

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GOVERNMENT OF NEPAL
AND
THE GOVERNMENT OF UNITED ARAB EMIRATES
IN THE FIELD OF MANPOWER

The Government of Nepal (GoN) and the Government of United Arab Emirates (UAE) (herein after referred to as the “Parties”).

Bearing in mind the friendly and cooperative relations existing between the two countries and their people;

Desiring to enhance the existing friendly relations between the two countries by developing the cooperation in the field of manpower based on the principles of mutual benefit;

Recognizing the benefit to be derived by both countries from close cooperation in the field of manpower;

Pursuant to the prevailing laws and regulations in the respective countries. Have agreed as follows:

Article 1

The term “manpower” means the entire temporary contractual expatriate workers employed in the UAE, which includes skilled, semi-skilled as well as workers who have to leave UAE to the country of origin after termination of individual labour contract.

Article 2

The provisions of this Memorandum of Understanding (MoU) shall be implemented by the Ministry of Labour in the UAE and the Ministry of Labour and Transport Management in Nepal.

Article 3

Recruitment of manpower in Nepal and its entry into UAE shall be regulated in accordance with the relevant laws, rules and procedures of the two countries.

Article 4

1. Employer shall be responsible for Placement and Recruitment of manpower from Nepal and such placement and recruitment shall be done through mutual selection process according to the needs.
2. The Nepalese expatriate workers shall enjoy protection in relation to the placement of service, accommodation, social and health service as well as other facilities prevailing according to the rule and regulation in UAE.

3. The employer shall provide the periodic information about Nepalese expatriate workers to the Embassy of Nepal in Abu Dhabi. Such information should be shared first when an expatriate is selected as workers.
4. When a demand letter is issued by UAE employer to the Nepalese manpower agencies recognized by the government of Nepal, that information shall be published for the notice of the concerned authorities in Nepal.

Article 5

The application for workers shall state the required specifications and qualifications for the jobs and types of jobs needed. It shall include the conditions of employment especially the salary, accommodation, transportation and any other relevant terms.

Article 6

The terms and conditions of employment of workers in UAE shall be defined by a contract between the worker and the employer. This contract shall clearly state the rights and obligations of two sides and shall be in line with the provisions of the Labour law and regulations and shall be authenticated by the Ministry of Labour of UAE.

Article 7

The Nepali, Arabic and English texts of contract shall be equally authentic texts recognized by the Ministry of Labour and the law courts in the UAE. In case of any dispute arising in relations to the provisions of the Labour contract between the employer and the worker; the Arabic texts shall prevail when the dispute is referred to the authorities concerned in UAE.

Article 8

1. Nepalese expatriate workers shall have the right to transfer their earnings and savings from the state of employment to their state of origin. Such transfer shall be made in conformity with applicable rules and regulations of the state concerned.
2. UAE shall take appropriate measures to facilitate such transfers.

Article 9

In case of any dispute raised between the employers and the workers, complaint shall be presented to the competent department in the Ministry of labour in UAE to endeavor for an amicable settlement. If no amicable settlement is reached, the complaint shall be referred for settlement to the competent judicial authorities in the UAE.

Article 10

1. The two parties shall establish a joint committee to take care of the follow up of the implementation of this Memorandum of Understanding (MoU).
2. The committee shall be composed of at least, three 3 members from each party, and shall meet annually or when it is deemed necessary, alternately in Nepal and UAE.

Article 11

1. This Memorandum of Understanding (MoU) shall enter into force on the date of signature and shall be in force for a period of four years and shall be automatically extended for four years (4) consecutively unless it is terminated in writing by either party giving three months (3) notice in advance.

In witness thereof the undersigned being duly authorized by their respective governments have signed this Memorandum of Understanding (MoU).

Done in Kathmandu, Nepal on July 3 in the year of Two Thousand and Seven. Done in Arabic, English and Nepali languages, all the texts are being equally authentic.

For the government of the
United Arab Emirates

For the Government of Nepal

Dr. Ali Bin Abdullah Al-Kaabi
Minister of Labour

Ramesh Lekhak
State Minister of Labour
Transport Management