

In the name of the people

The Presidency

Decision No. (33)

Pursuant to what has been approved by the Council of Representatives (The Parliament) in accordance with the provisions of Article 61 (First) and Article 73 (Third) of the Constitution, the President of the Republic decided on October 2nd, 2017 to issue the following law:

No. (76) of 2017

Law on the Residence of Foreigners

Chapter One

Definitions, Validity and Objectives

Article 1

First: This law shall apply to the foreign natural person.

Second: The following expressions shall have the meanings shown there against:

Ministry: Ministry of Interior.

Minister: Minister of Interior.

Director General: Director General of the General Directorate of Residence.

The General Directorate: the General Directorate of Residence which shall be established later under the law of the Ministry of Interior.

Competent Authority: the General Directorate of Residence.

Residence Officer: The officer who shall be empowered by the Director General to have the authority of a residence officer for the purpose of executing the provisions of this law.

Bureau of Security Investigation: the office which shall be established within the Ministry of Foreign Affairs and shall include representatives of the Ministry of Foreign Affairs, the General Directorate of Residence, Directorate of Intelligence, the Ministry of Interior, the Iraqi National Intelligence Service and the National Security Service. The Office shall check on a daily basis the names of individuals sent by Iraqi embassies and consulates for the purpose of granting them entry visas.

The Foreigner: Anyone who does not hold the nationality of the Republic of Iraq.

Entry Visa: The approval that allows a foreigner to enter the territory of the Republic of Iraq which shall be stamped on his/her passport by an Iraqi Consul or by the person acting on his behalf or by the body looking after Iraqi interests abroad or whoever authorized by the Minister;

Document of Residence: The document issued by a competent Iraqi authority containing permission for the foreigner to reside in Iraq;

Deportation: The order issued by a competent authority to a foreigner residing legally in the Republic of Iraq to depart therefrom.

Expulsion: The procedure of sending back the foreigner who has illegally entered the territory of the Republic of Iraq outside Iraqi frontiers under a decision taken by a competent authority.

Departure Visa: The approval by a competent authority for a foreigner agrees to leave the territory of the Republic of Iraq and the passport is indicated in the passport.

Laissez-passers: A document which shall be granted the foreigner whose passport or travel document is lost or damaged and whose country has not had diplomatic representation within the territory of the Republic of Iraq.

Statement of Arrival: The information form that shall be completed and signed by the foreigner.

Third: The provisions of this Law shall not apply to:

A. Foreign kings, heads of state and heads of governments, as well as their family members and those accompanying them during the visit.

B. Heads of diplomatic and consular missions and their accredited and non-accredited official and their family members, taking into account the principle of reciprocity, provided that they are provided with special identity cards issued by the Ministry of Foreign Affairs.

C. Those responsible for the operation of ships, aircraft and trains coming to the Republic of Iraq during the period of stay of these ships, aircraft or trains, provided that their travel documents are stamped by the competent Iraqi authority when entering and leaving the territory of the Republic of Iraq.

D. Passengers of ships, aircraft and trains who have obtained the permission of competent Iraqi authorities have authorized them to disembark or stay temporarily in the territory of the Republic of Iraq during the period of stay of these ships, aircraft or trains.

E. Those who are exempted under international conventions to which the Republic of Iraq is a party.

F. Minors who are included in their kinsfolks' passports.

G. The nationals of neighboring states residents who reside in the border areas and who, with the knowledge of the border authorities and under agreements concluded between the Republic of Iraq and their countries are allowed to enter the territory of the Republic of Iraq by land to perform their normal works.

H. Iraqi citizens and their children who hold foreign passports.

Article 2

This Law aims at:

First: Regulating the entry of the foreigner into the territory of the Republic of Iraq and departing therefrom.

Second: Specifying the types and parameters of visas granted to the foreigner for entering into and departing from the territory of the Republic of Iraq.

Third: Regulating the residence of foreigners in the Republic of Iraq.

Chapter Two

Entry and Departure of Foreigners

Article 3

The entry of the foreigner into the territory of the Republic of Iraq and departing from it shall be subject to the following conditions:

First: the foreigner must hold a passport or a travel document which are valid for a period of no less than (6) six months and entitles him/her to enter into or depart from the territory of the Republic of Iraq.

Second: when entering the territory of the Republic of Iraq, the foreigner must have a valid entry visa which is to be stamped on his/her passport or travel document and marked by the official stamps of entry and departure upon arrival in and leaving the territory of Republic of Iraq.

Third: the foreigner must prove that he/she is free from communicable and infectious diseases and acquired immunodeficiency syndrome (AIDS).

Fourth: upon arrival in and leaving the territory of Republic of Iraq, the foreigner shall pass through the official border crossings and after his/her passport or travel

document have been marked with the stamp of entry upon arrival in the territory of the Republic of Iraq and the stamp of departure upon departing therefrom

Article 4

The Residence Officers, based in the Residence and Passport Centers at the Iraqi border crossings points, shall refer any foreigner, who intends to enter the Iraqi territories, to the competent authorities for investigation when it becomes clear for those officers that the personal data, Iraqi and non-Iraqi visas or the personal photo affixed in the foreigner's passport or travel document have been distorted or tampered, taking into account the principle of reciprocity.

Chapter Three

Entry and Departure Visas

Article 5

Entry visas shall be issued, renewed and canceled in accordance with the provisions of this Law.

Article 6

First: The General Directorate of Residence shall be entitled to grant the entry visas as stipulated in Paragraphs (A), (B), (C), (D), (E), (F), and (G) of Para. (First) of Article (7) of this Law.

Second: Our diplomatic representatives abroad shall issue the entry visas as stipulated in Para. (First) of this Article after being approved by the Ministry of Foreign Affairs' Bureau of Security Investigation.

Third: The Minister shall establish the parameters which govern the procedures and conditions of applications made by residents in the Republic of Iraq to obtain entry visas for foreigners residing abroad.

Article 7

First: Visas of entry into the territory of the Republic of Iraq shall be as follows:

A. Ordinary Visa: this visa entitles its bearer to enter into the territory of the Republic of Iraq only once within sixty (60) days from the date of issuance and to reside therein for the said period.

B. Transit Visa: it entitles its bearer to enter the territory of the Republic of Iraq only once within thirty (30) days from the date of issuance and to stay therein for a period not exceeding seven (7) days.

C. Non-stop Transit Visa: it entitles its bearer to pass through the territory of the Republic of Iraq under the supervision of the competent authorities only once within (3) three days without stop within thirty (30) days from the date of issuance.

D. Visit Visa: The bearer of this visa is entitled to enter the territory of the Republic of Iraq only once during ninety (90) days from the date of issuance and to stay therein for thirty (30) days. The bearer is not entitled to work anywhere in the Republic of Iraq, whether with or without pay.

E. Tourist Visa: This visa shall be granted under the sponsorship of institutions, bodies and companies operating in the field of tourism, on both individual of family bases, for visiting tourist and religious areas. It entitles the bearer to enter the territory of the Republic of Iraq only once within sixty (60) days from the date of issuance and to stay therein for a period of thirty (30) days. The bearer is not entitled to work anywhere in the Republic of Iraq, whether with or without pay.

F. Special Visa: This visa shall be granted under a decision by the Minister of Interior in coordination with the Minister of Foreign Affairs for considerations relating to international courtesies. The bearer shall be entitled to stay in the Republic of Iraq for thirty (30) days from the date of entry.

G. Emergency Visa: This visa shall be granted by the Residence Officer to the foreigner who arrived in the territory of the Republic of Iraq with the intention of entering thereto and who has not obtained an entry visa already, provided that the Residence Officer shall inform the Director General directly and immediately.

H. Fast Entry Visa: This visa is to be granted within one day.

I. Political Visa: Granting this visa is regulated by instructions issued by the Minister of Foreign Affairs in coordination with the Minister of Interior pursuant to the principle of reciprocity.

J. Diplomatic Visa: This visa is granted to persons holding diplomatic passports in accordance with instructions issued by the Minister of Foreign Affairs in coordination with the Minister of Interior.

K. Service Visa: This visa is granted to persons who hold service passports in accordance with instructions issued by the Minister of Foreign Affairs in coordination with the Minister of Interior or his authorized representative.

Second: The Director General or his authorized representative and the Ambassador concerned may grant an entry visa for one or multiple trips. This visa entitles the bearer to enter the territory of the Republic of Iraq within three (3) months from the date of issuance for several trips. This visa may be extended according to the principle of reciprocity. It shall be granted under instructions issued by the Minister as follows:

A. Multi-entry visa for three (3) months.

B. Multi-entry visa for six (6) months.

C. Multi-entry visa for one (1) year.

Article 8

Entry visa shall be granted under the following conditions:

First: The applicant must submit to the diplomatic missions of the Republic of Iraq abroad and entry points the documents attesting that he/she is financially able to cover his/her living costs during his/her stay in the Republic of Iraq.

Second: the absence of any impediment preventing his/her entry into the territory of the Republic of Iraq for reasons related to public health, morals or security, or in coordination with the competent authorities.

Third: The applicant should not be accused or sentenced for a felony outside the Republic of Iraq.

Fourth: There should no decision has been made to deport or expel him/her out of the territory of the Republic of Iraq, unless the reasons for his/her expulsion or expulsion have been eliminated. In any case, granting the visa requires the passage of (2) two years after the decision of expulsion or expulsion was issued against the foreigner.

Fifth: The applicant should prove according to valid laws that he/she is free of communicable and infectious diseases and acquired immunodeficiency syndrome (AIDS) (according to the instructions of the Iraqi Ministry of Health).

Article 9

The Director General or his authorized representative may grant the foreigner an entry visa entitling him/her to enter the territory of the Republic of Iraq and to reside therein for a period of one year renewable in any of the following cases:

First: to join the head of his/her family or his/her guardian.

Second: To complete his/her study in one of the Iraqi universities, colleges or institutes. Such a visa may also be granted to students of scientific religious institutes (*Hawza*) and their families, and to foreigners attending a training or specialized course in one of the public bodies or institutions.

Third: to a foreign woman whose Iraqi husband has died or divorced her.

Fourth: to an Iraqi spouse and children who hold foreign passports.

Article 10

The foreigner who applies for an entry visa must submit to the Iraqi competent authority the following statements:

First: The purpose of entry.

Second: The entity that will provide him/her with money in case the applicant runs out of money.

Third: The applicant's address in the place of residence.

Fourth: Two (2) recent personal photos.

Fifth: Any information requested by the competent authority concerning the required visa.

Article 11

As stipulated in this Law, the sponsor shall guarantee the validity of the information recorded in the application form and ensure that the sponsored person shall be brought in or, if necessary, deported, and that any other obligations imposed by the competent authority will be fulfilled.

Article 12

The sponsored person is committed not to work for anyone other than his sponsor. The sponsor also undertakes not to hire an unsponsored foreigner or was already sponsored by others.

Article 13

The sponsorship of a foreigner who intends to work in the Republic of Iraq may be changed from one sponsor to another as follows:

First: If the change of sponsorship is from a governmental or a public sector department to a similar department, the following conditions must be met:

- A. The approval of both the previous and later sponsor.
- B . The approval of the competent authority concerned.

Second: If the change of sponsorship is from a private sector entity to a public sector one, the following conditions must be met:

- A. The approval of both the previous and later sponsor.
- B . The approval of the competent authority concerned.
- C. The approval of the Ministry of Labor and Social Affairs if the sponsored person falls in the categories subject to the provisions of the Labor Law.

Third: If the change of sponsorship is from a private sector entity to a similar entity, the following conditions must be met:

- A. The approval of both the previous and later sponsor.
- B. The approval of the Ministry of Labor and Social Affairs if the sponsored person falls in the categories subject to the provisions of the Labor Law.
- C. The sponsor must have obtained a valid permit of residence.

Article 14

Persons responsible for operating of any means of transportation shall submit, upon arrival in Iraqi territory, to the Residence Officer a list of the names of the passengers, their particulars and their employers, and a list of persons holding passports, travel documents or visas, or those whose passports are suspected to be invalid. These passengers shall be forbidden from leaving the means of transport until the competent authority decides the action to be taken regarding them.

Article 15

First: The foreigner, who has a contract of employment or any other obligations, may not leave the Republic of Iraq until he has obtained an exit visa from the competent

authority, which must be ascertained that he/she has fulfilled his/her obligations under a document issued by his/her employer.

Second: The Minister, his authorized representative or the judicial authorities concerned, when there are special reasons related to public security or order, may postpone the departure of a foreigner from the territory of the Republic of Iraq for a period not exceeding thirty (30) days.

Third: The foreigner shall be granted an exit visa valid for ten (10) days. The Director General may extend the visa for an additional period of seven (7) days if he is satisfied with the reasons that prevented the foreigner from leaving during the above-mentioned period.

Article 16

The Minister or his authorized representative may decide to prevent the entry of a foreigner to the Republic of Iraq for reasons related to security situation or the public interest.

Article 17

First: The Director General or his authorized representative may extend the validity period of the visa mentioned in Para (A), (B), (C), (D), (E) and (F), and in item (Second) of Article (7) of this Law for only one time in return for a double fee.

Second: The Director General or his authorized representative may change visit or tourist visas to an ordinary one.

Third: The Director General or his authorized representative shall have the power to cancel the entry visa referred to in the provisions of Article (7) of this Law for legal reasons. The foreigner concerned has the right to object to the Minister against the decision of cancellation within (30) thirty days from the date of the cancellation decision.

Chapter Four

Residence of Foreigners

Article 18

First: The foreigner must fill out, sign and submit the form of arrival statement to the Residence Officer at the entry point.

Second: Managers of hotels, guesthouses or any other places where the foreigner may reside shall notify the Residence Officer of the date of entry and departure of the foreigner within (2) two days from the date of his entry or departure. Any person providing lodging or accommodation to a foreigner in places other than the said places shall inform, during the said period, the competent Residence Officer of the foreigner's entry and departure.

Third:

A. Any person employing a foreigner shall notify the Residence Officer within (48) forty eight hours from the date of employment of that foreigner or when the latter leaves the Republic of Iraq. The sponsor shall attach the foreigner's passport or work card, if any. The sponsor must approach the Director General to complete the official procedures pertaining to either terminating the residence of his sponsored employee or changing the latter's sponsorship.

B. Any person who has brought a foreigner for the purpose of employment shall deposit caution (command) money or valid return ticket (travel ticket) to guarantee the return of that foreigner to his original country.

Article 19

First: A foreigner who wishes to remain in the Republic of Iraq for more than the period allowed in his/her ordinary visa must obtain, before the additional period ends, a residence permit from the Residence Officer for a period not exceeding (1)

one year. The foreigner may apply, before (30) thirty days from the date at which the permit ends, for extending this permit for an additional year. The foreigner may apply for such extension several times as long as the justification for granting the residence exists.

Second: The Director General may refuse to grant the foreigner the requested residence or extension thereof if the public interest so requires. The foreigner has the right to object to the Minister against the decision of refusal within (15) fifteen days from the date at which the foreigner was notified of the Director General's decision. The objection must be replied to within (30) thirty days from the date of the objection.

Third: The Minister may at any time cancel the residence permits of certain foreigners before the expiry thereof for reasons related to the public interest.

Fourth: The foreign resident whose residence has ended must hand over his residence card issued to him by the Residence Officer when approaching the competent authority to obtain an exit visa at the entry point.

Fifth: If the foreigner leaves the Republic of Iraq for a period of more than (6) six months, the remaining period granted to him shall be canceled and he/she shall obtain a new residency document upon his return.

Article 20

The foreigner who has lost his passport, travel document or residence card must inform the Residence Officer within three (3) days of the date of loss by filling the form prepared for that purpose. The loss must be made public through an ad to be published at the foreigner expense in two local newspapers. After fifteen (15) days from the date of publication, the foreigner shall be granted a residence permit (lost allowance) and an official letter from the Iraqi Ministry of Foreign Affairs to the Embassy of his country notifying it of the foreigner's residence data. Upon obtaining the new passport, the remaining period of the foreigner stay in Iraq may be marked in the passport. The same steps must be taken in case the passport was damaged except for publication in the local newspaper.

Article 21

First: The Director General or his authorized representative may allow the foreigner to stay in the Republic of Iraq for a period of (3) three years. The foreigner's residence may be renewed upon request for the same period provided that the foreigner concerned provides a useful service to the country in one of the following cases:

- A. If the foreigner was born in the Republic of Iraq and continued to reside therein.
- B. The foreigner who has lawfully entered the Republic of Iraq and resided therein for a period of (15) fifteen years or more.
- C. The foreigner who provides scientific, cultural or artistic works and services to the country and has spent (3) three years in the Republic of Iraq.
- D. The foreigner who has resided in the Republic of Iraq for no less than (6) years under a government contract of employment and wished to stay after the termination of the contract.
- E. The foreigner who has joined one of the religious institutes (*Hawza*) for the purpose of studying therein.
- F. Investors and businessmen who have investment or commercial businesses inside the country.

Second: Residence shall continue for the purposes of paragraphs (A) and (B) of Item (First) of this Article if the period that the foreigner has spent outside the Republic of Iraq each year does not exceed (6) six months for acceptable reasons.

Third: The Director General or his authorized representative may allow a foreign female married to an Iraqi male to reside in the Republic of Iraq for the period provided for in item (First) of this Article.

Fourth: The Director General or his authorized representative may permit a foreign male married to an Iraqi female to reside in the Republic of Iraq for the period stipulated in item (First) of this article as long as the marital relationship is continued.

Article 22

The Minister may decide, for reasons related to public security or order, to prevent a foreigner in absolute terms or under the restrictions that he sets out from passing by, roaming or residing in the areas which the Minister determines in a statement published in a local newspaper.

Article 23

The period of time spent by a foreigner in the Republic of Iraq from the date of applying for the residence until the date at which it is granted shall be deemed lawful residence as long as all requirements stipulated in the Law are fulfilled.

Chapter Five

Deportation and Expulsion of Foreigners

Article 24

The General Directorate shall, in accordance with its competence, follow up and take legal action against the foreigners who enter the Iraqi territories under entry visas and do not leave Iraqi territories within the period allowed to them, as well as the foreigners whose residency period has ended and do not proceed to extend it within the specified time.

Article 25

The Ministry shall carry out inspection campaigns to ensure that the laws and regulations are not violated and shall follow the legal procedures prescribed for inspection and for arresting violators of the following categories:

First: The infiltrators and the persons who smuggle them and help them enter and stay in Iraqi territory.

Second: Those who hire individuals not sponsored by them.

Third: Those who leave workers whom they have sponsored to work for others.

Fourth: The sponsored individuals who run away from their original sponsors and work for others.

Fifth: The perpetrators of any other violation.

Article 26

The Director General, or his authorized representative, has the power to expel outside the Iraqi borders any foreigner who has illegally entered the territory of the Republic of Iraq.

Article 27

The Minister or his authorized representative may deport the foreigner who has legally entered Iraq if he proves that this foreigner has not fulfilled any of the conditions stipulated in Article (8) of this Law as well as the resident who has not abided by any of these conditions after his entry.

Article 28

In case that a foreigner cannot be deported or expelled, or he is stateless, the Minister or his authorized representative may decide to determine his place of residence for a period specified in the Minister's decision until the foreigner is deported or expelled from the territory of the Republic of Iraq.

Article 29

In case that a foreigner cannot be deported or expelled from the Republic of Iraq, and who poses a threat to public security, the Minister or his authorized representative

may determine his place of residence for a temporary period until he is deported or expelled.

Article 30

The decision to deport a foreigner may include members of his family whom he supports, provided that they are mentioned in the deportation decision.

Article 31

The Minister or his authorized representative may decide to expel the foreigner who has been given a final judicial judgment that includes a recommendation to expel the foreigner from the territory of the Republic of Iraq.

Article 32

A foreigner who has been expelled from the territory of the Republic of Iraq may not return to it except by a decision of the Minister and after the reasons for his deportation have been removed.

Article 33

First: The expenses of deporting or expelling a foreigner and his family from the territory of the Republic of Iraq shall be at the foreigner's own expense or at the expense of his sponsor. If he does not have enough money, this will be at the expense of the state to which he belongs. Otherwise, the Ministry shall bear the costs of deportation or expulsion, provided that the foreigner shall be prevented from entering the Republic of Iraq again.

Second: The Director General or his authorized representative may issue a *laissez-passers* for a foreigner whose passport or travel document were lost or expired and whose country has no diplomatic representation in the Republic of Iraq.

Article 34

Any foreigner against whom an order of deportation or expulsion has been issued may apply, under the sponsorship of an Iraqi citizen, for a grace period of no more than (60) sixty days to liquidate his/her business and interests in Iraq. The Director General or his authorized representative may extend this grace period for no more than (60) sixty days.

Article 35

The Director General or his authorized representative shall have the power to deport a foreigner whose residence application has been refused under a final decision.

Chapter six

Fees and Duties

Article 36

First: The Minister may issue regulations specifying the amount of fees, duties and fines to be collected by embassies, consulates, the General Directorate and residence and passport centers at the border entry points, taking into account the principle of reciprocity. The Minister is authorized to review these fees, duties and fines whenever compelling reasons arise which are to be approved by the Council of Ministers.

Second: Duties of urgent and fast entry visas shall be collected in double by embassies, consulates, the competent authorities and residence and passport centers at the border entry points.

Article 37

The following persons, their spouses and minor children shall be exempted from the fees and duties stipulated in Article (36) of this Law:

First: Foreign students enrolled in Iraqi schools, institutes, colleges and scientific religious institutes (*Hawzas*).

Second: Foreign employees who are serving the Iraqi government under special contracts.

Third: Foreign journalists on the basis of principle of reciprocity.

Fourth: Official delegations invited by the Iraqi government.

Fifth: Iraqi citizens who enter Iraq holding foreign passports.

Chapter Seven

Penalties

Article 38

If the commander of any means of transport or the person responsible for it brought or helped a person enter the territories Republic of Iraq in contravention of the provisions of this Law shall be punished by imprisonment for a term not to exceed (1) one year and a fine of no less than (500,000) five hundred thousand Iraqi dinars and not to exceed (1,000,000) one million Iraqi dinars or by one of these two penalties. Any person, who has been abroad a means of transport destined for the Republic of Iraq and whose leader has helped that person enter the Iraqi territories, shall be subject to the same penalties unless otherwise proven.

Article 39

Any foreigner enters the Republic of Iraq in contravention of the provisions of this Law or does not comply with the order of deporting him shall be punished by imprisonment for a term not exceeding (1) one year and a fine of no less than (500,000) five hundred thousand Iraqi dinars and not to exceed (1,000,000) one million Iraqi dinars, or by one of these two penalties.

Article 40

Any person who contravenes the provisions of Articles (3), (8), (11) and (32) of this Law shall be punished by imprisonment for a term not to exceed (3) three years and a fine of no less than (500,000) five hundred thousand Iraqi dinars and not to exceed (3,000,000) three million Iraqi dinars, or by one of these two penalties.

Article 41

Any person who contravenes the provisions of Articles (10), (14), (18) and (19) of this Law or has assisted others to commit such an offense shall be punished by imprisonment for a term not to exceed (1) one year and a fine of no less than (100,000) one hundred thousand Iraqi dinars and not to exceed (500,000) five hundred thousand Iraqi dinars or by one of these two penalties.

Article 42

The foreign resident who did not renew the validity of his/her passport within thirty (30) thirty days from the date of passport expiry and did not approach the Residence Officer concerned during the said period to establish the legality of his residence in case there is no diplomatic representation of his state in Iraq, shall be punished by imprisonment for a term not to exceed (1) one year and a fine of no less than (100,000) one hundred thousand Iraqi dinars and not to exceed (1,000,000) one million Iraqi dinars or by one of these two penalties.

Article 43

The Minister or the Residence Officer may impose a fine of no less than (50,000) fifty thousand Iraqi dinars and not to exceed (100,000) one hundred thousand Iraqi dinars on anyone who contravenes the regulations issued under the provisions of this Law.

Article 44

The Director General or his authorized representative shall be granted the power of a Misdemeanor Judge in accordance with the provisions of the Criminal Procedure Code for the purpose of imposing a delay fine on foreigners who have not approached the competent authorities during the first (15) fifteen days from the date of entry. Such a fine shall be of no less than (100,000) one hundred thousand Iraqi dinars in addition to an amount of (10,000) ten thousand Iraqi dinars for each day of delay, provided that the total amount of delay fines shall not exceed (5,000,000) five million Iraqi dinars. Public official holidays shall be exempted from the above-mentioned period.

Article 45

In case the competent court imposes one of the punishments provided for in Articles (41) and (42) of this Law, it shall rule on the expulsion of the foreigner from the territories of the Republic of Iraq.

Article 46

The imposition of the punishments provided for in this Law shall not prejudice any severer punishment provided for in another Law.

Article 47

The Director General or his authorized representative shall have the power of a magistrate in accordance with the provisions of the Criminal Procedure Code for the

purpose of imposing the fine provided for in articles (38), (39), (40), (41), (42), (43) and (44) of this Law.

Article 48

The Director General or his authorized representative shall have the power of an investigating judge in accordance with the provisions of the Criminal Procedure Code, which shall allow him to detain a foreigner for a period not exceeding (7) seven days which may be extended in order to deport or expel the foreigner from the territories of the Republic of Iraq.

Chapter Eight

Final Provisions

Article 49

For the purpose of implementing the provisions of this Law, the Residence Officer shall have the right to enter the places of foreigners' presence inside Iraqi territories using any means of transport, be it land, air or sea.

Article 50

The form and content of the residence document, the foreign register and the arrival statement shall be determined by instructions issued by the Minister.

Article 51

First: The Director General or his authorized representative may explain their opinion to the Personal Status Court on foreigners who apply for approval of their marriage to an Iraqi female in the following cases:

- A. The foreigner has entered lawfully into the Republic of Iraq.
- B. The foreigner is working for the government or the private sector under an official contract, or has entered the Iraqi territories by one of the visas mentioned in this Law, provided that the Iraqi female wishing to marry him and her guardian confirm their consent in writing before the General Directorate.
- C. He has a way of living that qualifies him to stay with his wife.
- D. The foreigner has not been accused or sentenced for reasons related to public order or public morals.
- E. The foreigner must prove that he is free from communicable and infectious diseases and acquired immunodeficiency syndrome (AIDS).

Second:

- A. Applicants of Iraqi descent shall be excluded from the provisions of paragraph (B) of item (First) of this Article.
- B. The foreigner female wishing to marry an Iraqi male is exempted from the provisions of paragraphs (B) and (C) of item (First) of this Article.

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Article 52

First: The Law on Foreigners Residence No. 118 of 1978 shall be repealed, and the regulations issued thereunder shall continue to be implemented as long as they do not contradict the provisions of this Law until new regulations are issued to replace or cancel them.

Second: The decisions of the (dissolved) Revolutionary Command Council: 647 on 19/8/1978, 1279 on 30/9/1979, 200 on 7/2/1980, , 443 on 26/3/1980, 846 on 29/5/1980, 1058 on 5/7/1980, 1124 on 15/7/1980, 1359 on 26/8/1980, 1656 on 16/11/1980, 1875 on 17/12/1980, 307 on 15/3/1981, 1246 on 19/11/1983, 95 on

18/1/1984, 691 on 1/9/1987 , 137 on 25/11/1996, 102 on 22/6/1999, 210 on 5/12/2000 and 202 on 12/9/2001 shall be repealed.

Article 53

First: The Council of Ministers may issue regulations to facilitate the implementation of the provisions of this Law.

Second: The Council of Ministers may issue during the next (6) six months instructions to facilitate the implementation of the provisions of this Law.

Article 54

This Law shall be effective as from the date of its publication in the Official Gazette.

Fouad Ma'soum

President of the Republic

Mandating reasons:

In view of the numerous amendments made to the Law on Foreigners Residence No. (118) of 1978, and due to the emergence of new cases that warrant the revision of its provisions so that to comply with the objective circumstances prevailing in the Republic of Iraq, and with a view to encouraging investment, tourism and facilitate granting entry visa to foreigners and regulating their residence in Iraq, this Law has been promulgated.