



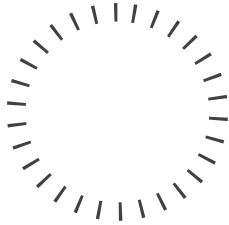
ENGLISH

**Kuwait's National Awareness  
Campaign on the Rights of  
Domestic Workers and Employers**

# Domestic Workers' Legal Guide



# Organization



HUMAN LINE ORGANIZATION



In Partnership With





**Kuwait's National Awareness  
Campaign on the Rights of  
Domestic Workers and Employers**

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# One Roof Campaign

The One Roof campaign raises awareness to the rights of domestic workers and it is a joint effort of the Human Line Organization and the Social Work Association in collaboration with the Ministry of Interior, several government agencies and international organizations.

The campaign aims to ensure a positive and fair relationship that respects the rights and dignity of both domestic workers and employers, it spread awareness and recognizes the legal rights of domestic workers which will help in reducing problems and conflicts that may arise due to the lack of awareness and ignorance of the laws regulating domestic work in Kuwait. Furthermore, it reinforces the idea that domestic work is an occupation that must be regulated by laws and procedures.





# About the Legal Guide

Although the relationship between the employer and the domestic worker in Kuwait is often good and successful, it is necessary for the domestic workers to be familiar with their legal rights, obligations, the laws regulating their work and how to claim them if needed

- This guide provides simple and reliable information on:

- 1- Domestic work laws with the regulations and decisions regulating it

- 2- laws of residency

- 3- Penal and procedural laws

- 4- information on where to complain or seek help

- 5- Explanation of some important terminologies



# Financial Matters

Clause	Salary & Deduction	Overtime
The Right	<ul style="list-style-type: none"><li>•Paid salary shall be identical to what is stated</li><li>•in the contract</li><li>•The salary is paid at the end of every month and Should not be delayed more than 7 days from the due date</li><li>•The salary is calculated from the effective date of work</li><li>•Salary deduction is not allowed</li></ul>	<ul style="list-style-type: none"><li>•The worker is entitled to receive payments for his overtime not exceeding two hours a day, for which the worker is entitled to half a day's wage</li></ul>
Article	<ul style="list-style-type: none"><li>•Article 7 &amp; 8 Domestic Employment Law</li><li>•Article 23 Regulations 2022</li></ul>	<ul style="list-style-type: none"><li>•Article 28 Domestic Employment Law</li><li>•Article 30 Regulations 2022</li></ul>
The punishment	<ul style="list-style-type: none"><li>•The worker is entitled to a 10-dinars compensation per month for salary payment delay. It is calculated from the seventh day of the date Due</li></ul>	<ul style="list-style-type: none"><li>•Worker's overtime compensation</li></ul>
The report	<ul style="list-style-type: none"><li>•Domestic Employment Department</li></ul>	<ul style="list-style-type: none"><li>•Domestic Employment Department</li></ul>



# Financial Matters

Clause	End-of-service Benefits	Collecting fee from worker by the office
The Right	<ul style="list-style-type: none"> <li>•The worker is entitled to get all his dues at the end of the contract period.</li> <li>•The worker is entitled to obtain End-of-service Benefits if he completes the duration of the contract. End-of-service Benefits shall be estimated as one month's salary for every working year.</li> </ul>	<ul style="list-style-type: none"> <li>•The Recruitment Office which recruits the worker shall not receive any payment from the worker, either directly or through other worker or collaborators associated with it inside or outside Kuwait.</li> </ul>
Article	<ul style="list-style-type: none"> <li>•Article 11 -15 Regulations 2016</li> <li>•Article 23 Domestic Employment Law</li> </ul>	<ul style="list-style-type: none"> <li>•Article 4 Domestic Employment Law</li> </ul>
The punishment	<ul style="list-style-type: none"> <li>•Payment of the amount due</li> <li>•Suspension of entry visas for the employer for a period of 6 months</li> </ul>	<ul style="list-style-type: none"> <li>•Withdrawal of License</li> <li>•Accusation of extortion and graft</li> </ul>
The report	<ul style="list-style-type: none"> <li>•Domestic Employment Department</li> </ul>	<ul style="list-style-type: none"> <li>•Domestic Employment Department</li> <li>•Area Police Station</li> </ul>
Proof	<ul style="list-style-type: none"> <li>•There is no receipt or bank transfer for the amount of severance pay</li> </ul>	<ul style="list-style-type: none"> <li>•Any evidence the worker can get (for example bank transfer – witness Testimony )</li> <li>•WhatsApp conversation</li> </ul>

# Financial Matters

## Clause

## Return of the worker to his country

### The Right

- The last employer shall cover the expenses of the worker's return to his country

### Article

- Article 25 Regulations 2022

### The punishment

- Suspension of entry visas for the employer for a period of 6 months

### The report

- Domestic Employment Department

### Proof

- report

# Living Conditions

Clause	Lodging	Worker's feeding & Clothing
The Right	<ul style="list-style-type: none"> <li>•The employer is obliged to provide adequate accommodation for the worker with decent and healthy living conditions</li> </ul>	<ul style="list-style-type: none"> <li>•The domestic worker must provide the worker with food and appropriate and sufficient clothing</li> </ul>
Article	<ul style="list-style-type: none"> <li>•Article 11 Domestic Employment Law</li> <li>•Article 8 (7) Regulations 2016</li> <li>•Article 23 Regulations 2022</li> </ul>	<ul style="list-style-type: none"> <li>•Article 9 Domestic Employment Law</li> <li>•Article 8 (5) Regulations 2016</li> <li>•Article 23 Regulations 2022</li> </ul>
The punishment	<ul style="list-style-type: none"> <li>•Suspension of entry visas for the employer for a period of 6 months</li> </ul>	<ul style="list-style-type: none"> <li>•Suspension of entry visas for the employer for a period of 6 months</li> </ul>
The report	<ul style="list-style-type: none"> <li>•Domestic Employment Department</li> </ul>	<ul style="list-style-type: none"> <li>•Domestic Employment Department</li> </ul>
Proof	<ul style="list-style-type: none"> <li>•Allegation</li> <li>•Witness Testimony</li> </ul>	<ul style="list-style-type: none"> <li>•Allegation</li> <li>•Witness Testimony</li> </ul>

# Living Conditions

Clause	Worker's Treatment & Nursing	Housing workers in the Office
The Right	<ul style="list-style-type: none"><li>•Employer commits to provide the worker with treatment and nursing in public hospitals</li></ul>	<ul style="list-style-type: none"><li>•The recruitment Office shall not, for any reason, use the Office for housing workers and it should provide them with separate accommodation</li></ul>
Article	<ul style="list-style-type: none"><li>•Article 9 Domestic Employment Law</li><li>•Article 8 (6) Regulations 2016</li><li>•Article 23 Regulations 2022</li></ul>	<ul style="list-style-type: none"><li>•Articles 4 &amp; 49 Domestic Employment Law</li><li>•Article 7 (2) Regulations 2016</li></ul>
The punishment	<ul style="list-style-type: none"><li>•Suspension of entry visas for the employer for a period of 6 months</li></ul>	<ul style="list-style-type: none"><li>•Cancellation of license</li></ul>
The report	<ul style="list-style-type: none"><li>•Domestic Employment Department</li></ul>	<ul style="list-style-type: none"><li>•Domestic Employment Department</li></ul>
Proof	<ul style="list-style-type: none"><li>•Allegation</li><li>•Witness Testimony</li></ul>	<ul style="list-style-type: none"><li>•report</li></ul>



# Living Conditions

## Clause

## Mobile phone & means of communication

### The Right

- The Domestic worker is allowed to own and use a mobile phone or any other means of communication in order to contact family members outside working hours

### Article

- Article 23 Regulations 2022

### The punishment

- Suspension of entry visas for the employer for a period of 6 months

### The report

- Domestic Employment Department

### Proof

- Report

# Location & Nature of the Work

Clause	Job description	Identifying Workplace
The Right	<ul style="list-style-type: none"><li>•The employer is only entitled to assign the worker the job tasks specified in his contract only</li></ul>	<ul style="list-style-type: none"><li>•The worker's place of work shall be specified in his employment contract, and the employer may not assign him to work elsewhere</li></ul>
Article	<ul style="list-style-type: none"><li>•Article 14 &amp;18 Domestic Employment Law</li><li>•Article 9 (2) Regulations 2016</li></ul>	<ul style="list-style-type: none"><li>•Article 14 &amp; 18 Domestic Employment Law</li></ul>
The punishment	<ul style="list-style-type: none"><li>•Suspension of entry visas for the employer for a period of 6 months</li></ul>	<ul style="list-style-type: none"><li>•Suspension of entry visas for the employer for a period of 6 months</li></ul>
The report	<ul style="list-style-type: none"><li>•Domestic Employment Department</li></ul>	<ul style="list-style-type: none"><li>•Domestic Employment Department</li></ul>
Proof	<ul style="list-style-type: none"><li>•Allegation</li><li>•Witness Testimony</li></ul>	<ul style="list-style-type: none"><li>•Allegation</li><li>•Witness Testimony</li></ul>



# Location & Nature of the Work

Clause	Dangerous & degrading jobs	Working for others
The Right	<ul style="list-style-type: none"> <li>•The employer may not assign the worker to undertake a malicious or dangerous task that threatens his health or violates his human dignity</li> </ul>	<ul style="list-style-type: none"> <li>•The employer is not entitled to make the domestic worker work for another person unless they are closely related and live with the employer in the same house</li> </ul>
Article	<ul style="list-style-type: none"> <li>•Article 10 Domestic Employment Law</li> <li>•Article 23 Regulations 2022</li> </ul>	<ul style="list-style-type: none"> <li>•Article 8 (10) Regulations 2016</li> <li>•Article 23 Regulations 2022</li> </ul>
The punishment	<ul style="list-style-type: none"> <li>•Suspension of entry visas for the employer for a period of 6 months</li> </ul>	<ul style="list-style-type: none"> <li>•Repatriating the worker to his country at the employer's expense</li> </ul>
The report	<ul style="list-style-type: none"> <li>•Domestic Employment Department</li> </ul>	<ul style="list-style-type: none"> <li>•Domestic Employment Department</li> </ul>
Proof	<ul style="list-style-type: none"> <li>•Witness Testimony</li> <li>•Medical report in case of medical harm</li> </ul>	<ul style="list-style-type: none"> <li>•Report</li> </ul>

# Location & Nature of the Work

## Clause

## Work outside Kuwait

### The Right

- The employer is not entitled to take the domestic worker to work with him in another country without his consent

### Article

- Article 46 Domestic Employment Law
- Article 8 (10) Regulations 2016

### The punishment

- Repatriating the worker to his country at the employer's expense

### The report

- Domestic Employment Department

### Proof

- report



# Working Hours & Holidays

Clause	12 hours maximum working time	Annual and weekly leaves
The Right	<ul style="list-style-type: none"> <li>•The maximum working hours for domestic worker is 12 hours per day with breaks throughout the working hours</li> </ul>	<ul style="list-style-type: none"> <li>•The Domestic Worker is entitled to get at least a one-day vacation per week</li> <li>•A minimum of 30 days paid leave in the first year after 11 months of employment</li> </ul>
Article	<ul style="list-style-type: none"> <li>•Article 22(2) Domestic Employment Law</li> <li>•Article 13 (2) Regulations 2016</li> </ul>	<ul style="list-style-type: none"> <li>•Article 22 (3) Domestic Employment Law</li> <li>•Article 13 (3) Regulations 2016</li> <li>•Article 28 &amp; 29 Regulations 2022</li> </ul>
The punishment	<ul style="list-style-type: none"> <li>•Suspension of entry visas for the employer for a period of 6 months</li> <li>•Considering the hours and days of work as overtime</li> </ul>	<ul style="list-style-type: none"> <li>•Suspension of entry visas for the employer for a period of 6 months</li> <li>•Considering the hours and days of work as overtime</li> </ul>
The report	<ul style="list-style-type: none"> <li>•Domestic Employment Department</li> </ul>	<ul style="list-style-type: none"> <li>•Domestic Employment Department</li> </ul>
Proof	<ul style="list-style-type: none"> <li>•Allegation</li> <li>•Witness Testimony</li> <li>•Lack of receipts for overtime work</li> </ul>	<ul style="list-style-type: none"> <li>•Allegation</li> <li>•Witness Testimony</li> </ul>

# General Labour Rights

Clause	Treatment & compensation for worker sustaining an injury	Maintaining documents & personal identification
The Right	<ul style="list-style-type: none"> <li>• If a domestic worker is subject to an accident at work or during working hours, the employer is obliged to treat and compensate him for that</li> </ul>	<ul style="list-style-type: none"> <li>• An employer shall not keep the passport, identity card or any other personal documents belonging to the worker without his approval.</li> </ul>
Article	<ul style="list-style-type: none"> <li>• Article 22 (1) Domestic Employment Law</li> <li>• Article 13 (1) Regulations 2016</li> </ul>	<ul style="list-style-type: none"> <li>• Articles 12 and 22 (4) Domestic Employment Law</li> <li>• Article 8 (8) Regulations 2016</li> </ul>
The punishment	<ul style="list-style-type: none"> <li>• Compensation of the worker for work injury.</li> </ul>	<ul style="list-style-type: none"> <li>• Delivery of documents to the worker</li> <li>• Suspension of entry visas for the employer for a period of 6 months</li> </ul>
The report	<ul style="list-style-type: none"> <li>• Area Police Station where the incident occurred</li> <li>• Domestic Employment Department</li> </ul>	<ul style="list-style-type: none"> <li>• Domestic Employment Department</li> </ul>
Proof	<ul style="list-style-type: none"> <li>• Medical reports</li> <li>• Report to Police Station</li> </ul>	<ul style="list-style-type: none"> <li>• Allegation</li> <li>• Witness Testimony</li> </ul>

# General Labour Rights

## Clause

## Transport of the worker corpse

### The Right

- The employer is responsible for transporting the domestic worker's corpse to his home country in the event of his death and has to pay his heirs the salary for the month during which he dies.

### Article

- Article 22 (5) Domestic Employment Law
- Article 26 Regulations 2016

### The punishment

- Suspension of entry visas for the employer for a period of 6 months

### The report

- Domestic Employment Department

### Proof

- Copy of death certificate
- report

# Domestic Worker Duties

Clause	Duties	Article
Implementation of instructions	<ul style="list-style-type: none"> <li>•The domestic worker shall carry out employer's instruction as stipulated in the contract</li> <li>•and respect rules , customs and traditions of the country</li> </ul>	<ul style="list-style-type: none"> <li>•Article 9 of the Regulations 2016</li> <li>•Article 13 Domestic Employment Law</li> </ul>
Carrying out the work	<ul style="list-style-type: none"> <li>•The domestic worker shall perform the work agreed in the contract and take the usual care in its execution</li> </ul>	<ul style="list-style-type: none"> <li>•Article 9 of the Regulations 2016</li> <li>•Article 14 Domestic Employment Law</li> </ul>
Protecting property & secrets	<ul style="list-style-type: none"> <li>•The worker should conserve the properties of the employer and his family and keep their secrets.</li> </ul>	<ul style="list-style-type: none"> <li>•Article 9 of the Regulations 2016</li> <li>•Article 15 Domestic Employment Law</li> </ul>



# General Rights

1.
  - The employer will receive the worker within 24 hours of his arrival in Kuwait
2.
  - There is no legal fees if the worker wishes to file a case at the Labour Court
3.
  - If the worker submit a complaint against the employer who cancels his residency, then the worker may be eligible to apply for a temporary residency until his complaint is looked into
4.
  - A condition for employing domestic workers is having a contract in Arabic and English in the same form approved by the realted department.
  - The worker is entitled to keep a copy of the contract, in case of disagreement in the interpretation of the terms of the contract between the different languages used, then the Arabic text prevails.

# Kidnapping & Imprisonment of Freedom

Clause	Imprisonment of Freedom	Imprisonment for physical torture
Definition	<ul style="list-style-type: none"> <li>•It involves preventing a person from moving from one place to another against his will</li> </ul>	<ul style="list-style-type: none"> <li>•Imprisonment of freedom associated with physical torture or death threats</li> </ul>
Article	<ul style="list-style-type: none"> <li>•Article 184 of the Penal Code</li> </ul>	<ul style="list-style-type: none"> <li>•Article 184 of the Penal Code</li> </ul>
The punishment	<ul style="list-style-type: none"> <li>•For a misdemeanor; Imprisonment for a period not exceeding 3 years or a fine of 3,000 dinars or both</li> </ul>	<ul style="list-style-type: none"> <li>•For a felony; imprisonment for a period not exceeding 7 years or a fine of not more than 7,000 dinars or both</li> </ul>
The report	<ul style="list-style-type: none"> <li>•Emergency number (preliminary report)</li> <li>•Area Police Station where the incident occurred</li> </ul>	<ul style="list-style-type: none"> <li>•Emergency number (preliminary report)</li> <li>•Area Police Station where the incident occurred</li> </ul>
Proof	<ul style="list-style-type: none"> <li>•Emergency call</li> <li>•Witness Testimony</li> </ul>	<ul style="list-style-type: none"> <li>•Quick Reporting</li> <li>•Preserving all the evidence (for example, don't clean yourself or wash your clothes)</li> <li>•Preliminary report from his hospital</li> <li>•Witness Testimony</li> </ul>

# Kidnapping & Imprisonment of Freedom

Clause	Kidnapping with the intention of sexual intercourse, indecent assault	Kidnapping
Definition	<ul style="list-style-type: none"> <li>•Kidnapping a rational person over the age of 21 years with the intent to arm, have sexual intercourse, indecent assault, forced prostitution, blackmail, or murder, is considered a crime.</li> </ul>	<ul style="list-style-type: none"> <li>•It involves forcing the person to move from the place where he is a resident there to another place for his detention against his will, or if he is less than 21 years old, feeble or insane (with or against his will).</li> </ul>
Article	<ul style="list-style-type: none"> <li>•Article 180 of the Penal Code</li> </ul>	<ul style="list-style-type: none"> <li>•Article 178 &amp; 179 of the Penal Code</li> </ul>
The punishment	<ul style="list-style-type: none"> <li>•A felony punishable by a death sentence</li> </ul>	<ul style="list-style-type: none"> <li>•A felony punishable by Imprisonment for a period between 3-15 years, depending on the circumstances of the case</li> </ul>
The report	<ul style="list-style-type: none"> <li>•Emergency number (preliminary report)</li> <li>•Area Police Station where the incident occurred</li> </ul>	<ul style="list-style-type: none"> <li>•Emergency number (preliminary report)</li> <li>•Area Police Station where the incident occurred</li> </ul>
Proof	<ul style="list-style-type: none"> <li>•Quick Reporting</li> <li>•Preserving all the evidence (for example, don't clean yourself or wash your clothes)</li> <li>•Preliminary report from his hospital</li> <li>•Witness Testimony</li> </ul>	<ul style="list-style-type: none"> <li>•The Report</li> <li>•Witness Testimony</li> <li>•Medical report</li> </ul>

# Beating

Clause	Light assault	Beating that leaves marks
Definition	<ul style="list-style-type: none"><li>•Light assault includes spitting, pulling hair, or clothes or spraying water, and the physical beating that does not leave a mark.</li></ul>	<ul style="list-style-type: none"><li>•It includes beating that leaves a mark or results in a wound</li></ul>
Article	<ul style="list-style-type: none"><li>•Article 163 of the Penal Code</li></ul>	<ul style="list-style-type: none"><li>•Article 160 of the Penal Code</li></ul>
The punishment	<ul style="list-style-type: none"><li>•A misdemeanor punishable by imprisonment for a period not exceeding 3 months and a fine not exceeding 300 dinars or either of these two punishments.</li></ul>	<ul style="list-style-type: none"><li>•A misdemeanor punishable by Two years imprisonment and a fine not exceeding 2,000 dinars, or either of these two punishments.</li></ul>
The report	<ul style="list-style-type: none"><li>•Report should be made at the police station in the area where the incident occurred.</li></ul>	<ul style="list-style-type: none"><li>•Report should be made at the police station in the area where the incident occurred.</li></ul>
Proof	<ul style="list-style-type: none"><li>• Witness Testimony</li></ul>	<ul style="list-style-type: none"><li>•Witness Testimony and a preliminary medical report from the worker's local hospital, with the request for referral to forensic medicine (If the investigating officer refuses to refer the worker to the forensic medicine, then the worker shouldn't sign on the record unless it says he had requested a referral to forensics</li></ul>

# Beating

## Clause

## Severe beating

### The Right

- Severe beating includes beating with dangerous items such as knives, fire-arms, incendiary substance, etc. and any beating that leads to permanent disability

### Article

- Article 161 & 163 of the Penal Code

### The punishment

- A felony punishable by imprisonment for a period not exceeding 10 years, with a possibility of an added fine (for the State) that does not exceed 10,000 dinars.

### The report

- Report should be made at the police station in the area where the incident occurred.

### Proof

- Witness Testimony
- A preliminary medical report from the worker's local hospital, with the request for referral to forensic medicine (If the investigating officer refuses to refer the worker to the forensic medicine, then the worker shouldn't sign on the record unless it says he had requested a referral to forensics)

# Sexual assault

Clause	Indecent act not committed in public	indecent assault
Definition	<ul style="list-style-type: none"> <li>•an indecent act that shames a woman who is not willing to engage in the act in a private place</li> </ul>	<ul style="list-style-type: none"> <li>•Any touching or stripping of the body of a person who is 21 years old or above without his or her consent; or any person below 21 with or without his consent</li> </ul>
Article	<ul style="list-style-type: none"> <li>•Article 199 of the Penal Code</li> </ul>	<ul style="list-style-type: none"> <li>•Article 191 of the Penal Code</li> </ul>
The punishment	<ul style="list-style-type: none"> <li>•A misdemeanor punishable by imprisonment for a period not exceeding one year or a fine not exceeding 1000 dinars or both.</li> </ul>	<ul style="list-style-type: none"> <li>•A felony punishable by life imprisonment if the victim is a domestic worker,</li> </ul>
The report	<ul style="list-style-type: none"> <li>•Emergency number (preliminary report)</li> <li>•Area Police Station where the incident occurred.</li> </ul>	<ul style="list-style-type: none"> <li>•Emergency number (preliminary report)</li> <li>•Area Police Station where the incident occurred.</li> </ul>
Proof	<ul style="list-style-type: none"> <li>•Report</li> <li>•Witness Testimony</li> </ul>	<ul style="list-style-type: none"> <li>•Report</li> <li>•Witness Testimony</li> <li>•Medical report</li> </ul>



# Sexual assault

Clause	Forced sexual intercourse, under threat, or by deception	Human Trafficking
Definition	<ul style="list-style-type: none"> <li>Engage in sexual intercourse by penetration, without consent, using threat, coercion or deception</li> </ul>	<ul style="list-style-type: none"> <li>A person or multiple people restricting freedom or transport the worker from one place to another by force, taking advantage of authority, strength or resourcefulness for the purpose of forced labour or sexual exploitation</li> </ul>
Article	<ul style="list-style-type: none"> <li>Article 186 of the Penal Code</li> </ul>	<ul style="list-style-type: none"> <li>Article 1 &amp; 2 Human Trafficking Act</li> </ul>
The punishment	<ul style="list-style-type: none"> <li>A felony punishable by Death penalty or life imprisonment</li> <li>If the victim is a domestic worker for the offender, he should be punished by death sentence.</li> </ul>	<ul style="list-style-type: none"> <li>A felony punishable by 15 years of imprisonment</li> <li>(No punishment for forced prostitution in case it was proven that they didn't do it willingly)</li> </ul>
The report	<ul style="list-style-type: none"> <li>Emergency number (preliminary report)</li> <li>Area Police Station where the incident occurred.</li> </ul>	<ul style="list-style-type: none"> <li>Emergency number (preliminary report)</li> <li>Area police station (the worker will be redirected to the Criminal Investigation - Department of Human Trafficking)</li> </ul>
Proof	<ul style="list-style-type: none"> <li>Quick Reporting</li> <li>Preserving all the evidence (for example, don't clean yourself or wash your clothes)</li> <li>Preliminary report from his hospital</li> <li>Witness Testimony</li> </ul>	<ul style="list-style-type: none"> <li>The report</li> <li>Witness Testimony</li> <li>Criminal Investigations</li> <li>WhatsApp conversation</li> </ul>

# Advice on Residence Law

1.
  - The residence visa will be cancelled if the worker's absence from Kuwait exceeds 6 months.
2.
  - Hosting, housing, employing any foreigner who resides illegally in the country is prohibited, as well as the employment of any foreigner brought by others during the Validity of the contract
3.
  - A foreign national who is awaiting deportation may be detained for a period not more than thirty days if such detainment is essential for the execution of the deportation order.
4.
  - No foreign national who has been previously deported from Kuwait can return to the country unless by a special permission from the Chief of police and public security.
- 5..
  - A foreign national can be deported from Kuwait by order of the Minister of the Interior if he is not in possession of a residence permit or if his license has expired. He may return to Kuwait if appropriate conditions are met.
6.
  - A domestic worker will be banned from working in Kuwait for three years if it is proven that they have violated the provisions of the Domestic Employment Law and the rules and decisions made to implement it.

# Legal Advice

1.
  - The worker Informs the employer that he wants to quit the work at the end of the contract period at least two months before the end of the contract. Otherwise the contract will be renewed automatically if both parties desire to do so.
2.
  - Irony and contempt of religions and beliefs are criminal acts under the Kuwaiti law
3.
  - Consensual sexual intercourse outside marriage is punishable by law and strict punishment is applied if it was with a girl less than 21 years old or if one of the parties is married
4.
  - Employment of persons in sexual activity is considered a criminal act under Kuwaiti law
5.
  - Consensual sexual intercourse between males is considered a criminal act under Kuwaiti law
6.
  - A domestic worker has no right to let anyone into the home without the owner's permission
7.
  - Pregnancy outside of marriage is punishable by law
8.
  - Abortion is a criminal act in Kuwaiti law

# Transferring residency

## Possibility of Transferring Residency

- The domestic worker shall not be transferred unless a new contract is signed
- The transfer occurs only with the employer's approval. However, the public authority for manpower has the right to make exceptions in the following cases:

1. •Death of the employer
2. •If following a divorce, the worker requests the transfer to one of the divorced parties
3. •The employer leaving the country permanently
4. •The marriage of the domestic worker to a local husband inside the country
- 5.. •Domestic worker applies to transfer to her husband's residence permit
6. •Employer loses his eligibility or a sentence of imprisonment is issued
7. •Evidence that the employer or those residing with him committed an act, or made a statement, or gesture of sexual orientation by all means including modern and technological ones

# Legal Procedures

Clause	Procedures for Misdemeanor	Procedures for Felony
Report	<ul style="list-style-type: none"><li>• Submit a report to the Police Station Officer where the incident occurred</li></ul>	<ul style="list-style-type: none"><li>• Submit a report to the Police Station Officer or Public Prosecution</li></ul>
Registration	<ul style="list-style-type: none"><li>• Case registration with the investigating authority</li><li>• The case will be submitted to the head of the investigation</li></ul>	<ul style="list-style-type: none"><li>• Case registration with the public prosecution</li></ul>
Taking a decision	<ul style="list-style-type: none"><li>• The case will be submitted to the Public Prosecutor's Office which decides whether to refer the case to court or dismiss it, and the plaintiff is entitled to submit an appeal if the case is dismissed.</li></ul>	<ul style="list-style-type: none"><li>• The public prosecutor decides whether to drop the case or refer it to the court, and the plaintiff has the right to appeal if the case is dropped.</li></ul>
The Court	<ul style="list-style-type: none"><li>• The court will look into the case on several degrees, court of first degree, appeal court and cassation court</li></ul>	<ul style="list-style-type: none"><li>• The court will look into the case on several degrees, court of first degree, appeal court and cassation court</li></ul>

# Protection & Guarantees for Suspect

## Protection during detention & investigation

- Police officers shall not physically or verbally abuse the suspects
- The investigator must refer the defendant to forensic medicine to prove any injuries that occur after an abuse from a security guard during his detention upon suspect request. In the event of refusal by investigator, the suspect shall be entitled to refuse to sign the report unless the refusal is recorded in his request.
- The investigation report must be read to the defendant who reserves the right not to sign it if the quotes mentioned there are in contravention of his statements or they were incomplete.

## Guarantees for Suspect

- To be informed in writing of the reasons of his detention or imprisonment
- Has the right to call a lawyer before the investigation
- Has the right to refrain from speaking until a lawyer is present, and the investigator has no right to expel the lawyer
- Has the right to ask for an interpreter during the investigation



# Deportation & Absconding

## Administrative Deportation

- The Minister of Interior is entitled to order the deportation of a foreign national from the country, and the foreigner is not entitled to appeal against this deportation before the court, and can only be repealed by another order from the Minister of the Interior.
- Article 16-21 of the Foreign Residence Act

## The Judicial Deportation

- The judge may order the deportation of a foreign national from the country as a supplementary punishment associated with the original punishment, the deportation cannot be cancelled
- Article 79 of the Penal Code

## Absenteeism report

- Absenteeism report or a report of absence is a notification submitted by the employer to the Ministry of interior Affairs within one week after the domestic worker leaves the workplace, based on the Foreign Residents Act.
- Employers may not waive this notice or remedy its consequences. Reporting absenteeism automatically deports workers if arrested
- If the domestic worker files a complaint against the employer at the Domestic Employment Department, the employer cannot submit a report of absence to the domestic Employment Department and he should contact the department to investigate the complaint
- The ban on reporting absenteeism can be lifted after two months of settling the complaint or referring it to the specialized court

# Remand

Security officers are entitled to detain a suspect for 48 hours before the investigation



The investigator may order to remand the defendant for a period not exceeding 10 days for misdemeanors and 21 days for felonies effective from the date of his arrest after listening to the accused



The Court may extend the remand period through the renewal judge for 30 days at the rate of ten days each time after listening to the accused



The suspect is entitled to file a complaint against the detention at his renewal detention court to be decided upon within 48 hours



The Specialized Court may extend the remand period through the renewal judge for 90 days at the rate of 30 days each time after listening to the accused

Law enforcement authorities are entitled to detain a person who is awaiting deportation for a period not exceeding 30 days





# Criminal Complaints

## Complaints Submitted to Police Stations

When filing a complaint of a felony or misdemeanor this must be submitted to Police Station officer in the area where the incident took place, and he has to record it and has no right to refrain from registering it based on Article 40 of the Code of Criminal Procedures. If the Police Station Officer refuses to register a complaint ,the below procedures should be followed

Report this to the Department of Control and Inspection part of the Ministry of Interior



Complain should be written with detailed explanation to the Head of Police Station.



If the Commander does not register the report, the worker can submit a written complaint to the Director of Security in the province.



If the head of the Police Station refuses to register it, the worker can submit a written complaint to the Area Commander.



# Criminal Complaints

## Investigations Report

If the charge is a misdemeanor, then the related authority that should investigate is the investigators of the Ministry of the Interior, and they do not have the right to refrain from investigating the complaint, based on Article 40 of the Code of Criminal Procedure, and if the investigator refrains from investigating the complaint, the below procedures should be followed

A written complaint should be submitted to the related Head of Investigation.



If the head of the investigation refuses to complete the required procedures, submit a written complaint to the Director of District Investigation.

If the Head of the Area Investigation refuses to complete the required procedures, submit a written complaint to the Director-General of the Directorate General of Investigations.



## Prosecution report

Submit a written complaint to the Attorney General's office, and he must include an explanation of the complaint, and the date and place of the incident and all the necessary details. Accordingly, the Attorney General shall transfer the complaint to the specialized prosecutor.

# Labour Complaints

## Procedures of Labour Complaints

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Domestic Employment Department



Reconciliation attempt associated with giving the worker their rights



If the case is not settled, then it should be referred to the labour court without fees

- when submitting a complaint to the domestic employment department, Official papers and a copy of them must be brought
- A decision on the complaint is made within a maximum of two weeks
- The domestic worker is issued a temporary residence until the complaint is resolved and he receives his dues and fees
- The domestic worker must be registered at the shelter

# Shelter

1. The worker is entitled to apply for optional access to shelters belonging to the Ministry of Work and Social Affairs.
2. The applicant should be at least of 20 years of age.
3. The application should be rejected if the employee is wanted for a pending criminal case or wanted by the security authority.
4. The applicant who is admitted to a shelter will receive food, drink, accommodation and psychological and social care.
5. Each applicant has the right to receive decent treatment that preserves their human dignity and should not be subjected to psychological or moral harm.
6. The guest is entitled to voluntarily exit from the Centre
7. The guest reserves the right to have his needs fulfilled in accordance with the rules and regulations and in line with the available facilities
8. The worker has visit rights and it is not allowed to deprive him from this right except with minimalistic exercise and for his sake.
9. The guest reserves the right to submit a complaint through the specialists or the Centre Manager.
10. If the status of the guest changes, then he will be allowed to leave the Centre to either return to his sponsor or to leave the country.
11. If the security authority requests, upon a formal request, arresting the guest, then he should be delivered accordingly.

# Types of residencies

Residency N°.	Types of Residency
Article 14	The duration of temporary stay is 3 months and may be extended for up to one year for specialties required by the State, patients, courses offered by the State to individuals, and cases estimated by the Director of the Immigration Department
Article 17	Government employees Residence permit
Article 18	Private sector employees Residence permit
Article 19	Establishment of Kuwaiti partners in commercial, industrial or craft activities Residence permit
Article 20	Domestic Worker Residence permit
Article 22	Residence permit to join family
Article 23	Study Residency
Article 24	Residency without work, provided that proof of the sources of expenditure is presented throughout the period of residency (sponsor himself)

# Numbers & places of interest:

Concerned Entities & Departments	Address	Phone
Department of Domestic Employment	Rumaithiya – Block 7 - Street 78 off Hassan Al Banna Street - next to Rumaithiya Mukhtariya	25659295 25653742 25651954
The Deportation Department (Men)	Jleeb Al-Shuyoukh - Block 1 - Khaled Oqab Al-Ash- hab Street – facing Ghazali Street	24336942
The Courts House & the Labour	Kuwait City - Ali Al Salem Street - facing Municipal Park	1881100
General Administration of Supervision & Inspection	Sharq, Block 1 – street 104- behind WARBA Bank	1888888
Shelter	Jleeb Al-Shuyoukh - Block 2 - Street 139	24500010
Emergency		112

# Embassies & consulates inside Kuwait

Embassy	Address	Phone	Website/E-mail
India	DAIYA, Diplomatic Enclave, Safat, Arabian Gulf Street	22530600 22530612 32253061	<a href="https://indembkwt.gov.in">https://indembkwt.gov.in</a> <a href="mailto:hoc.kuwait@mea.gov.in">hoc.kuwait@mea.gov.in</a>
Indonesia	DAIYA, Block 1, Rashid - Ahmad Al Roumi street, Villa 2	22531025 22531021	<a href="https://kemlu.go.id/kuwaitcity/en">https://kemlu.go.id/kuwaitcity/en</a> <a href="mailto:kuwait.kbri@kemlu.go.id">kuwait.kbri@kemlu.go.id</a>
Sri Lanka	Al JABRIYA, Block 10, Street 107, Villa 1	25354633 25354611	<a href="mailto:slemb.kuwait@mfa.gov.lk">slemb.kuwait@mfa.gov.lk</a>
Ethiopia	Temporary office		<a href="http://www.kuwait.mfa.gov.et">www.kuwait.mfa.gov.et</a> <a href="mailto:ethiokwt@qualitynet.net">ethiokwt@qualitynet.net</a>
Philippine	Salwa, Block 1, Masjid Al Aqsa Street, Villa 15	22022166	<a href="http://www.kuwaitpe.dfa.gov.ph">http://www.kuwaitpe.dfa.gov.ph</a> <a href="mailto:kuwait.pe@dfa.gov.ph">kuwait.pe@dfa.gov.ph</a>
Nepal	JABRIYA, Block 8, Street 13, Villa 514	25321603	<a href="http://www.kw.nepalembassy.gov.np">www.kw.nepalembassy.gov.np</a> <a href="mailto:eonkuwait@mofa.gov.np">eonkuwait@mofa.gov.np</a>

# Embassies & consulates inside Kuwait

Embassy	Address	Phone	Website/E-mail
Bangladesh	MESSILA, Block7, Street 16, Villas 91 and 93	23900913	<a href="https://kuwait.mofa.gov.bd/en">https://kuwait.mofa.gov.bd/en</a> info@yourdomain.com bbood@kms.net mission.kuwait@mofa.gov.bd
Eritrea	JABRIYA, Block 9, Street 21, Villa 9	25317426	
Togo	AL SHUHADA, Block 3, street 303, villa 2	25379261	<a href="https://ambatogokoweit.com/">https://ambatogokoweit.com/</a> ambassa-tokoweit@hotmail.com
Sierra Leone	Al ZAHRA. Block 1, Street 5, Villa 614/22	25243246	<a href="https://kw.slembassy.gov.sl">https://kw.slembassy.gov.sl</a> info@kw.slembassy.gov.sl
Zimbabwe	SALWA, Block 9, Street 6, Villa 8	20621517	zimtripoli@yahoo.co.uk zimkuwait2010@hotmail.com
Kenya	AL ZAHRA, Block 8, Street 807, Villa 133	25243771	<a href="http://www.kenyaembassykuwait.com">http://www.kenyaembassykuwait.com</a> consular@kenyaembassykuwait.com



# Embassies & consulates inside Kuwait

Embassy	Address	Phone	Website/E-mail
Benin	AL SALAM, Block 1, Street 104, Villa 27	25242560 25243130	ambeninkwt@hotmail.com ambassade.koweitcity@gouv.bj
Nigeria	Block 1- street 103 – Mubarak Al Abe- dallah Area (WEST MASHREF) - Villa 8	25379540 25379541	embassyofnigeriakuwait.com nigeriankuwait@yahoo.co.uk
Senegal	AL RAWDA, Block 3, Street 35, Villa 9	22510823 22573477	Embassysenegalese721@yahoo.com senegal_embassy@yahoo.com
Malawi	AL Shuhada, Block 5, Street 512, Villa 34	25235416 25235419	<a href="https://malawigulf.com">https://malawigulf.com</a> info@malawiembkuwait.com malawikuwait@gmail.com
Ghana	SALWA, Block 12, Street 4, Villa 44	25621159	<a href="https://ghanaembassy-kuwait.com">https://ghanaembassy-kuwait.com</a> kuwait@mfa.gov.gh
Tanzania	AL NUZHA, Block 3, Street 35, Villa 16	22575367 22575368	<a href="https://kw.tzembassy.go.tz">https://kw.tzembassy.go.tz</a> kuwait@nje.go.tz

# Embassies & consulates outside Kuwait

Embassy	Address	Phone	Website/E-mail
Madagascar	Riyadh	+966567351840 +966507882927 +966544580298	vierra74@yahoo.fr ambamriy@yahoo.fr
Mali	Riyadh	+966577215202 +966530661160 +966590005240 +966556706658	zarho2005@hotmail.com
Gambia	Riyadh	+966112052158	gamextriyadh@yahoo.com
Namibia	Cairo	+20223584467 +2022378663 +2022378664 +2021092768777	nam.embcairo@gmail.com
Cameroon	Riyadh	+96614880022 +96614880203	http://www.ambacamsaudi.org ambacamriyad@yahoo.fr
Ivory Coast	Riyadh	+966114708387	http://www.kenyaembassykuwait.com https://arabiesaoudite.diplomatie.gouv.ci ambaci.riyad@diplomatie.gouv.ci

# Investigation Departments

Concerned Entities & Departments	Address
General Department of Investigations	Salmiya, Ahmad Moubarak Street , Block 5 104 st., facing Boulivard Garden
Capital Governorate Investigation Department	Sharq, Block 4, Ahmad Al Jabir Street, Near Desman Roundabout
Hawally Governorate Investigation Department	, Block 9, street 24 off sharhabeel street
Mubarak Al-Kabir Governorate Investigation Department	Sabah Al-Salem - Directorate of General Security – near Sabah Al-Salem Coop
Farwaniya Governorate Investigation Department	AL Rabiya - Directorate of General Security - near Al Rabiya coop
Ahmadi Governorate Investigation Department	Al Ahmadi , Moustafa karam Roundabout , Al Ahmadi police station
Jahra Governorate Investigation Department	South Jahra - Saad Al Abdullah - South Jahra Police Station previously
Special Offences Investigation Department	Al Salmeya - Department General of Investigations building

# Public Prosecution

Concerned Entities & Departments	Address	Phone
Public Prosecution	Shuwaikh Administrative, Jamal Abdul Nasser Street, Block 6,near the State audit Bureau	xxxxxxxxx
Mubarak Al-Kabir /Ahmadi Prosecution	Ahmadi, South Sabahiya, Block 1, Ahmadi Courts Complex	1883300
Jahra Prosecution	North West Jahra, Behind Salem Al Ali Hall, near The Immigration Department	24584328
Hawally Prosecution	Salmiya, Hawally area, Block 11 Al Rabeea Street, building 15, near the military facilities	25667016
Farwaniya Prosecution	Al RIGGAE, Block 2, Farwaniya Court Complex	xxxxxxxxx

# Police Stations

## Capital Governorate

Name of the Police Station	Areas covered	Phone
AL Yarmouk	AL Yarmouk	25323519
AL Shamiya	AL Shamiya , Shuwaikh residential	24845953 24827178
Kaifan	Kaifan , AL Khalidya	24832839
Sulaibikhat	Sulaibikhat, Dawha, Western Dawha Chalet	24870716 24861782
Failaka Island	Failaka Island	66766638
AL Surra	AL Surra, Qurtoba	25312220
Al Fayhaa	Al Fayhaa, Al Nuzha	22547168 22547142
AL Surra	AL Surra	25312220
Al Dasma	Al Dasma burqan street	22531914 22431917
AL Qadeseya	AL Qadeseya , Al Mansoureyya	22574386 22575665
North West Sulaibikhat	North West Sulaibikhat	xxxxxxxx
AL Daiya	AL Daiya, embassies area	22571081

# Police Stations

## Capital Governorate

Name of the Police Station	Areas covered	Phone
Al Salheya	Al Salheya, Al Moubarkeya	22427157 22422353
AL Adailiya	AL Adailiya	22562197 22541216
ALKhaldiya	ALKhaldiya	24826141 24826144
Jabir AL Ahmad	Jabir AL Ahmad	96655598
AL Rawda	AL Rawda	22546257 22573031
AL Shuweikh Industrial	AL Shuweikh Industrial, AL Sabah Medical area	66766638
Abdella AL Salim	Abdullah AL Salim, AL Nozha	22570000 22544160
Sharq	Sharq - Sawaber - Dasman - Gulf Street (from the Big mosque to the towers)	22424019

# Police Stations

## Jahra Governorate

Name of the Police Station	Areas covered	Phone
Jahra	Al Jahra , Mahmeyat Road	24551466
Al Qashaniya	Al-Qashaniya - Khabari Al-Awazem - Al-Abdali in 34 K. & Kabad in 34 K to The Borders	Xxxxxxxx
Al Waha	Al Waha, Stables , AL Salimi (to the base)	24557748
Al Naeem	Al Naeem, Qasr	24564472
Al Subiya	Al Subiya, – Subiya Road From Sheikh Sabah Al- Ahmad Al-Sabah Reserve To Bubiyan Island	24562074
Saad Al Abdullah	Saad Al Abedalla	24538126

# Police Stations

## Jahra Governorate

Name of the Police Station	Areas covered	Phone
Al Sulaibiyah	Al Sulaibiyah, Al Oyoum, Al Naseem, Al Sulaibiyah Industrial, Fourth Round To The Middle of The Kabad Area - Amghra And Scrap	24678344
Kabad	Kabad	25370417
Qairawan	Al Qairawan , Al Nahda	24661732
Al Salimi	Al Salimi Road	22438731
Taima	Taima, Jahra industrial , Al Naseem, AL Oyoum, AL Salimi to 41 K	24573958
North Al Jahra	Al-Mutlaa - Al-Sabiya Road from its beginning to Sheikh Sabah Al-Ahmad Al-Sabah Reserve - Abdali Road from its beginning to Kilo 34	22438731



# Police Stations

## Mubarak Al-Kabir Governorate

Name of the Police Station	Areas covered	Phone
AL Adan	AL Adan, AL Fneites, al masayil, al qousour, al jou-maira	25421337
Abu Fteira	Abu Fteira, Abu Hasany	Xxxxxxxx
Sabah Al-Salem	Sabah Al-Salem, sabhan , al mousayla	25514800
Mubarak Al-Kabir	souqs	25438063

# Police Stations

## Farwaniya Governorate

Name of the Police Station	Areas covered	Phone
Khaitan	Khaitan	24722590
AL Omreya	AL Omreya	24742662
Farwaniya	Farwaniya	24711977
Al Andalus	Al Andalus AL Rayy AL Ruqae	24898062
Sabah AL Nasser	Sabah AL Nasser	24898754
		24898751
AL Rihab	AL Rihab	24310574
		24318390
Al Aredeya	Al Aredeya, Al Aredeya industrial	24881273
Abdullah Al Mubarak	Abdullah Al Mubarak - Seventh round Road towards Jahra from Airport Bridge to Kabad Bridge	24363047 24363057
Julayb Al Shoy-oukh	Julayb Al Shoyoukh, airport, Sabhaan, AL Dajeej	24311234 24311335
Eshbelyah	Eshbelyah	24389661
AL Rabeya	AL Rabeya	24742160
South Abdullah Al Mubarak	South Abdullah Al Mubarak	24562074
Al Ferdous	Al Ferdous	

# Police Stations

## Hawally Governorate

Name of the Police Station	Areas covered	Phone
Maidan Hawally	Maidan Hawally	25626971 25629910
Jabriya	Jabriya	25315393 25312559
Salwa	Salwa Al Bidaa	25624496 25626565
Salmiya	Salmiya	25713218 25727806
Al Nugra	AL Nugra Hawally	22616662
Rumaithiya	Rumaithiya Al Bidaa	25621600 25625656
Alsalam	Al Salam, Huttein, Al Saddeq	25587204
AL Zahra	Al Zahra AL Shuhadaa	25237204
Bayan	Bayan, Moubarak Abdulla al Jabir	25393428 25387762

# Police Stations

## Ahmadi Governorate

Name of the Police Station	Areas covered	Phone
Jabir AL Ali	Jabir AL Ali	23842492 23842493
Fahed AL Ahmad	Fahed AL Ahmad	23630984 23630978
Abu Halifa	Abu Halifa, AL Mangaf	23714753 23722151
AL Nuwaiseeb	AL Nuwaiseeb	23950975 23950607
Fahaheel	Fahaheel	23910014 23912959
Ali Sabah Al Salim	Ali Sabah Al Salim	23280383 23280277
Riqqa	Riqqa Al Uqayla	23940700
Hadeya	Hadeya	23960513
Sabah Al Ahmad	Sabah Al Ahmad	xxxxxxxx

# Police Stations

## Ahmadi Governorate

Name of the Police Station	Areas covered	Phone
Al Zur	Al Zur	23950160
Fintas	Fintas , Mahbula	23903744 23903606
Dhaher	Dhaher	23830500 23840900
AL Sabaheya	AL Sabaheya	23618557
Mina Abdullah	Mina Abdullah	23261983 23261145
Shouaybiya industrial	Shouaybiya industrial	23261789 23261538
West Abadulla AL Moubarak	West Abadulla al Moubarak	
AL Ahmadi	AL Ahmadi	23980401 23980304
AL Wafrah	Wafrah	23810411

## Ministry of Interior

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Questions on Residency and its termination:

[www.e.gov.kw/sites/kgEnglish/Pages/eServices/MOI/ResidencyExpiry.aspx](http://www.e.gov.kw/sites/kgEnglish/Pages/eServices/MOI/ResidencyExpiry.aspx)

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Questions on Travel Bans:

[www.e.gov.kw/sites/kgEnglish/Pages/eServices/MOJ/BanTravel.aspx](http://www.e.gov.kw/sites/kgEnglish/Pages/eServices/MOJ/BanTravel.aspx)

## Ministry of Justice

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Electronic number of the case, Number of the case at the police station, Number of the case at the Prosecution,

Number of the case in the court, Number of the case's execution file:

<https://www.kuwaitcourts.gov.kw/searchPages/searchCases.jsp>

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- Inquire by civil ID number for the following: “arrest and seizure travel ban, cases filed by and, cases filed against “can be filed by downloading the My ID application ( Haweyati ) and ( Sahel) from the Apple Store or Android Play Store, then registering using the civil number

<https://www.kuwaitcourts.gov.kw/searchPages/searchCivil.jsp>

# The laws

1.
  - Law N° 68/2015 concerning Domestic Employment
2.
  - Criminal Code No. 16/1960
3.
  - Law N° 17 for the year 1960 on promulgating the Code of Criminal Procedure and Trials (17 / 1960)
4.
  - Law N° 91 for the year 2013 on combating human trafficking and smuggling of migrants (91/2013)
5.
  - Enforcement Regulation of the law :
    - N° 68/2015 concerning Domestic Employment 2016
    - N° 68/2015 concerning Domestic Employment 2022
6.
  - Decree law N° 17 of 1959 on the the Foreign Residents Act (17/1959)

# Note

\*This guide was published in April 2023

\*All decisions, regulations and laws mentioned in this guide are subject to change after this date

\* All addresses and phone numbers mentioned in the manual are subject to change

To view and download the latest version of the Domestic Worker Legal Guide





# Special thanks

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A teal barbed wire graphic running horizontally across the text, with sharp points extending upwards and downwards from the main line.

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