

**Republican Decree No. (4)**  
**of 1994 concerning**  
**the Executive Regulation**  
**of Republican Decree No. (47)**  
**of 1991 concerning entry**  
**and abode of foreigners**

**CHAIRMAN OF THE PRESIDENTIAL COUNCIL,**

- AFTER having perused the Constitution of the Republic of Yemen,
- AND Republican Decree on law No. (47) of 1991 concerning the entry and abode of foreigners,
- AND Republican Decree No. (68) of 1993 concerning the formation of the Council of Ministers,
- AND the presidential Council Decree No. (9) of 1993 concerning charging the government to continue in office,
- AND upon the submission of the Ministers of the Interior,
- AND following consent of the Council of Ministers and the Presidential Council,

**( RESOLVES )**

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

Article (1) : This regulation shall be cited as the

"Executive Regulation of Republican Decree on law No. (47) of 1991 concerning the entry and abode of foreigners".

Article (2) : The following words and expressions contained hereunder shall have the meanings determined before each of them, unless the context should indicate to the contrary thereof:

Republic :	Republic of Yemen.
Minister :	Minister of the Interior.
Law :	Republican Decree on law No. (47 of 1991 concerning the entry and abode of foreigners.
Regulation :	the Executive Regulation of the law on the entry and abode of foreigners.
Fine :	Cash amounts in local currency that are imposed upon any foreigner violating the law, and , which are provided for in Articles 39, 41, 42, 43 and 44 of the law.

**Section Two**  
**Conditions and Measures of**  
**Entry of Foreigners**

Article (3) : Without prejudice to the provisions of Article (3) of the law concerning the entry of foreigners into the Republic, the following are conditions thereof:

- (a) That he holds a prior entry permit, and is not among those whose names have been placed on the list of persons prohibited from entering the Republic.
- (b) That no expulsion decision has been issued against him for any reason whatsoever, unless a decision that revokes the earlier decision has been issued by the competent quarters.
- (c) That he holds a health certificate from a competent official quarter attesting to his being free of any communicable disease.
- (d) That he records the statements required of him in the form prepared for this purpose at the entry point.

Article (4) : The competent officer shall place the entry visa on one of the pages of the foreigner's passport after ascertainment of the preceding conditions and verification of the validity of the passport and the soundness of the statements recorded therein.

Article (5) : It shall not be permissible for the competent officer or any other relevant quarter to withhold the passport of the foreigner who has obtained prior permission to enter the Republic. The foreigner may be returned, with his passport, to where he came from, if one of the conditions shown in Article 3 of this regulation and other conditions prescribed by law are not met.

### **Section Three Residence and Registration**

Article (6) : The applicant for residence in the territories of the Republic must fulfill the following conditions:

- (a) That his entry into the territories of the Republic was in legitimate manner.
- (b) That he obtains from the Authority or one of its branches a residence permit according to the type of residence requested and in accordance with the law.
- (c) That he pays the prescribed fees.

Article (7) : Special or ordinary residence in the territories of the Republic shall not be enjoyed except by the person so permitted and his minor children who live under his care until they attain the age of eighteen years, as well as the spouse if a period of two years have elapsed since legitimate residence in the territories of the Republic and since the date of the marriage contract and if the marital status is still existing.

Article (8) : Every foreigner who enters the territories of the Republic in a legitimate manner shall be granted a short residence whose duration is thirty days without fees and whose effect commences from the day of his arrival to the territories of the Republic, unless there be some exception for the subjects of some states on the basis of reciprocal treatment.

Article (9) : The period of residence provided for in the preceding Article shall apply to the foreigner who has obtained an entry visa for the purposes of trade, visit or tourism. Foreigners shall be prohibited from pursuing any work that is contrary to the purpose for which they obtained the entry visa. They must also leave the territories of the Republic upon the end of the said period of residence.

Article (10): Every foreigner who intends to reside in the territories of the Republic must present himself in person to the Aliens Registration Office of the Authority in the area that he resides in and make out an admission of his personal status and the reason for his stay after the elapse of the period of short residence referred to in Article (6) of this Regulation.

Article (11): Every foreigner who desires residence must submit his application to the competent official and complete the following procedures and measures:

- (a) A health certificate.
- (b) A copy of the admission of his personal status and the purpose of his arriving at the Republic.
- (c) The work contract, if residence is for work, or an intimation from the university ( and the Ministry of Education ) if the residence is for the purposes of study. However, if it is to accompany the husband or the wife or one of the relations, then it is necessary to furnish that which confirms such kinship.
- (d) Two photographs to be affixed to the form prepared for this purpose.
- (e) A voucher of payment of the prescribed fees.

Article (12): The foreigner is allowed to travel within the territories of the Republic without obligation to inform the registration offices of the change in his place of residence and he must take along with him his travel documents and the residence permit that has been granted to him during such travel.

Article (13) : The foreign wife of a Yemeni shall be granted residence for a maximum period of five years that can be renewed if the following conditions are met:

- (a) That her entry into the territories of the Republic was in a legitimate manner.
- (b) That the marriage contract is correct in accordance with the provision of Yemeni law and that the marital status still continues.

Article (14) : The foreign husband of a Yemeni woman shall be granted residence for a maximum period of two years that can be renewed when the following conditions are met:

- (a) That the entry of the husband into the territories of the Republic was in a legitimate manner.
- (b) That the marriage contract is correct in accordance with the provisions of the Yemeni law and that the marital status continues.
- (c) Approval of the Minister or his non - objection to the marriage of the Yemeni woman to a foreigner.

Article (15): The residence of the foreign husband of the Yemeni woman may be renewed for another two years for any of the following reasons:

- (a) If there is a danger that threatens his life or that of his wife and children in the event of his residence in his original country.
- (b) If the husband is without nationality and cannot return to his original homeland.
- (c) If the wife has properties in the Republic and is compelled to manage them and cannot leave them and reside in the company of her husband in his country.
- (d) If one of the parents of the wife is disabled and the wife has to remain to care for one of her parents, on the condition that this is established by a medical report and there is no one else to look after the disabled one of her parents.
- (e) If the wife is afflicted with an illness and she is in the Republic and cannot travel to another place.

Article (16): The foreign mother of a Yemeni shall be granted residence for a maximum renewable period of two years and that when the following conditions are met:

- (a) proof of motherhood by one of the legal methods of proof.
- (b) That any of the Yemeni son or daughter is the only provider for her.
- (c) That she submits an application to the Chairmanship of the Authority for residence and there is no objection thereto.

Article (17): The son or daughter of a foreign father and Yemeni mother may be granted residence for a maximum renewable period of four years when one of the following reasons exist:

- (a) If it is in the guardianship of the mother, is a minor and his father has relinquished guardianship.
- (b) If he is the only provider for his mother.
- (c) If the mother is in a condition of illness that requires supervision of the follow-up of her treatment or is disabled and needs someone to care for her.
- (d) If he loses the nationality of his original country.
- (e) If he is sick and there is no one to care for him except his mother.

Article (18): The Chairman of the Authority may grant the foreigner who has a kinship relation with a Yemeni not among those who have been mentioned in this regulation residence for a maximum renewable period of one full year when it is established that an exigent circumstance necessitates that.

Article (19): It is imperative upon whosoever employs a foreigner with the purpose of employment or work that he obtains a prior permit for that from the Ministry of Insurances, Social Affairs and Labor or from the

Ministry of Civil Service or any other quarter that is empowered by law. The Foreign employee cannot be granted the requested residence except after meeting the conditions provided for in the law and the articles of this regulation and following payment of the prescribed fees in full.

Article (20): In the event of the loss or damage of his passport or the document taking its place the foreigner must inform the nearest police station to his place of abode within 48 hours of the loss or damage of the passport or travel document and announce that in one of the local newspapers.

Article (21): Every foreigner must leave the territories of the Republic upon the end of the duration of his residence, unless he has obtained prior to that a permit from the competent authority to extend his residence in accordance with the provisions of the law and this regulation.

Article (22): The foreigner who has obtained the period of residence provided for in Article (8) of this regulation and desires to leave the Republic during such period or upon its end must refer to the Authority or one of its branches to obtain an exit visa.

Article (23): The foreigner must be granted an exit visa at any time he wishes to leave the country whenever his residence in and entry into the territories of the Republic took place in a legitimate manner and the quarter with whom he works approves that. In the granting of exit visas to foreigners who came into or resided in the territories of the Republic in an illegitimate manner due regard should be given to the collection of penalties prescribed for their violation of the law.

Article (24) : The Authority shall undertake the formulation of rules and measures of incorporation of the names of foreigners prohibited from leaving the territories of the Republic on lists pertaining thereto, along with determination the manner by which the lists of the prohibited shall be circulated to the concerned quarters. The committee shall also form committees concerned with deciding the cases of those prohibited from leaving and that in coordination with the concerned quarters, provided that the decisions of the committee on the prohibited persons shall be binding and in force only after the approval of the Minister thereof.

Article (25): The validity of the exit visa granted to the foreigner by the Authority or one of its branches shall be fourteen days from the date of obtaining thereof and shall end on the fourteenth day and may be renewed for one time and for a period of another fourteen days if there should arise acceptable justifications or circumstances.

Article (26): The Chairman of the Authority or the competent department at the Authority may grant an exit visa and a return visa for one trip only or for several trips to segments; of foreigners whose work as businessmen, bank managers, companies managers, oil experts and the like and that upon an official request from the government quarter or accredited foreign company that is continuing its work in the territories of the Republic,

#### **Section Four Expulsion**

Article (27): The expulsion decisions should be causable and based upon the law, regulations and regulations in force.

Article (28): (a) The Authority shall inform the foreigner of the expulsion decision issued by the Minister and he shall affix his signature on a copy thereof and must leave the territories of the Republic within two weeks of his being so notified.

(b) The Minister shall be entitled to determine extension of the period to three weeks for reasons and conditions estimated by him.

## **Section Five Fees and Fines**

Article (29) : Upon the proposal of the Authority the Minister shall issue the resolutions necessary to determine and amend the fees for residence and entry and exit visa fees which the foreigner must pay.

Article (30) : The residence, entry and exit fees that must be paid by the foreigner are determined by resolution of the Minister and are legal fees constituting part of the state revenues.

Article (31) : The Minister or whomsoever he may authorize may reduce or wholly exempt the fine provided for under Article (43) of the law, if any of the following cases exist:

- (a) If the person presents to the Minister or the Chairman of the Authority an acceptable excuse that barred him from leaving the country upon the end of the residence period permitted to him.
- (b) If the reason of his being late in leaving after the expiry of the permitted period of residence is owed to extenuating circumstances, such as cases of war and natural disasters.
- (c) If it is confirmed that the person is destitute and cannot pay that.

Article (32) : In implementation of Article (47) of the law a percentage of 30% of the fines that are imposed upon those violating the residence law shall be deducted, and shall be expended by the Directors of the Authority's branches in the governorates; with a maximum limit that does not exceed 30% of the total receipts. The remaining percentage shall be expended by the Chairman or under-secretary of the Authority. These amounts shall be expended by those empowered to do so in accordance with this Article on the following purposes:

- (a) Extra-ordinary bonuses or encouragement incentives for those working in the spheres of follow-up and deportation of foreigners violating the residence law and that upon the recommendation of their superiors.
- (b) Encouragement bonuses and incentives to citizens who provide information of an important nature on foreigners who enter the territories of the Republic in an illegitimate manner and aid the competent quarters in the arrest of the foreigners violating the law.
- (c) Encouragement incentives and bonuses to some employees of the Authority Chairmanship who are prominent in their work.

Article (33): This regulation shall come into force from the date of its issue and shall be published in the official Gazette.

Issued at the Presidency of the Republic, Sana'a  
On Sha'ban 17, 1411 AH  
Corresponding to January 20, 1994 AD

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