Domestic:

**Labor Law 58 of 2015 Amends Law 6 of 2016**

By Attorney Fajer Al-Hashem

Authorized by the Public Authority for Manpower

Yesterday, new amendments to one of Kuwait’s most important legislations, the official gazette. Article 51 of Kuwait labor law of 2016 (2019) was used to provide for valid employment benefits to Kuwaitis and non-Kuwaitis alike. Therefore, many of the reform have requested consultations regarding the top-

is, to the extent which the expenses the changes and the means is the implementation. This a great step forward, especially for nationals living in Kuwait. I have highlighted the changes in the following questions below:

**Amounts deducted**

Q1: I heard the new law confirms that no amounts should be deducted from the end of service benefits or termination indemnity. Can you confirm this?


**Fagar**: Article 51 of the Kuwait labor law before amendment explained the end of service/termination indemnity calculations, and then stated that “The expenses of the social security will be taken into consideration in this regard, and the employer shall pass the net amount to the circles of social security amounts.” This a huge difference for Kuwaitis. GCC citizens are the only people under the social security scheme in Kuwait.

So for your question, no amounts due from your salary, which are under social security, will be deducted. They can if you have debts due and so on.

**45 days**

**Q2**: It’s true that now we can take 45 days instead of 20 years.

**Fagar**: Article 70 before the amendments used to say “The worker shall be entitled to a 30-day paid annual leave. However, the worker shall not be entitled to annual leave for the first year, except after at least one month of service for the employer. However, if some period of the service is less than one month, the worker shall be entitled to a leave for the fraction of the year in proportion to the period he has spent in actual service, even the first year of service.”

Now it states (rough translation as there is no official English version yet): “The worker shall be entitled to a 30-day paid annual leave. However, the worker shall be entitled to a leave after six months of service for the employer. Workdays, official holidays and sick leaves during the year shall not be counted as annual leave. The worker shall be entitled to a leave for the fraction of the year in proportion to the period he spent in actual service, even the first year of service.”

We can see two major amendments here:

1. Employees are entitled to leave after six months instead of nine months.
2. The amounts are no longer calculated in the annual leave.

As a result, your question, employees are entitled to 45 days annual leave, but now only five days work should be deducted from their leave (while currently it’s common practice to calculate Saturday in a working day when it usually isn’t). This will give the employee six weeks in total a year if they are taking their annual leave at one go.

I hope I have helped explain the law above. If you want to read more, it is available in the ‘9’ edition of the official gazette of Kuwait under Law 6 for 2017.

Should you have any questions or concerns, you can request a consultation, please email me at fajer.alhashem@kpmg.com

**MANPOWER AUTHORITY DENIES PLANS TO SET AGE LIMIT FOR PERMITS**

By Dhahir Al-Mosta

KUWAIT: Manpower Authority (MA) on Sunday denied reports that the national authority on manpower confirmed reports that it was discussing raising the legal age of workers to 21.

It denied the reports saying that the Ministry of Manpower and the authority have not discussed the issue of banning permits for workers who are under the age of 30. About the recent reports, the Ministry of Manpower and the Manpower Authority clarified that it has not commented on such a plan.

The ministry had in the past denied the same reports in a press conference.

A committee investigating forged diplomas, said the ministerial committee had received a report that a number of universities in the country, including many private ones, had issued false degrees.

The ministry has previously received reports that a number of private universities in the district had issued degrees to students without the necessary requirements and conditions.

A number of universities have been ordered to withdraw the degrees issued to students who were not qualified to receive them.

The Ministry of Education and Higher Education has also ordered the private universities to withdraw the degrees and issue them to students who have the necessary qualifications.

In addition, the ministry has ordered the private universities to provide the necessary documents and information about the students who were granted the degrees.

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**FAILURES TO REGISTER CONSCRIPTS SUBJECT CITIZEN TO PENAL MEASURES:**

KUWAIT: Kuwaitis born on May 25, 1990 or later are urged to reg-

**ister for conscription within 60 days in order to avoid penalties, the announces.**

**KUWAIT: Ahli United Bank recently celebrated the official launch of its new branch in Al-Jahra.**

The bank has relocated its long-established branch in the governorate to a new location to provide improved services. The new branch, which has a modern and updated facility to provide a range of services for customers in need of special assistance, will provide an integrated service to accommodate customers’ wide needs.

The official celebration was attended by an extensive number of public figures, being senior officials from the Government of Kuwait, the Health Ministry, the Al-Asimah District - Talal Marzouq Al-Qaha, and Colonel Mohammad Al-Mahmoudi, Commander of Al-Ahwaal District, as well as a number of Al-Jahra Co-Op. Mohammed Dabbous, General Manager of Kuwait Insurance Company, and Hadi Al-Qahs, Chairman of the Reform and Development Committee in the Governorate of Al-Jahra, were present to welcome the guests, including Richard Groves - CEO, Moataz Al-Rafie - Senior Deputy CEO, banking Services Group, Ranjan San - General Manager Retail Banking, and Naqeeb Ameen - Human Resources and Training.

Mr. Al-Qahs congratulated the bank on the new opening. He said: “This is a great step forward, especially for non-

Kuwaitis alike. Therefore, many of my readers take to the press that the bank has relocated its long-established branch in the governorate to a new location to provide improved services. The new branch, which has a modern and updated facility to provide a range of services for customers in need of special assistance, will provide an integrated service to accommodate customers’ wide needs.

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