

(11.1)

Legal Notice No 80 /2003
Regulations to Issue Work Permit to
Non-Nationals

1. Short Title

These Regulations may be cited as the "Regulations to Issue Work Permit to Non-Nationals- Legal Notice No 80/2003

2. Definitions

The terms defined in Article 3 of the Proclamation shall apply to the Provisions of these Regulations, and in these Regulations, unless the context otherwise requires:

- (1) " Proclamation" means the labour Proclamation of Eritrea Proclamation No 118/2001,
- (2) " Non-National" means a person not in Possession of Eritrean nationality
- (3) "Minister" ' and "Ministry" means the Minister and Ministry of Labour and Human Welfare, respectively; and
- (4) " Work Permit" means a permit issued by the Ministry under these Regulations enabling a non- national to Work in Eritrea.

3. Duty to obtain Work Permit

- (1) A non- national shall:
 - (a) enter into Eritrea only by permission to be issued by the Ministry; and
 - (b) not enter into Eritrea unless there is confirmation that he shall obtain a valid work permit to be issued in accordance with these Regulations by the ministry.
- (2) A work permit shall be applicable to a non-nationals:
 - (a) Who is engaged to work through a contract of employment or as a volunteer; and
 - (b) Who is engaged in his private undertaking.

4. Application for Work Permit

Any employee desiring to employ a non- national shall submit to the Ministry an application containing the particulars shown in the form of these Regulations and such other particulars as may be required by the Ministry in writing.

5. Issuance of a Work Permit

- (1) Where an application to obtain a work permit is submitted to it pursuant to Article 4 hereof, the Ministry shall issue the applicant with a work permit after ascertaining that:
 - (a) an Eritrean citizen with the necessary skills to meet the requirement of the proposed employment is not available: and
 - (b) Programmes will be undertaken to train Eritrean Citizens in the skills required.
- (2) Where the Ministry rejects the application and the applicant requests of its reasons, it shall notify the applicant in writing of its reasons.

6. Issuance of Special Work Permit

The Ministry shall, issue a special work permit to a non- national who has come from a neighbourly country into Eritrea prior to the publication of these Regulations, after ascertaining that the non-national have submitted:

- (1) a renewed resident permit from the Department of Nationality and Immigrations; and
- (2) a renewed contract of employment from his employee.

7. Exemption

The following categories shall be exempted from issuance of a work permit:

- (1) Ambassadors, Consular Officers and Members of Diplomatic Missions;
- (2) Members of the United Nations and its Special Agencies;
- (2) Members of the African Union; and
- (4) Non- Nationals employed in accordance with bilateral and multilateral agreement by the Government of Eritrea.

8. Validity of a work permits

- (1) The validity of a work permit shall not exceed two (2) years.
- (2) A work permit shall be renewed annually.
- (3) Notwithstanding the provisions of sub-article (2) hereof, a work permit shall be renewed within thirty (30) working days before the date of expiration.
- (4) Where it is deemed necessary the Ministry may extend the validity referred to in sub-article (1) hereof.

9. Fees

Any non-national shall pay the Ministry the following fees for issuance of a work permit, renewal and substitution thereof-.

(1) A Work Permit	
Issuance fee	U.S 50 Dollar
Renewal fee	U. S 50 Dollar
Substitution	U. S 25 Dollar

(2) Special Work Permit	
Issuance fee	U. S 10 Dollar
Renewal fee	U. S 10 Dollar
Substitution	U. S 5 Dollar

10. Revocation of a Work Permit

The Ministry may revoke a work permit on any one of the following grounds:

- (1) Where it is ascertained that the information or documents presented for obtaining a work permit were fully or partially false; or
- (2) Where it is ascertained that there are other serious faults that justify revocation of the work permit.

11. Registration

Any non-national who work in Eritrea shall, at the beginning of the first month of every year, be duly registered with the Ministry in accordance with Proclamation No 127/2002.

12. Penalty

1. Where a work permit has not been renewed pursuant to the provisions in sub-article (3) of Article 8 hereof and where renewal is requested within thirty (30) days thereafter, seventy-five (75%) percent of the renewal fee shall be paid as a penalty.
2. Where a work permit is renewed within thirty (30) days after the date referred to in sub-article (1) hereof, one hundred and fifty (150%) percent of the renewal fee shall be paid as a penalty.
3. An employer who employs a non-national without a work permit shall be punishable by the Penal Code of Eritrea.
4. Where a non-national violates the provisions of Article 11 hereof, his work permit shall be revoked as well, as be punishable by the Penal Code of Eritrea.

13 Effective date

These Regulations shall come into force as of the 2nd day of January 2004

Done at Asmara, this 29th day of December, 2003

Askalu Menkerios

Minister of labour and Human Welfare



ሃገረ ኤርትራ
THE STATE OF ERITREA
 ሚኒስቴር ዕዮን ሰብአዊ ድህነትን
Ministry of labor and Human Welfare
አስመራ - ኤርትራ
Asmara, Eritrea

ቅጥዲ ወረቆት ሰራሕ
Work Permit Form

ዝርዝር ኩነታት ትካል

I. Particulars of the Establishment

1. ስም ትካል

Name of Establishment _____

2. ስም አስራሒ

Name of Employer _____

3. ስም አካዳዲ ሰራሕ

Name of General Manager _____

ተለ.Tel. _____ ፋክስ Fax _____ ቁ.ጸ.ሳ. P.O.Box _____

4. አድራሻ ትካል

Address of Establishment

ዞባ Region _____

ከተማ City _____

ጎደና Street No. _____

ቁ.ገዛ House No. _____

ቁ.ጸ.ሳ.P.O.Box _____

ተለ.Tel: _____

ፋክስ Fax _____

5. ዓይነት ንጥፈት

Type of activity _____

6. ቁጽሪ ሊቸንሳ

License No. _____

7. ብዝሒ ኤርትራዊያን ሰራሕተኛታት

No. of Eritrean workers ተባ./Male/ _____ አን./Female/ _____

8. ብዝሒ ወጻኝተኛታት ሰራሕተኛታት

No. of Foreign workers ተባ./Male/ _____ አን./Female/ _____

II. ዝርዝር ኩነታት ሰራሕተኛ
Particulars of the employee

1. ስም ሰራሕተኛ
Name of the Employee (as in the pass-port) _____

2. ቁ. ፓስፖርት
Pass-port No. _____

3. ዜግነት
Nationality _____

4. ዕድመ
Age _____

5. ጾታ
Sex _____

6. መንበሪ አድራሻ አብ መበቆል ዓዲ
Home address in the country of origin

ሃገር
Country _____

ከተማ
City _____

7. ደረጃ ትምህርቲ
Educational level _____

8. ዓይነት ትምህርቲ
Type of Education/Profession/ _____

9. ልምዲ ስራሕ
Experience _____

10. ደረጃ ሓላፍነት
Position in the Establishment _____

11. ግዴታን ሓላፍነትን
Brief duties & responsibilities _____

12. ወርሓዊ ደግዝ
Monthly salary _____

ካልኣት ጥቕምታት (ይገለጽ)
Other benefits (specify) _____

ስም አስራሒ
Name of Employer _____ ክታም Sig. _____

ዕለት Date _____ ማሕተም አስራሒ
Seal of Employer

ሓበሬታ : ሲቪ: ናይ ስራሕ ተሞክሮን፣ ናይ ትምህርቲ ሰነዳትን ኣትሓሒዝካ ኣቕርብ።
N.B. Attach CV, Work Experience & Educational documents.