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
Work Permit Form

Particulars of the Establishment

1. Name of Establishment

2. Name of Employer

3. Name of General Manager
   Tel. __________________ Fax ____________ P.O.Box ____________

4. Address of Establishment
   Region __________________ City __________________
   Street No. ____________ House No. ____________
   P.O.Box ____________ Tel: ____________

5. Type of activity

6. License No.

7. No. of Eritrean workers
   Male/____ Female/____

8. No. of Foreign workers
   Male/____ Female/____
II. **Details**  ከአ-
አ-
አ-
Particulars of the employee

1. ከአ-
አ-
አ-
Name of the Employee (as in the pass-port)

2. ሉ. እንወርነት
Pass-port No.

3. ከአ-
ስ-
Nationality

4. እኩል
Age

5. ያ.
Sex

6. መዘፋወ እንደብ እን መስከረም ያ其次是
Home address in the country of origin

7. ለባህ-
ትምህርት
Educational level

8. ያ. ብ-
ትምህርት
type of Education/Profession/

9. እኩል እስ-
Experience

10. ለባህ-
ትምህርት
Position in the Establishment

11. ብወገን እስ-
Brief duties & responsibilities

12. ያርተ ያለበና ያለበና እንዲ-
Monthly salary Other benefits (specify)

ሔና እስ-
Name of Employer ከና-
Sig.

ሔነ ያለበና እስ-
Date Seal of Employer

**N.B.**  እስ-
የይ ያለበና ለእንወርነት ያለበና ብወገን ከስ-
Attach CV, Work Experience & Educational documents.