

## **Foreign workers**

### **Regulating the Work of Foreigners**

#### **Article 1**

With due observation of the principle of reciprocity , laws and certain provisions in force , conventions that are or shall be ratified by the legislative authority or agreements that have been previously approved by the Ministry of Labor , concerning the demand of foreign technicians for the execution of work required for a public interest , the authorization of Work to Foreigners on the Lebanese territory shall be subject to the following conditions :

#### **Article 2**

Every foreigner seeking entry to Lebanon to practice a certain profession or work with or without pay ; is required to obtain the prior approval of the Ministry of Labor , except for artists who shall obtain the approval from the State Security Directorate . Article 3

The foreigner shall apply abroad for the prior approval to the Ministry of Labor through the official Lebanese mission or by an authorized representative of the concerned person in Lebanon .

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#### **Article 4**

The mentioned Application must indicate all information concerning his expertise , qualifications and in particular ; his name , nationality , date of birth , his religion , type and term of work , his qualifications , the employers name , if the applicant is an employee , and finally his undertaking that the said approval shall not benefit any of his family members .

#### **Article 5**

If the foreigner applicant is a salary earner , the employer is required to submit to the Ministry of Labor an application wherein he declares his approval to send for the foreign worker . The application must be supported by documents and instruments , which corroborate the contents of the foreigner's application , as well as a labor contract certified by a notary public in Lebanon or by one of the Lebanese Diplomatic Corps accredited abroad .

The foreigner , who intends to practice a profession for his own account or represent a company , is required to apply to the Ministry of Labor through the Lebanese mission abroad or his authorized representative in Lebanon . The application must be supported by copies of documents and instruments , which corroborate the contents of his application and the applicant must declare the extent of his possibilities to employ Lebanese workers .

#### **Work Permit**

## **Article 6**

The foreigner , who obtains a prior approval , is required to apply for the work permit indicated in article 25 of the law of 10 July 1962 , to the Ministry of Labor , within a maximum period of ten days as of the date of his entry in Lebanon .

The Ministry may revoke the prior approval if the foreigner fails to arrive to Lebanon within a maximum period of three months from the date of dispatching the prior approval by the Ministry of Labor . The prior approval shall be considered null and void if the foreigner fails to present himself to the Ministry in order to exchange it for a work permit within the ten days as indicated in paragraph 1 , except in case of force majeure .

## **Article 7**

The work permit is considered an extension of the prior approval and a prerequisite condition of it . If the validity of the work permit has expired or its renewal refused , the prior approval shall be equally void , and the person concerned is required to obtain a new prior approval if he intends to work in Lebanon .

## **Article 8**

Subject to the principle of preference of Lebanese workers , a foreigner may be granted a work permit or a renewal of it , whether residing in Lebanon or intending to enter the country after obtaining the prior approval , provided he fulfills one of the following conditions :

He is a specialist or an expert whose work cannot be attended to by a Lebanese worker . The competent department may ask the concerned person to publish at his expense a notice in three daily newspapers , designated by the department itself , and for three times at least . The notice shall state the type of work and the required qualifications , prompting the persons concerned to contact to this end the Surveillance Department of Foreign Workers at the Ministry of Labor which shall record this information in the foreigner's file .

The competent department may evaluate the instances which require , as a condition , the training of the Lebanese workers and the duration thereof , in the light of the importance of the specialization and their qualifications .

He has been residing in Lebanon since the beginning of the year 1954 and has been working in any of the establishments unceasingly for at least nine months per year .

He is married to a Lebanese and establishing this fact through a certificate issued by the Director General Directorate of the Personal Status or any of its provincial departments , as he is required to prove that he has been married for at least one year .

He is born of a Lebanese mother or he is of Lebanese origin . He is required to prove this matter either by a certificate issued from the General Directorate of the Personal Status or any of its provincial departments or by a Court Judgment .

He is one of the managers of foreign companies or a chief accountant or deputy manager , or in one of its branches that operate in Lebanon or in the Middle East .

He is a representative of a foreign company by virtue of a certificate confirming this

fact and that he does not directly deal with the public .

He is an employer , a master handicraft , a man of profession or an industrialist fulfilling the following two conditions :

**A** - He has been residing in Lebanon prior to the year 1954 , and has started his work before 1st January 1960

**B** - If he entered Lebanon after 1st of January 1960 , or if he intends to enter the Lebanese territory after obtaining a prior approval , provided that his capital is not less than Fifty thousand Lebanese Pound and that he shall employ at least three Lebanese workers .

Where foreigners have formed between them a joint - liability company , the capital of each partner must not be less than fifty thousand Lebanese Pounds . They are required to employ Lebanese workers in proportion of three workers per each partner .

#### **Article 9**

Each year , during the month of December and upon the proposal of the Director General after consulting the competent government administrations and agencies , if need be , the Minister of Labor shall define jobs and professions considered essentially exclusive to Lebanese nationals .

#### **Article 10**

The required conditions for foreign teachers to be qualified to practice their profession in private educational schools shall be determined by a ministerial order issued jointly by the Minister of Labor and the Minister of the National Education .

### **General Provisions**

#### **Article 11**

( The text of article 11 has been abrogated by decree no 1582 of 25 April 1984 and replaced by the following text ):

Applications for a work permit in Beirut shall be communicated , in Beirut , to the Ministry of Labor – Surveillance Department of Foreign Workers , and in the governorates , to the regional departments attached to the Ministry of Labor .

The Minister of labor shall have jurisdiction to decide upon these applications and sign the work permits relating thereto . He may delegate these powers to the Director General or to any Heads of the Administrative Units directly attached to him .

As for the Governorates , the Head of the regional departments attached to the Ministry of Labor shall have the authority to decide on the applications of servants and agricultural workers only , sign and deliver the work permits related to them .

#### **Article 12**

( The text of article 12 is abrogated by decree no 1582 of 25 April 1984 and replaced by the following text ):

The Head of the Surveillance Department of foreign workers and the Heads of the regional departments in the governorates shall deliver the work permits signed by the

Minister of Labor and they shall notify his decision of refusal within fifteen days .

### **Article 13**

( The text of article 13 is abrogated by decree no 1582 of 25 April 1984 and replaced by the following text ):

Decisions concerning the applications of prior approval , work permit or its renewal shall be taken within a maximum period of one month dating from the filing of the application and the relevant documents .

The decisions concerning one of these applications may not be postponed beyond this period unless so approved by the Minister .

### **Article 14**

The work permit may be granted and renewed for a maximum period of two years from the date of its issuance . If the renewal application has not been filed within at least one month prior to the expiry of its validity , it shall automatically be considered null and void and the foreigner shall be without a work permit and subject to all measures and sanctions provided for in the laws and regulations in force .

### **Article 15**

It is prohibited for a holder of a prior approval or work permit , to work for another establishment or change the nature of his work unless he obtains the prior approval of the Ministry of Labor .

### **Article 16**

Applications previously rejected may be reexamined if new documents are presented which the concerned persons were not able to submit on time .

### **Article 17**

The work permit may be revoked whenever the document or instrument appears to be false , and whenever the interest of the Lebanese labor force so requires , namely in the following instances :

If an establishment discharges a Lebanese worker according to the provisions of article 50 of the Labor law , but keep a foreigner worker equivalent in capacity and conditions of work .

If an establishment refuses to give preference to engage a Lebanese who adequately fulfills the work conditions .

If the establishment fails to fulfill its commitments of training a Lebanese worker in order to employ instead a foreigner .

If the foreign worker violates the conditions of the prior approval and the work permit .

If the foreign worker was convicted of a felony or a disgraceful crime .

### **Article 18**

The Trade Unions may submit during the month of January of every year a list of the number of the approximate number of Lebanese workers in every profession , the name of the unemployed , their address and their qualifications .

### **Article 19**

An order from the Director General of the Ministry of Labor shall designate the documents to be attached with each type of application . It is required in all cases to include a copy of the judicial record of the applicant which date shall not be older than six months back .

### **Article 20**

The Ministry of Labor may require the Public Administrations and institutions to suspend any application submitted by a foreign worker or company that may lead to practice certain work in Lebanon , with or without pay , unless the work permit provided for in the law of 10 July 1962 is presented .

It shall also suspend such applications whenever the foreigner violates the provisions of the Labor Law and the law concerning the residence of foreigners as well as the decrees and orders referring thereto .

### **Article 21**

Any violation to the provisions concerning the prior approval shall subject its author to the penalties set forth in article 32 of the law of 10 July 1962 .

Any violation to the provisions of the present decree other than that mentioned in the preceding article , shall subject its author to the penalties provided for in article 2 of the law of 17 September 1962 concerning the amendment of the texts of articles 107 and 108 of the labor law .

### **Article 22**

The provisions of the present decree shall not apply on applications registered at the Surveillance Department of the Foreign Workers prior to the date of publishing the said decree in the official gazette .

### **Article 23**

The present decree shall take effect as of the date of its publication in the official gazette .

**Al Zouk on 18 September 1964**

**Signature**

**Fouad Shehab**

( The present decree has been published in the official gazette , issue no 79 of 1 October 1964 )