

**MINISTERIAL RESOLUTION NO. 296 OF 2023 ESTABLISHING CRITERIA FOR IMPOSING
ADMINISTRATIVE FINES, IN ACCORDANCE WITH CABINET RESOLUTION NO. 95 OF 2022 ON
VIOLATIONS AND ADMINISTRATIVE PENALTIES RELATED TO THE INITIATIVES AND PROGRAMS OF
UAE CADRES' COMPETITIVENESS COUNCIL**

Minister of Human Resources and Emiratization

Having perused:

- Federal Law No. (1) of 1972 on the competencies of the Ministries and Powers of the Ministers and amendments thereof
- Federal Decree-Law No. 27 of 2021 regarding the establishment and organization of the Emirati Cadres Competitiveness Council
- Federal Decree-Law No. (33) of 2021 regarding the Regulation of Labor Relations
- Cabinet Resolution No. (21) of 2020 concerning Service Fees & Fines in the Ministry of Human Resources and amendments thereof
- Cabinet Resolution No. (1/7m) of 2021 concerning Initiatives and Programs for Emirati Cadres Competitiveness Council “NAFIS”
- Cabinet Resolution No. (95) of 2022 regarding Regulatory violations and administrative penalties related to Emirati Cadres Competitiveness Council initiatives and programs “NAFIS”
- Cabinet Resolution No. (44) of 2023 concerning amendments to Cabinet Resolution No. 95 of 2022 on violations and administrative penalties related to the initiatives and programs of UAE Cadres' Competitiveness Council
- Ministerial Resolution No. 45 of 2022 on the formation of the Grievance Committee against decisions issued by the Ministry of Human Resources and Emiratization
- Ministerial Resolution No. 279 of 2022 concerning the monitoring of Emiratization rates in the private sector, and penalties imposed on non-compliant establishments
- Ministerial Resolution No. 248 of 2023 on the establishment of a committee responsible for imposing fines related to violations of the Emiratization targets
- In accordance with the proposal of the Undersecretary for Human Resources Affairs

Resolved:

Article (1)

All violations of the following rules will be subject to the administrative penalties stipulated in Article (2) of the aforementioned Cabinet Resolution No. 95 of 2022 and its amendments:

Sr.	Description	Action		
		First Violation	Second Violation	From The Third Violation Onwards
1	Establishments that reduce the number of their workers or modify their classification with the intention of circumventing the Emiratisation targets or fraud of any other kind proven by the Ministry	A fine of 100,000 dirhams (one hundred thousand dirhams).	A fine of 300,000 dirhams (three hundred thousand dirhams).	A fine of 500,000 dirhams (five hundred thousand dirhams).
2	Falsifying Emiratisation in violation of Emiratisation decisions and NAFIS initiatives and programs	A fine of 20,000 dirhams (twenty thousand dirhams) will be imposed for each instance of fictitious Emiratisation	A fine of 50,000 dirhams (fifty thousand dirhams) will be imposed for each instance of fictitious Emiratisation	A fine of 100,000 dirhams (one hundred thousand dirhams) will be imposed for each instance of fictitious Emiratisation
3	The provision of inaccurate information or documents in order to obtain services and benefits under the "NAFIS" program	A fine of 20,000 dirhams (twenty thousand dirhams) will be imposed for each instance	A fine of 50,000 dirhams (fifty thousand dirhams) will be imposed for each instance	A fine of 100,000 dirhams (one hundred thousand dirhams) will be imposed for each instance
4	Failure to provide valid documents within the prescribed time period, or providing invalid documents	A fine of (2,000) two thousand dirhams per month up to (5,000) five thousand dirhams		

5	<p>Failure to comply with the procedures prescribed by Decree-Law No. 33 of 2021, its executive regulations, and the implementing decisions, in the following cases:</p> <ul style="list-style-type: none"> • If the beneficiary does not begin employment following the issuance of the work permit and the establishment receives Council's support. • If the beneficiary ceases to work regularly for the establishment after commencing employment. • if the beneficiary stops reporting to work and the establishment fails to inform the Council. 	A fine of 20,000 dirhams (twenty thousand dirhams) will be imposed for each instance		
6	If the establishment terminates the beneficiary's employment and reappoints him/her to receive support from the Council	A fine of 20,000 dirhams (twenty thousand dirhams) will be imposed for each instance	A fine of 50,000 dirhams (fifty thousand dirhams) will be imposed for each instance	A fine of 100,000 dirhams (one hundred thousand dirhams) will be imposed for each instance
7	If the Council is not satisfied with the reasons provided by the establishment for the failure to report any changes to the terms of benefit	A fine of (20,000) twenty thousand dirhams per case is imposed after notification is given to the council		

Article 2

If the establishment is proven to be in violation of the Emiratization rules, the number of citizens reported in that violation will not be counted towards the Emiratization percentage required. Accordingly, if this results in due contributions, the establishment will be required to pay those contributions specified in the aforementioned Cabinet Resolution No. 7/1 of 2021 and amendments thereto, for those years in which it demonstrated the fictitious Emiratisation rate in addition to meeting the goals exceeded.

Article 3

Establishments have the right to appeal any decisions issued pursuant to this Resolution before the Grievance Committee, in accordance with the aforementioned Ministerial Resolution No. (45) of 2022.

Article 4

This Resolution shall be published in the Official Gazette and shall be effective on the following day of its publication.

Dr. Abdul Rahman Abdul Manan Al Awar
Minister of Human Resources and Emiratisation

Signature appears

Issued by us on: 02-June 2023