries.
-

Part 2

Registration procedures

Article 8

Employees/workers subjected to this law shall be insured by an appropriate social insurance or civil retirement body; this shall be in accordance with the procedures and forms approved under the law of civil retirement/social insurance in the home country of the employee/worker.

Article 9

Employers shall insure employees/workers and shall provide insurance forms to the civil retirement/social insurance bodies in the country where the workplace is located for citizens of GCC countries in their employ for completion. The employers shall notify the civil retirement/social insurance bodies in the home country of the employee / worker of such forms as agreed by the civil retirement / social insurance bodies in the GCC.

Article 10

Civil retirement/social insurance bodies in the country workplace is located shall keep special records and statistics of citizens of the GCC countries working therein.

Part 3
Procedures for Collecting Contributions

Article 11

Contributions shall be collected in accordance with the following rules:

1. Both employee/worker and employer shall make appropriate financial contributions as stipulated by the law of the home country of the employee. The contribution of the employer shall not exceed the rate applicable in the country where the workplace is located. In cases where the contribution of an employer is less than the rate required, the employee/worker shall cover the difference of the contribution to the civil retirement/social insurance body to whose law the employee/worker is subjected. The employer shall, in this case, deduct the difference from the wage or salary of the employee / worker unless the employee / worker home state decides to cover the shortfall on behalf of the employer.
 2. The employer shall deduct the contribution of an employee / worker from his/her monthly wage or salary, including the differences in shortfall in the contribution mentioned in the preceding paragraph. The employer shall deposit all contributions to the bank account specified by the civil retirement / social insurance body responsible. This shall be done on the dates prescribed by law and in accordance with the procedures and regulations applicable in the country where the workplace is located.
-

Article 12

Should the employer delay payment of contributions as stipulated by this law, the civil retirement/social insurance body in the home country of the employee/worker shall notify the civil retirement/social insurance body in the country where workplace is located to pursue, on behalf of the civil retirement/social insurance body in the home country of the employee/worker the defaulting employer and take legal actions that will ensure collection of such contributions and increments resulting thereupon in accordance with the rules and provisions applicable in the country where the workplace is located, without any responsibility on the civil retirement / social insurance body of the country where the workplace is located of inability to collect such contributions and resulting increments for any reason.

Article 13

Article (13)

Should the employer miss the deadline of payment of contributions prescribed by law, not register all or some of his/her employees / workers who are subject to the provisions of this law, fail to report the termination of service of any of them or paid contributions on falsified wages, the employer shall incur punishment applicable under the law of civil retirement/social insurance applicable in the country where workplace is located. Proceeds derived from the punitive measures applicable in this Article shall be for the benefit of the civil retirement / social insurance body of the home country of the employee/worker and shall be deposited into the bank account established for this purpose.

Part 4

Ending the Contribution

Article 14

Article (14)

Contributions of employee/worker shall cease, if he/she ceases to meet any of the conditions detailed in Article 4 of this law.

Article 15

Subject to the provisions of Article 19 of this law, the employer shall notify the civil retirement / social insurance body of the employee/ worker in the country where work is located of termination of service of any of his employees/ workers who are subject to the provisions of this law within a certain period as prescribed by the law in the country where the workplace is located. The employer shall in turn notify the civil retirement/social insurance body in the home country of the employee/worker.

Article 16

In case of disability, illness or death of an employee / worker, the employer shall notify the civil retirement/social insurance body of the country where the workplace is located. The latter shall be responsible for compiling reports and medical certificates required to prove the cases mentioned above. Furthermore the employer shall send the reports including medical reports to the civil retirement / social insurance body in the home country of the employee / worker. These shall be presented to the medical committees as required by the law in the home country of the employee / worker in order to settle the expenses of the employee/worker and those on his/her behalf as prescribed by the law of civil retirement / social insurance body in the home country of the employee / worker..

Article 17

Regarding missing employees/workers, the law shall apply provisions in force under the law/ of civil retirement / social insurance in the home country of the employee / worker.

Part 5

Final Provisions

Article 18

Expenses of the employees/workers and those on their behalf shall be settled in accordance with the provisions of the law/ system of civil retirement/social insurance in the home country of the employee/worker.

Article 19

Unless there is a special provision in this law and without contradicting its provisions, employees/workers shall be subject to all provisions of the law of civil retirement/social insurance in the home country of the employee/ worker.

Article 20

No financial obligations shall arise against the civil retirement / social insurance body of the country where the workplace is located against employees / workers or employer/s .

Article 21

This law shall not prejudice any rights or privileges guaranteed by the laws/ regulations in force in the country where the workplace of the employee/worker is located unless otherwise provided by this law..

Article 22

Similar punitive measures of the law of civil retirement/social insurance in the country where the workplace is located shall apply to employers and employees/workers who are subject to the provisions of this law in the case of violating its provisions.

Article 23

GCC member states shall enact the legislations necessary to implement this law and shall ensure that its provisions come into effect on January 1, 2006.
