

**Instructions on the Conditions and Procedures for Objecting to  
Decisions and Procedures of Labor Ministry Inspections  
of 2021 issued pursuant to Paragraph (A) of Article (6) and Article (12)  
of  
the Regulation for Objecting to Inspection Decisions and Procedures  
No. (111) of 2018**

Article 1: These instructions shall be called (Instructions on the Conditions and Procedures for Objecting to Decisions and Procedures of the Inspections of the Ministry of Labor for 2021) and shall enter into force thirty days after the date of their publication in the Official Gazette.

The following words and phrases shall have the meaning ascribed to them in the Instructions hereunder unless the otherwise indicated by context:

The Law:	The Law on Control and Inspection of Economic Activities.
Ministry:	Ministry of Labor
Minister:	Minister of Labor
Labor Inspector:	The person authorized by the Minister to carry out the inspection of economic activity to verify the conditions of work and the conditions of occupational safety and health in accordance with the provisions of the Law, the labor law, and the legislation in force in the Ministry.
Economic Activity:	Any entity subject to the provisions of the Labor Law.
Manager of Activity:	Owner, manager or person authorized for the economic activity.
Committee:	The Committee to consider applications to object to the decisions and procedures of Labor Inspectors formed under the provisions of these Instructions.
Objection Register:	The special register to document applications to object to the decisions and procedures of the Labor Inspector or the relevant inspection committees chaired by the Ministry.

Directorate: The labor directorate or the relevant inspection directorate in which the Labor Inspector whose decisions or procedures are objected to.

Article 3(a): The Minister shall establish a committee called 'Committee to Consider Objections to Labor Inspectors' Decisions and Procedures', comprising a committee chair, three members, and a secretary, comprising experienced and competent personnel from the Ministry's workforce.

(b) The Committee shall meet at the invitation of its chairman once a week and whenever the need arises. Its meeting shall be considered legal in the presence of at least two-thirds of its members, provided that the chairman is one of them. Its decisions shall be issued by a majority of the votes of the members present. In the event of a tie, the decision voted by the chairman of the committee shall prevail.

(c) In the event that one of the members of the Committee is absent from three meetings without justification, another member shall be named.

(d) The Committee may invite any person with experience and competence to participate and seek their opinion in its meetings without having the right to vote on its decisions.

Article 4: The Committee shall undertake the following tasks:

a) Consider applications to object to inspection decisions and procedures by Labor Inspectors and issuing decisions thereon.

b) Review all files, documents and reports that it believes are important for considering the objection.

c) Invite any of the persons related to the economic activity against which the measures are taken or the employees of the Directorate.

d) Perform any other matters assigned to it by the Minister.

"Article 5(a): The objection application shall be submitted in writing by the person responsible for the economic activity to the Committee Secretary on the approved form within five working days of the Labor Inspector's visit, in one of the following circumstances:

- 1- The Labor Inspector violates their powers or the inspection procedures specified in the law, the Labor Law, or the legislation in force in the Ministry.
- 2- The Labor Inspector violates any matter relating to the inspection procedures determined by the Minister by a decision.

(b) The Minister shall adopt a form for the objection application that includes the following:

- 1- Data on economic activity in accordance with the commercial register and the license from the competent authorities.
- 2- The name and capacity of the person making the application.
- 3- Reasons for the objection.
- 4- The date of the Labor Inspector's visit and the date of submitting the objection.
- 5- The attachments to the application shall include the applicant's identity proof, authorization from the person responsible for the economic activity if the objection is submitted by someone other than the person responsible, and any other relevant documents or videos that the applicant wishes to submit to the Committee. Additionally, the applicant shall attach copies thereof.
- 6- The means by which the applicant wishes to be notified of the Committee's decision shall be determined.

Article 6: Upon receipt of the objection application, the Committee Secretary shall:

- a) Receive, classify, and register applications to object to inspection decisions or procedures or joint inspection Committee decisions, along with the attached documents, in the objection register. For each objection, the Secretary shall open a file and maintain a record of the application and its accompanying documents.
- b) Verify the documents attached to the objection application and request any documents it deems appropriate.
- c) Give the applicant notice of the registration of the objection application, including the number and date of the application.



Article 7: The Committee shall consider the objection application within five working days from the date of submitting the objection and shall issue its decisions as follows:

- a) Return the objection application if it is not submitted within the period specified in these instructions or if the objection is not related to the inspection work of the Ministry.
- b) Approve the acceptance of the objection application, and in this case, the Committee shall study and classify the application as follows:
  - 1- Review all documents to verify the legality of the inspection procedures.
  - 2- Arrange, upon application, for a re-inspection visit to the economic activity by a team of inspectors designated by the Committee, with the objective of verifying the procedures followed by the inspector(s) who objected to the decision or procedure. In this process, the inspector(s) who objected to the decision or procedure shall not be part of the re-inspection team."
  - 3- Conduct the necessary legal and technical analysis of the subject matter of the objection.
- c) The Committee shall issue its decision after the procedures followed in Paragraph (b) of this Article within five days from the date of approval of the acceptance of the objection application. Its decision shall be final and subject to appeal before the Administrative Court, in any of the following two decisions and in a reasoned manner:
  - 1- A decision on the legality of the disputed inspection procedures.
  - 2- A decision on the illegality of the contested inspection procedures, provided that the decision includes canceling the inspection procedure, returning any of the inspection procedures, or returning the inspection visit.
- d) The Committee shall communicate its decision to the Minister and to the Director of the Directorate to take the necessary action.
- e) The decision of the Committee shall notify its decision to the applicant within two working days from the day following its issuance by the means adopted at the time of submitting the application.

f) The Committee shall maintain a comprehensive file for each objection application, which includes a copy of its decision, minutes of its sessions, documents, and records reviewed, as well as all relevant information related to the consideration of the objection application.

Article 8: The Committee shall submit a semi-annual report to the Minister containing a summary of its work, objections, and decisions issued during that period, provided that such reports are submitted annually to the Supreme Committee.

Article 9 (a): The Ministry shall develop a guideline and publish it on its website, provided that it includes all procedures, periods, dates, forms, and any information related to the objection.

(b) The Ministry shall receive and study objection applications, respond to the applicant, and document the data and documents related to the objection through computerized software when it is created and developed in coordination with the Ministry of Digital Economy and Entrepreneurship.

Article 10: The Minister may issue the necessary decisions to implement the provisions of these Instructions.

وزارة العمل