Legal analyses on “MOL extension on grace period and Work Permits fees for Syrians in Jordan”:

**Background:**

Generally, the tenth extension for the grace period related to rectifying the status of Syrian workers in Jordan came with the same concept where the Syrian workers are exempted from paying the fees needed to issue a work permit. However, we have noticed that the current announcement came with few changes, in this paper we will analysis those changes/additional points from legal perspective.

**First:**

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| *2020* | *2021* |
| *“work permit Fees”* | *“The fees of work permit issuance, renewal stipulated at article (2) the regulation of the work permit fees for non-Jordanians No. (142) year 2019.”[[1]](#footnote-1)* |

The announcement of 2021 has referred “*the regulation of the work permit fees for non-Jordanians No. (142) year 2019.”* Issued based on clause C from article 12 of the labour law No.8 of the year 1996.

*Article (1):*

*This regulation called the: “regulation of the work permit fees for non-Jordanians of the year 2019” and should be effective from the date published at the official Gazette.*

 *Article (2):*

*The employer shall pay the amount of 400 JOD for the issuance/renewal of annual work permits (whether it issued for the whole/part of the year) in all economic sectors except the following sectors:*

1. *For the workers at the garment companies registered at the Investment Commission at the QIZ,* *the amount of 175 JOD shall be paid for work permit issuance.*
2. *For domestic workers, (if they are the second employee), the amount of 900 JOD shall be paid for work permit issuance.*
3. *The amount of 1000 JOD shall be paid for work permit issuance for workers at the following sectors:*
4. *Licensed Massage centers.*
5. *Pubs, Bars.*
6. *For workers who applied for special skilled work permits, the amount of 2400 JOD shall be paid for work permit issuance.*
7. *For daily workers who are willing to issue a flexible work permits at the agriculture sector, 1400 JOD shall be paid for work permit issuance.*
8. *For daily workers who are willing to issue a flexible work permits at the construction, loading downloading sectors, 1900 JOD shall be paid for work permit issuance.*

**Second:**

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| *2020* | *2021* |
| *“The additional fees shall be paid for work permit issuance stipulated at article (3) from regulation of the work permit fees for non-Jordanians No. (67) year 2014.” \** | *“The additional fees shall be paid for work permit issuance stipulated at article (3) from regulation of the work permit fees for non-Jordanians No. (142) year 2019.”*  |

*Article (3):*

1. *The employer who recruit any of the workers at the above-mentioned sectors, shall pay additional fees (amount of 100 JOD) on every issuance/renewal of any work permit.*
2. *The amount mentioned at clause (A) from this article should be transferred to the (**Technical and Vocational Skills Development Commission).*

\*the amount mentioned at the announcement of 2020, used to be transferred to the Technical and Vocational and Training Fund by the old regulations “*regulation of the work permit fees for non-Jordanians No. (67) year 2014.”*

In the current announcement the mentioned fees will be transferred to the “*Technical and Vocational Skills Development Commission”* established in 2019.

**Third:**

The third point regarding the fines specified at article (6) from the regulation in case of the employer’s failure in renewing the work permit.

*Article (6):*

*In case the employer failed in renewing the work permit for the worker within 90 days from the expiry date specified at the work permit, a fine equal to 50% from the full issuance fees should be paid by the employer as a delay fine.*

**Fourth:**

This point related to the unpaid fees of work permit issuance for previous years, was more clarified by using the term “retroactively”. In order to emphasize that all pervious fees whether its issuance fees, or any other additional fees shall be waived by this announcement.

**Fifth:**

The fees of revenue stamps (same).

**Sixth:**

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| 2020 | 2021 |
| *“The medical exam certificate issued by MOH which is mandatory for issuing work permit.”* | *“The fees of the medical exam for the purpose of work permit issuance. It is obligatory to do the medical exam.”* |

Medical exemption is required now, not like previous years. However, the fees for this exam are waived.

We believe that focusing on Health Care during the pandemic is a positive point to be included in the framework of regularizing the labour market.

**Seventh:**

The announcement of 2020 mentioned that there are type of fees still have to be paid by the employer such as:

*Auditing fees, certification fees (if applicable), authorization fees (if applicable), undertaking fees (if applicable).*

Not mentioned at the announcement of 2021, but its still applicable.

1. Notes on the regulations:

\*\*Issued on 2/9/2019. Replaced the regulation No.67 of the year 2014.

\*\*contains 8 articles. [↑](#footnote-ref-1)