

Employers can be urged to bear costs of Emirates identity cards



LEGAL VIEW
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I have been working in a private company in Abu Dhabi on an unlimited contract since 1998. Our company has asked its employees to bear the fees for obtaining the Emirates ID card. Is this legal? Please advice.

It is understood that you are employed by a private entity in Abu Dhabi on an employment contract of unlimited duration and your employer has asked you to bear the fees to obtain Emirates ID card from Emirates Identity Authority (EIDA).

Further to your question, it may be noted that there are no specific legal provisions in the Federal Law No. 8 of 1980 (the "Labour Law") relating to bearing the cost of the Emirates Identity Card by the employer or the employee. However in the year 2013, EIDA had urged all employers to take up the responsibility of bearing the cost of Emirates ID cards of their employees since its issuance is connected with the issuance/renewal of the residence visa of an employee.

We assume you are an expatriate working in the UAE and based on the below quoted provision of the Ministerial Order No. 52 of 1989, you may request your employer to bear the cost of obtaining/renewal of the Emirates ID card. Article 6 (a) of Ministerial Order No. 52 of 1989 regarding the Rules and Procedures to be adopted at the Labour

permit sections with respect to the recruitment of non-national labours for employment in the UAE states: "An undertaking from the employer to the effect that he shall sponsor and be responsible for the recruited labourer, the bearing of his recruitment expenses and his employment in accordance with the employment contract in a way not prejudicing the provision of the Federal No. 8/1980 referred to herein."

The interpretation of the above Ministerial Order may require the employer to bear the cost of the issuance/renewal of the Emirates ID card as it is part of the recruitment expenses borne by the employer.

Due to the ambiguity on whether the employee or the employer shall bear the cost of the issuance and renewal of the Emirates ID card, it is hereby suggested to contact the EIDA for further detailed information regarding this matter.

Illegal for landlord to disconnect power/water supply
I live in Sharjah in a rented flat. Our landlord increased our rent from Dh18,000 per annum to Dh38,000. I went to court, which ruled that the annual rent should be Dh24,000 per annum, which I agreed to pay. The landlord, however, has refused to accept the rent for the last four

months and switched off the electricity to my flat. I went to the court again, but the judge said the case was over and asked me to speak to the landlord and solve the problem. What should I do now?

It is understood that you reside in a rented flat in Sharjah and that previously the annual rent stated on your tenancy contract was Dh18,000. Further, we note that the owner of the flat subsequently demanded an increase in the annual rent to Dh38,000, which led to a dispute between you and the owner of the flat. This led you to escalate this dispute to the Sharjah Rent Dispute Committee (Rent Committee) for redressal of your grievance against the owner of your flat. Further we understand that, after discussions and deliberations, the Rent Committee issued a judgement stating the annual rent to be paid to the owner of the flat shall be Dh24,000. Despite this judgement of the Rent Committee, it is understood that the owner of the flat re-

fuses to accept the judgment and continues to demand annual rent of Dh38,000.

Further to your question, it may be advised that you may approach the Rent Committee to deposit the rent amount with the Rent Committee, in favour of the owner of the flat and obtain a receipt of payment of the annual rent to the Rent Committee. You may be at fault in case the rent is not paid as the owner of your flat may allege that you never approached him to pay the rent. It is suggested that you should possess sufficient documentary evidence proving that the owner of the flat declined to accept the rent in accordance with the judgment of the Rent Committee.

Disconnecting the water and electricity by the owner of the flat, without an order of the authorities in Sharjah, is a violation of the prevailing regulations in Sharjah and you may approach the Rent Committee to restore the water and electricity supply to your flat.

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