

**Republican Decree No. (47)**  
**of 1994 concerning**  
**the Entry and Adobe**  
**of Foreigners**

**CHAIRMAN OF THE PRESIDENTIAL COUNCIL,**

- AFTER having perused the Agreement on the Declaration of the Republic of Yemen,
- AND the Constitution of the Republic of Yemen,
- AND Republican Decree No. 1 of 1990 concerning the formation of the Council of Ministers,
- AND following consent of the Presidential Council,

**( RESOLVES )**

**Section One**  
**Citation and Definitions**

Article (1) : This law shall be cited as the “law on the Entry of Adobe of Foreigners”.

Article (2) : For the purposes of this Republican Decree on law the words and expressions contained therein shall have the meanings determined before each of them, unless the context should indicate to the contrary thereof:

Republic :	Republic of Yemen.
Ministry :	Ministry of Interior and Security.
Minister :	Minister of Interior and Security.
Authority :	The Immigration, Passports and Nationality Authority.
Competent Officer :	Whosoever to whom any work of the Authority is assigned.
Minor :	Whosoever has not attained eighteen years of age.
Adult :	Whosoever has attained eighteen years of age.
Foreigner :	Whosoever does not enjoy Yemeni nationality.
Entry visa:	Approval to enter the territories of the Republic by a foreigner issued by the Authority or the Yemeni consul or whomsoever takes his place or any government quarter so empowered by the government of the Republic for this purpose.
Expulsion :	Return of the foreigner who has entered the territories of the republic in an illegal manner to outside the boundaries by a resolution of the competent authority.
Residence document :	The document that contains permission for the foreigner to reside in the territories of the Republic issued by the competent Yemeni authority.
Expulsion :	The demand by a competent authority on the foreigner resident in the territory of the Republic to depart therefore.
Exit visa :	Approval of the competent authority of the foreigner leaving the territories of the Republic and marked on his passport.

**Section Two**  
**Entry of Foreigners**

Article (3) : It shall not be permissible for a foreigner to enter the territories of the Republic unless he holds a valid passport issued by the competent authority in his country, or a travel document that takes its place issued by such authority and empowering its holder with the right of return to his country. The passport or travel document must be marked with permission to enter and an entry visa shall be issued and marked on the passports by the Chairmanship of the Authority or any other body empowered so by the government of the Republic for such purpose.

Article (4) : By a resolution issued by him the Minister of Interior may exempt some subjects of some Arab and other states from the obtaining of an entry visa, provided there is reciprocal treatment, and that after the approval of the Council of Ministers.

Article (5) : The Regulation shall clarify the conditions and terms that must be followed by foreigners before leaving the territories of the Republic and the manner of obtaining special permission for that. The Regulation shall show the conditions of granting the permit, the authority that is empowered to issue the permit, the validity and amount of the fee that is collected and the cases of exemption from obtaining the permit.

Article (6) : The foreigner may not enter or leave the territories of the Republic except from the points determined by the Minister of the Interior by a resolution issued by him. The competent officer must endorse the passport or the Travel document taking its place with an intimation of entry or departure according to the conditions that may be.

Article (7) : By a resolution issue by the Minister and after coordination with the Minister of Foreign Affairs the types of visas, the extent of their validity, the conditions and terms of granting it, the authority granting it, the cases of exemption from obtaining such visas, the cases of exemption from the fees due thereupon, either wholly or partially, shall be shown.

Article (8) : The captains of ships and aircrafts or the establishments to which they are subordinated must upon arriving at or leaving the territories of the Republic furnish the competent officer with a list of the names of the navigators of their ships or vessels, their passengers and statements about them. They must inform the competent authorities of the names of passengers who do not hold passports or hold incorrect passports of invalid ones and they must prevent them from boarding or disembarking the ship or aircraft,

### **Section Three Registration of Aliens**

Article (9) : After entering the territories of the Republic every alien must present himself in person to the Aliens Registration Office or the police station in the area that he resides in and make out a statement about his personal status, the purpose of his presence and the Regulation shall show the conditions, measures, duration and other such statements.

Article (10) : Foreigners holding special residence provided for in Article (19) shall be exempt from the provisions of the preceding paragraph upon their return to the Republic, provided that the period of their absence abroad does not exceed six continuous months.

Article (11) : Before changing his place of residence inside the Republic, every foreigner must inform the Aliens Registration Office or the police station in whose district he resides of his new address. If he should move to another region inside the Republic he must also present himself to the Aliens Registration Office of the competent police station in the region to which he has moved and that within 48 hours of his arrival thereat and inform them of his new address. Aliens who reside in accordance with tourist visas shall be exempt from this provision during the period determined by the Regulation.

Article (12) : The alien may be exempted from the condition of presenting himself in person in accordance with Article (9) for special considerations, such as international courtesies or acceptable excuses. In such cases the statement shall be made out in writing on the specimen prepared for this purpose and handed over to the Aliens Registration Office within the period determined by the Regulation.

Article (13) : The managers of hotels or any other place of this type, as well as whosoever shelters an alien or rents him a place for residence must inform the Registration Office or the police station within the district of the foreigner's residence of this foreigner's name and place of residence within 48 hours of his arriving there and he must also inform of the departure of the foreigner.

Article (14) : During their period of abode in the Republic the foreigners must submit their passports or the documents taking their place and other such papers that are requested of them. They must give the statements that are requested of them and present themselves, when requested, to the Chairmanship of the Authority or its departments or the competent police station at the time appointed for them. In the event of loss or damage of the passport or the travel document they must inform the police station within 48 hours of the loss or damage. In the event of their travel from one region to another they must take along with them their passports and residence permits.

Article (15) : Whosoever employs a foreigner must obtain prior permission for that from the competent quarters. He must submit to the Aliens Registration Office or the police station in whose district his place of business is, a statement according to the specimen prepared for that within 48 hours of the foreigner joining his employment. Upon termination of the employment of the alien he must submit a statement to that effect to the Aliens Registration Office or the police station within 48 hours of the termination of his relationship with him.

Article (16) : For excuses acceptable to him the Chairman of the Authority may allow the surpassing of action according to the provisions of Articles 9, 11, 14, 15 and 17 of this law.

#### **Section Four Residence Permit**

Article (17) : Every foreigner must hold a residence permit and must leave the territories of the Republic upon the expiry of the duration of his residence, unless he has obtained a renewal of such permit from the Chairman of the Authority extending his residence in accordance with the provisions of this law.

Article (18) : As regards residence, foreigners shall be divided into three categories:

- 1- Foreigners with special residence.
- 2- Foreigners with ordinary residence.
- 3- Foreigners with temporary residence.

Article (19) : Foreigners with special residence are:

- (a) Foreigners over whose residence in the Republic the preceding continuous twenty (20) years have elapsed before the date of this law coming into force and had entered its territories in a legitimate manner and undertake work that is beneficial to the national economy or render the country scientific, cultural or literary services, provided that such works are determined by the Minister's resolution.
- (b) Foreigners over whose residence more than five continuous years have elapsed before this law coming into force, had entered the territories of the Republic in a legitimate manner, undertake work that is beneficial to the national economy or render the country scientific, cultural or literary services, provided that such works are determined by a resolution of the Minister.
- (c) Scientists, literary figures, artists, industrialists, economists and others who render noble services to the country and in whose regard a resolution is issued by the Minister of the Interior permitting the members of this category residence for a period of ten years that can be renewed upon application, and that unless they are under one of the conditions provided for in Article (31), Residence shall be enjoyed only by the person so permitted and his minor children who live under his guardianship until they attain the age of eighteen years, as well as his wife if two years have elapsed over her legitimate residence in the Republic since the date of the declaration of the marriage by the Chairman of the Authority and such marriage continues,

Article (20) : Foreigners with ordinary residence are those over whose residence in the Republic fifteen continuous years have elapsed prior to the date of this law coming into force and had entered the country in a legitimate manner. The individuals of this category shall be granted residence for a period of five years that may be renewed.

Article (21) : The Executive Regulation of this law shall show, the condition measures, periods of duration pertaining to the foreign wives of Yemenis as well as the foreign husbands of Yemeni women and the effects that are entailed by the marriage.

Article (22) : Foreigners with temporary residence are those who do not meet the conditions provided for under the preceding two articles and the members of this category may be granted a residence permit for a maximum period of one year and this may be renewed.

Article (23) : In exception of Article (22) the Chairman of the Authority may grant some foreigners a renewable residence of three years and that for considerations necessitated by the nature of their work such as employees of oil and oil derivatives companies and the managers of banks and companies according to conditions and measures shown in the Regulation.

Article (24): The Regulation shall show the measures pertaining to the permits of residence and determine the time when these should be applied for.

Article (25): It shall not be permissible for any member of the two categories referred to in Articles 19 and 20 to be absent from the Republic for a period exceeding six months, unless he obtains before his travel or before the end of this period, a permission therefore from the Chairman of the Authority for reasons acceptable to him. The period of absence may not exceed two years. The violation of the preceding provisions entail dropping the right of the foreigner's permit of residence. Foreigners who are absent for the pursuit of education at foreign schools, institutes and universities or are rendering compulsory service shall be exempt from that if they furnish of the foregoing.

Article (26): It shall not be permissible for an individual from the two categories mentioned in Articles 19 and 20 to be absent for other than the purposes mentioned in the preceding Article, except after obtaining the prior approval of the Chairman of the Authority.

Article (27): By a resolution issued by him the Minister may determine the form and condition of the travel documents that are given, to some categories of foreigners and refugees, the conditions and measures of granting them, and propose the amount of fees to be paid thereon and the cases of whole or partial exemption there from.

Article (28): By resolution of the Minister the rules and measures of placing the names of the persons prohibited from entering or leaving the territories of the Republic in special lists, the manner of their submission and the committee concerned with making decisions thereon. The resolution of such a committee shall not be executed except after being endorsed by the Minister.

Article (29): The Minister of the Interior shall issue a resolution on the form and condition of residence cards and the specimens provided for in this law and the statements that such specimens and admissions must contain.

## **Section Five Expulsion**

Article (30): By his resolution the Minister shall be entitled to expel any foreigner on the basis of an expulsion decision adopted by the expulsion committee.

Article (31): It shall not be permissible to expel a foreigner with special residence except if his presence constitutes a threat to the security and safety of the state internally or abroad, or its national economy, public health or public morals, or if he becomes dependent upon the state. The Minister's decision of expulsion shall be issued after the matter is reviewed by the committee provided for in Article 34 and following consent of the prime minister.

Article (32): With due regard for legal procedures the Minister of the Interior and Security may order the detention of whosoever he considers should be expelled until the expulsion measures are completed.

Article (33): By his resolution the Minister shall show the measures that must be adopted in issuing the expulsion decision, its declaration and execution.

Article (34): The Expulsion Committee shall be constituted as follows:

- 1- Deputy Minister of Interior
- 2- Deputy Minister of Interior for the Internal Security Sector
- 3- Chairman of the Immigration, Passports and Nationality Authority
- 4- General Director of Legal Affairs at the Ministry of the Interior
- 5- General Director of Arab and Foreign Affairs at the Authority
- 6- The Committee shall meet upon the request of its Chairman. For the meeting to be correct it shall be a condition that the Chairman and three members should be present at least. Decisions shall be taken by a majority of the members present and when the votes are equal the side with which the Chairman stands shall have sway. Its views shall be communicated to the Minister in a speedy manner.

Article (35) : The Authority must inform the foreigner in respect of whom the expulsion decision has been taken in writing. The Regulation shall show the form of intimation and the period during which the foreigner must leave the country,

Article (36) : The foreigner who has been expelled in the past shall not be permitted to return to the territories of the Republic except by a decision of the Minister.

Article (37): The Authority or whomsoever it empowers shall have the right to deport any foreigner who manages to enter the territories of the Republic in any manner whatsoever.

## **Section Six Exemptions**

Article (38): The provisions regarding the entry and residence of foreigners shall not apply to:

- 1- Member of the foreign diplomatic or consular corps who are accredited in the Republic so long as they are in the service of the state they represent in accordance with international law. As for the non-accredited members of the diplomatic or consular corps they shall receive reciprocal treatment.
- 2- Navigators of ships and aircraft coming to the Republic who hold marine or aerial travel documents from the competent quarters to which they are subject. These documents must be endorsed by the passport authorities at the marine and airports upon their entry into the territories of the Republic, or their landing therein or their departure there from. These visas shall not grant the right of residence except for the period that the ship or aircraft remains in port.
- 3- Passengers of ships and aircraft that land or moor in the marine and airports of the Republic and who are allowed by the competent authorities to land temporarily stay in its territories during the period of stay of the ship or aircraft in port, provided that this shall not exceed one week. The captains of ships and aircrafts must, before their departure, inform the immigration department of the absence of any passenger who has left the ship or the aircraft and hand over to them his passport. If his matter is not discovered except after departure they must inform such authorities of the names of the absentees and their nationalities by cable and send their travel documents by the fastest means from the first marine or airport they reach.
- 4- Those exempted in accordance with international conventions to which the Republic is a party and that within the bounds of such conventions.
- 5- Whomsoever the Minister considers should be exempted by special permission out of consideration for international spheres.

## **Section Seven**

### **Fines**

Article (39) : (a) Whosoever refrains from implementing the decisions of expulsion shall be punished with imprisonment for a period not exceeding three months and a fine not exceeding three thousand ( 3,000 ) riyals or one of these two penalties and without prejudice to the implementation of the expulsion order.

(b) Whosoever violates the provision of Article (26) shall be punished with the revocation of his residence or a fine that does not exceed three thousand (3.000) riyals.

Article (40): Whosoever violates Article (36) shall be punished with imprisonment for a period not exceeding six months, and without prejudice to any sterner punishment provided for in other laws.

Article (41) : Without prejudice to any other sterner penalty provided for in other laws, whosoever makes before the competent authorities false statements or submits incorrect papers with his knowledge of their being so, so as to facilitate his entry into or residence in the Republic or that of others, shall be punished with imprisonment for a period not exceeding six months and a fine not exceeding three thousand (3.000) riyals or one of the two penalties. The penalty shall be doubled if the violator is a subject of a state in a state of war with the Republic.

Article (42) : Whosoever violates the provisions of Articles 9, 11, 13, 15, 17, 21, 23 and 25 and the resolutions issued in implementation thereof shall be punished with imprisonment for a period that does not exceed six months and a fine not exceeding three thousand ( 3.000 ) riyals or one of the two penalties.

Article (43) : In exception of the provision contained in Article (17) concerning the foreigner "whose residence ends without being renewed or without his obtaining a residence permit, such person shall be punished with a fine of 30 riyals per day and the Minister shall have the right or whosoever is authorized by him to exempt him for reasons accepted by him as is shown in the Regulation.

Article (44) : Without prejudice to any other sterner punishment provided for in other laws, whosoever makes before the competent authorities false statements or submits incorrect papers knowing them to be so, so as to facilitate his obtaining or obtaining for others an exit visa enabling departure from the Republic, shall be punished with imprisonment for a period not exceeding six months and a fine not exceeding three thousand ( 3.000 ) riyals or one of these two penalties.

Article (45): It shall be permissible in the conditions shown in Articles 3, 6 and 17 in addition to the penalties provided for to order the expulsion of the foreigner. The competent authorities may also arrest any foreigner who enters or remains in the Yemen without permission, place him under guard or free him on bail as a prelude to taking the necessary measures against him.

Article (46): The foreigner who is able to enter in an illegitimate manner is penalized with imprisonment for a period not exceeding one year in addition to his deportation.

Article (47): A percentage of 30% of the amounts of the fines collected by the Authority shall be deducted and expended with its knowledge to those responsible for its collection and the Regulation shall show the manner of deduction, expenditure there from and the measures that are necessary for that.

Article (48) : Law No. (80) of 1977 concerning the entry and abode of foreigners issued in Sana'a and law No. (28) of 1969 concerning the Immigration law issued in Aden shall be revoked and any text or provision that is inconsistent with its provisions shall be similarly revoked.

Article (49): The Executive Regulation of this Decree on law shall be issued by a Republican Decree after approval of the Council of Ministers.

Article (50): This Decree on law shall come into force from the date of its promulgation and shall be published in the Official Gazette.

Issued at the Presidency of the Republic, Sana'a  
On Ramadhan 28, 1411 AH  
Corresponding to April 13, 1994 AD

Lieutenant General  
**Ali Abdulla Saleh**  
Chairman of the Presidential Council