

New Delhi, Dated 31.12.2009

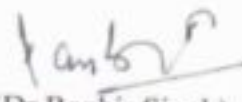
ORDER

I am enclosing herewith the implications of the recent amendments to the Omani Labour Law. The amended Omani labour law is aimed at combating illegal entry, illegal stay, illegal employment, absconding from the employer and changing his employer. It imposes stringent penalties in terms of imprisonment and heavy fine on account of any violations by workers and employers.

2. The amended law is backed by a massive enforcement drive by the Omani Immigration authorities. The net impact is severe hardship to non-abiding emigrant because he will neither be able to return to India (due to inability to pay such heavy fine) nor be able to find work in Oman (due to criminal liability of the employers if they employ such a worker).

3. All the POEs are therefore requested to disseminate the implications of the new amendment with the Omani Labour Law amongst the intending emigrants and the recruiting agents by displaying the same at a conspicuous place at their office and by writing to the recruiting agents advising them to bring these implications to the notice of the workers to be recruited by them. You may also issue written advisory to the individual emigrants who approach you for emigration clearance for Oman.

4. Action taken may be confirmed immediately.


(Dr Ranbir Singh)
Protector General of Emigrants

To

All POEs

Copy to : Joint Secretary (FS), MOIA for information.

**The implications of Royal Decree 63/2009 of Oman
amending the Omani Labour Law**

Implications

1. The amended Omani labour law is aimed at combating illegal entry, illegal stay, illegal employment, absconding from the employer and changing his employer. Article 18 prohibits an employer to:
 - (i). allow any of his non Omani employees to work with others
 - (ii). employ any non Omani worker who is authorized to work with another employer or is living in the Sultanate illegally
 - (iii). employ any non Omani employee in an occupation which is Omanized
2. Violation of Article 18 is punishable with imprisonment for a period not exceeding one month and a fine of RO 1000 to RO 2000 (1 RO is equivalent to 2.60 US dollars). A non-Omani violator shall be deported at the expense of the employer and shall be deprived for the entry again.
3. Any employer who employs a non Omani national not authorized to hire as per his clearance shall have to pay a fine of RO 1000 to 2000 for each worker besides payment of expenses for sending back to his country and will be deprived from getting further labour clearance for a period not exceeding two years. The punishment shall be double if the worker entered the Sultanate illegally or left work with his sponsor.
4. Any employer who allows any of his non Omani employees to work with another employer shall be jailed for a period not exceeding one month and fined with RO 1000 for each employee.
5. A non Omani worker who works in Oman without permission or changes his employer shall be liable for imprisonment for a period not exceeding one month plus fine of RO 400-800 plus cancellation of the permit and deportation at the expense of the employer and will be deprived from entering Oman again.
6. Any employer not complying with the determined Omanization percentage will be liable to pay a fine equivalent to 60% of the average total salaries of non Omani representing the difference between Omanization percentage determined legally and the one achieved actually.

Advisory

All recruiting agents are hereby advised to bring these implications to the notice of every worker recruited by them for Oman and suitably sensitize him against illegal stay, illegal employment, absconding from the employer and changing his employer.

All Oman bound emigrants are hereby advised to ensure that they comply with the amended Omani labour law at all times and refrain from indulging in any act of illegal entry, illegal stay, illegal employment, absconding from the employer and changing his employer.
