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HR ALERT
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TRENDSETTER AUTOMATED WORKFORCE MONITORING
Data protection considerations

PROFILE LEGAL SERVICES
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ROUND-UP OF LEGAL AND BUSINESS DEVELOPMENTS IMPACTING HR IN THE MIDDLE EAST

GETTING TOUGH

Stricter penalties for Emiratisation abuses

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RIGHTS AND WRONGS

In every issue we include an interview with a member of the HR profession in the region - and are interested in hearing what are their most pressing concerns, and which legislation is having the greatest impact on their work. In this respect regardless of their jurisdiction, sector or industry, more often than not - the answer is the 'nationalisation' legislation.

It is an area where it is necessary to keep up with and understand the law, but it is also an area where a good practical approach and cultural change is also important.

Many employers, including Al Tamini & Company, whose Head of HR Operations we interview in this issue, are taking a proactive and innovative approach to this change. However, there are others who are tempted to try to circumvent this legislation by 'cooking the books', providing false information, making false hires, or falsely benefiting from the incentives the governments provide to assist with this change.

Since 2022, there has been legislation in the UAE on these types of offences. However, what we are seeing now is that far stricter mechanisms are being put in place to tackle those tempted not to do 'the right thing'. Inspections and checks are on the increase. We can also see from the Ministry of Human Resources and Emiratisation (MoHRE) Enforcement Report 2024 that the authorities are not afraid to prosecute and fine offenders.

In addition, a new law Cabinet Decision No. 43/2025, has been issued. This has changed the authorities' approach to these offences and penalties from a discretionary to a more structured approach. As can be seen from our article on this subject in this issue - the scope of offences has also increased, as have the fines which can now be significant.

As a result, it is important to understand your organisation's compliance status on this issue, and be prepared to take swift, and sometimes also innovative action, if problems are discovered.

Claire Melvin - Editor

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GETTING TOUGH

Raka Roy and Yusur Dalloul of Galadari Advocates and Legal Consultants explain the tougher new approach being taken in the UAE against those who falsify information to circumvent Emiratisation requirements or misuse Emiratisation incentives.

"The UAE Ministry of Human Resources and Emiratisation (MoHRE) Enforcement Report 2024, reported a number of concerning cases of employees and employers who had been fined for either providing false information as part of compliance with the Emiratisation rules or falsely claiming incentives from Nafis (the Emirati Talent Competitive Council),"states Raka Roy.

"While in another case this year a privately owned company which had deducted Nafis trainee subsidies was promptly referred to the Public Prosecution," Yusur Dalloul continues.

"MoHRE have reported on their social media that between mid 2022 and September 2024 1,818 private establishments were found to have faked their Emiratisation level and 2,784 fictitious Emiratis were found to have been hired," Dalloul adds.

"It has been cases such as these which have led to Cabinet Decision No. 43/2025 On the Violations and Administrative Penalties Related to the Initiatives and Programmes of the Emirati Cadres Competitiveness Council being issued," states Roy. "What we are seeing now with this new legislation is that authorities in the UAE are bringing in a new tougher approach to offences of this type which targets systematic misuse of Emiratisation support and incentives provided by the Nafis programme."

Raka Roy

Partner Galadari Advocates and Legal Consultants

"Cabinet Decision No. 43/2025 repeals and replaces Cabinet Decision No. 95/2022 Concerning the Violations and Administrative Penalties Related to the Initiatives and Programmes of the Emirati Talent Competitiveness Council (NAFIS) and was issued on 16 April 2025," states Dalloul.

"This new law has brought in increased fines for breaches of this type which escalate when there are repeat offences. There is also now a more structured approach to enforcement, as well as a much broader range of potential violations."

"Cabinet Decision No. 43/2025 applies to all private sector establishments licensed under Federal Decree-Law No. 33/2021 and all Emirati beneficiaries who participate in either Nafis-linked training, placements, or who receive wage support," Roy explains.

WHAT IS NAFIS?

"The Emirati Talent Competitive Council or Nafis was formed under Federal Decree-Law No. 27/2021. Nafis is a governmental federal programme aimed

© Getty images

at increasing the competitiveness of Emirati human resources and empowering them to occupy jobs in the UAE's private sector over the next five years. It was launched as part of the 'Projects of the 50', which aim to accelerate the UAE's development journey," Dalloul states.

"It also provides wage subsidies of up to 50%, sector focused training and collaborations designed to aid employers who are eager to give opportunities to potential Emirati employees," states Roy.

"The Nafis programme aims to integrate 75,000 Emiratis into the private sector in the UAE by 2026, and Cabinet Decision No. 43/2025 has been issued in order to ensure compliance with these goals through greater enforcement and penalties where there are attempts to 'get round' the legal requirements or falsely claim incentives."

"Recent surveys and studies have shown this programme is working," Dalloul states.

"There has been a nuanced but steadily improving perception among Emiratis of private sector employment."

"For example, according to PwC's 2024 Emiratisation Survey, nearly two-thirds of Emiratis who were either employed in or seeking roles in the private sector felt it is now easier for them to find jobs in that sector. In addition, public-sector employees have stated they are open to moving into private employment."

Yusur Dalloul
Galdari Advocates and Legal Consultants

" In fact, the 75,000 target which was set has already been exceeded, and over 131,000 Emiratis have been onboarded into the private sector in the UAE, largely as a result of programmes such as Nafis which offer financial subsidies and job placement tools which can assist," Roy adds.

"However, challenges do still persist," Dalloul continues.

"For example, PwC's 2023 'Retention Riddle' survey found that around 66% of the Emiratis in the private sector might

RELEVANT LEGISLATION

Article 4 of Cabinet Decision No. 43/2025

(1) Any interested party may file a written grievance before the Ministry against any of the administrative fines imposed thereon by virtue of this Decision, within ten days from the date of notification of the decision against which grievance is filed. Such grievance shall be reasoned and shall be submitted along with all supporting documents, according to the procedures determined by the Ministry.

(2) The grievance shall be decided upon within 20 days from the date of its submission, in accordance with the procedures in force at the Ministry.

(Source: Lexis Middle East Law)

RELATED NEWS

Increased Bahrainisation Levels for companies taking over state services

In April 2025 Bahrain's parliament passed a new rule requiring companies which have taken over state services to hire at least 50% Bahrainis. As a result, firms contracting with the government under a privatisation deal would have to ensure at least half their staff were Bahrainis. The proposal cleared the Financial and Economic Affairs Committee and was then approved by the full chamber.

consider returning to the public sector."

NEW FINES

"Article 2 of Cabinet Decision No. 43/2025 lists nine separate scenarios where administrative penalties may apply for violations of the rules on Emiratisation and Nafis benefits," Roy states. "These include submitting incorrect documents or data in order to falsely obtain Nafis benefits or get round the Emiratisation quota requirements. There are also penalties for using invalid documents or failing to renew documents in time."

"Administrative penalties can also be levied in situations where an Emirati individual who has been appointed does not actually take up the work, works irregularly or is absent from work or training programmes," Dalloul adds. "Failure to report changes in circumstance or trying to get round quota requirements by reducing worker numbers or changing worker classifications can also result in fines being imposed."

"There are now tiered fines which range, for example, from 2000 AED a month up to a maximum of 5000 AED for employing those with expired documents, see Article 2 of Cabinet Decision No. 43/2025," Roy states. "While the highest fine is 500,000 AED for an employer who tries to get round the Emiratisation quota requirements by reducing the numbers or modifying the classification of their workers or by another other form of fraud proven by the Ministry. This ramps up from a 100,000 AED fine for a first time offence of this type with a 300,000 AED fine for second time offenders."

"In addition, fines between 20,000 and 100,000 AED can be levied per fake Emirati on the books for those involved in fictious hiring."

"All the fines apply to employers," Dalloul states. "However, there are also penalties which apply to employees who are Nafis scheme beneficiaries."

"For example, where there is a failure to report any change that occurs to the conditions of the benefit without an acceptable reason Nafis support will cease. Penalties include the recovery of Nafis funding and disqualification from future Nafis support," Roy adds. "If a Nafis scheme beneficiary fails to comply with the training or study programmes approved by the Council and is absent during the training period for ten consecutive days or 20 non-consecutive days, Nafis support will cease, there will be recovery of the amounts spent, and the individual will not be able to benefit from the programme for a period of a maximum of a year."

"If an establishment which breaches its obligation to appoint the beneficiary after the end of the supported training period within the Nafis programme initiative without an acceptable excuse accepted by the Council, amounts paid to the establishment during the training period will also be recovered."

"What we can see with Cabinet Decision No. 43/2025 is that there has been a move from a discretionary approach to compliance (as was the case under Cabinet Decision No. 95/2022) to mandatory enforcement," Roy states. "There are now fixed fines and recovery for offences of this type. In addition, repeat offenders may now be blacklisted. There will be MoHRE audits."

CHALLENGING RULINGS

"However, it is possible where a penalty has been issued under Cabinet Decision No. 43/2025 to challenge that decision," Dalloul explains. "There is a 10-day appeal window and MoHRE have 20 days in which to issue a decision."

"In addition, under Article 5 of Cabinet Decision No. 43/2025 it is possible to request exemptions or request to pay fines in instalments subject to a Council recommendation."

"Entities can apply for full or partial exemptions which are decided based on MoHRE's discretion based on the Nafis Council's recommendation," Roy adds.

"However, a formal written request must be made."

WHAT'S NEXT?

"As a result of these changes HR professionals in the UAE should now be carrying out audits of their entity's emiratisation compliance status," Dalloul states.

"Any violations found should also be rectified as soon as possible, particularly as some of these new fines are charged per month and per worker where there is a breach. With these legal changes in place, immediate remediation is needed to avoid financial risk."

"HR professionals may also need to update their documentation and internal policies on this area," Roy states.

"In addition, HR teams should also be given training on these new requirements. In this respect MOHRE has issued guidance which should be reviewed."

"It is also vital that employers have established protocols which apply for MoHRE reporting as failure to report change in a timely manner can lead to penalties. Finally, it is vital that employers know exactly what to do when there are inspections."

Hadef & Partners

Automated Workforce Monitoring

Diana Froyland, Senior Counsel, Hadef & Partners looks at the UAE data privacy risk created by automated workforce monitoring.

According to recent surveys from a range of sources, one of 2025's main HR trends in this region is increased automation.

Systems, such as automated workforce monitoring systems, have become more sophisticated, with some now incorporating Artificial Intelligence (AI) and advanced analytics.

These technological changes have left HR teams facing new, more complex data privacy challenges.

While these systems can offer considerable advantages, they also frequently rely on data which can identify individuals (personal data), including sensitive personal data such as fingerprints, iris scans and health information.

The use of personal data is regulated in the UAE. HR professionals who are managing the implementation of automated work force systems must therefore make sure that deployed systems are compliant with the relevant data protection laws and regulations.

There are ten vitally important areas that must be considered prior to implementation, in order to minimise data privacy risks.

Determine Which Data Privacy Regime(s) Applies: There are three jurisdictions in the UAE that have implemented data privacy regimes: the Dubai International Financial Centre (DIFC), the Abu Dhabi Global Market (ADGM), and 'onshore' UAE, which refers to the UAE jurisdiction outside of the DIFC and the ADGM.

The first step, therefore, will be to identify which regime(s) apply.

Establish a Lawful Basis for Using the Personal Data or Obtain Consent: Under the data privacy regimes, either a 'lawful' ground must exist to justify the system's use of personal data, or employee consent should be obtained.

Address Sensitive Personal Data: Each data privacy regime imposes additional protections where sensitive personal data is used. In some cases, employee explicit consent may be needed before data such as fingerprints and iris scans may be used.

Conduct Data Protection Impact Assessments (DPIAs): In certain situations, a Data Protection Impact Assessment (DPIA) is a mandatory requirement before a business deploys a system which uses personal data, particularly where the system will process a lot of sensitive personal data.

This must be carried out before deployment.

Apply Data Protection by Design and Default: Prior to system deployment, data protection mechanisms should be integrated into the system's design.

Data minimisation should be a priority to ensure that the system only uses as much personal data as it needs in order to achieve its aims.

Maintain a Personal Data Record: A comprehensive record of all personal data processed by the system should be maintained, with data categorised as either personal data or sensitive personal data.

Consider Data Storage Location, Data Localisation and Deletion: The location where the system stores personal data should be determined. If stored outside the UAE or the DIFC/ADGM, it will be necessary to verify that any proposed 'cross-border data transfers' are lawful.

Ensure Transparent Communication: Employees should be informed of the purpose of their personal data collection, the types of data collected, the relevant data retention periods, and their rights, including their data access rights.

Prepare for Data Subject Rights Requests: Under each of the data privacy regimes, data subjects (individuals whose personal data is being used) have certain rights.

It will, therefore, be necessary to implement clear procedures for handling requests by individuals who wish to exercise their rights.

Address Automated Processing and AI: Additional obligations may apply where systems are used which make decisions based on personal data with limited or no human input or which use AI. It is notable that the DIFC data privacy regime contains specific enhanced obligations where certain types of AI are utilised. Effectively managing data privacy in automated workforce monitoring systems requires HR professionals to adopt a proactive and well-informed approach. By implementing the practical steps outlined here, being aware of and complying with the relevant data privacy regime, and by maintaining ongoing vigilance, HR professionals can cultivate a culture of trust and transparency, fostering a data-driven workplace that prioritises and respects individual privacy.

NEWS ROUND-UP

COVERING RECENT KEY DEVELOPMENTS – REGION-WIDE

UAE

STRICTER MOHRE MEASURES

Since early 2025, about 1,300 UAE establishments have been monitored by the Ministry of Human Resources and Emiratisation (MoHRE) and been found to be failing to comply when it comes to practising their licensed business activities. They have had registered employees not actively engaged in licensed activities. As a result, the Ministry has suspended new work permit issuing for these establishments and imposed fines exceeding AED34 million on them. These businesses have also now been classified under the third category, reflecting their non-compliance. MoHRE requires employers to either cancel their licences if operations ceased or rectifying workers' status in line with established procedures. Both establishment owners and workers can face legal consequences for inactive registered employment.

SUDANESE VISAS

The Federal Authority for Identity, Citizenship, Customs and Port Security (ICP) has announced new regulations will allow Sudanese expats to apply for new visas, renew residency permits, and obtain Emirates IDs using passports which are valid for less than six months. The change runs from 19 May 2025 until the end of the year. The decision comes as a result of the humanitarian crisis caused by the conflict between the Sudanese Armed Forces and the Rapid Support Forces, which has left a significant number of Sudanese people in need of aid. Sudanese nationals in the UAE will be able to regularise their status through the ICP's digital platforms, even without meeting the usual passport validity requirements. The flexible procedures will make compliance easier. Fines will also be waived.

DUBAI

STUDENT VISA CHANGES

The Crown Prince of Dubai has approved a series of new educational policies as part of plans to develop the education sector in Dubai, so international students make up 50% of the Emirate's total university enrolments by 2033. To reach these targets there will be improvements to student visa systems, new international scholarships and work visas for graduates.

ABU DHABI

GCC NATIONAL PENSIONS

Employers in Abu Dhabi are now required to register their entities and GCC national employees for social security contributions via the General Pension & Social Security Authority (GPSSA)'s online platform, which is called Ma'ash. Previously, registration and de-registration applications for GCC nationals were submitted via email to GPSSA.

CAREGIVER SUPPORT

The Department of Community Development - Abu Dhabi has announced programmes under its Barakatnu initiatives which will give new rights to caregivers. Alternative care will be provided for up to eight hours a day once a week for the elderly for a total 48 days a year to enable caregivers to attend to their other responsibilities. In addition, the Government Empowerment Authority is offering to obtain approval for flexible working systems for caregivers. This scheme will allow caregivers to obtain a certificate which grants them access to flexible work policies in government entities.

SAUDI ARABIA

NO SPONSOR WORK VISA

Saudi Arabia has introduced new visas as part of its Premium Residency System which allow holders to work, reside, and travel within Saudi Arabia without the need for a sponsor's permission. Under the scheme there are two types options - a permanent residency which costs 800,000 Riyals and an annual residency which costs 100,000 Riyals. The new system impacts foreign professionals seeking employment in Saudi Arabia. Applicants must meet a number of specific criteria, including being between 21 and 55 years old, having a university degree or professional qualification, maintaining a clean criminal record, and passing a comprehensive medical examination. The application process is carried out through the Etimad platform. Applicants have to create an account, select the visa type (professional or freelance), then submit necessary documents such as a valid passport and educational certificates, and pay the applicable fees online. The scheme aims to attract global talent and investment while reducing reliance on the traditional sponsorship (kafala) system.

OMAN

IRREGULAR STATUS

Foreign nationals in Oman have been given up until 31 July 2025 to regularise their immigration status without incurring any immigration-related fines for overstaying by either applying for a new visa or exiting the country. The Omani Ministry of Labour has also announced employers' streamlined mechanisms which will enable them to transfer workers who have been previously registered under abandonment reports as part of the grace period initiative. Employers will be able to process service transfers for these workers regardless of whether their work cards are active or have expired, as long as there is no existing labour violation on file. It should also be noted that approvals for these transfers will be granted automatically. Employers wishing to do this should submit a service transfer request through the Ministry's electronic system. Once approved, they must visit the relevant Labour Welfare division to obtain a notification letter. This document should enable any related travel bans or alerts recorded with the Royal Oman Police to be removed and will allow the transfer process to be finalised. However, the authorities have stressed that this opportunity is only available until the end of the grace period.

ENGINEER ACCREDITATION

The Oman Ministry of Labour has announced all engineers in Oman will need to have obtained professional accreditation by 1 August 2025, if they wish to secure or renew a work permit. These requirements will be enforced with the assistance of the Oman Society of Engineers, which provides the necessary professional classification certification. The Sectoral Skills Unit for Engineering, has been tasked with issuing the certification necessary for work permit applications. The changes impact both current engineers working in Oman and engineers planning to enter this field in Oman, who will need to have the accreditation certification from the Oman Society of Engineers.

SOCIAL PROTECTION INSURANCE

There have been amendments made to Oman Decision No. R/7/2023 Implementing Regulations to the Oman Social Protection Law (Oman Sultani Decree No. 52/2023), following amendments brought in by Oman Decision No. R/07/2025. As a result, there has been a change to the mechanism that allows insured individuals to integrate previous service periods into their active subscription terms. This change should benefit a range of individuals, including employees across the public and private sectors, as well as self-employed individuals. There have been changes on unregistered Service Periods. These cover actual service intervals which have not previously been documented within retirement or social insurance files.

KUWAIT

EXEMPTIONS SCRAPPED

Kuwait Ministerial Resolution No. 4/2025 has repealed a law which previously allowed certain organisations to be exempt from work permit transfer fees based on manpower demand. A flat fee of 150 Dinars will now apply for every work visa transfer. It will apply to all sectors and entities, including government-owned firms, hospitals, health centres under the Ministry of Health, private educational institutions, foreign investors approved by the Investment Promotion Authority, sports federations, charities, and labour unions. The aim is to standardise the fee structure across Kuwait's labour market and ensure a uniform approach to work visa transfers.

POSITIONS REQUIRING REGISTRATION

Kuwait Decision No. 12/2025 On the Conditions to Be Met for Positions Requiring Registration has been issued following a review by the Chairman of the Supreme Committee of the Insurance Regulatory Unit. This decision covers various requirements with the Insurance Regulatory Unit. Licensed companies cannot appoint anyone to any position requiring registration until they have obtained prior approval from the Head of the Unit. An appointment of this type without this approval violate the Unit's provisions and instructions. Appendix No. 1 of Kuwait Decision No. 12/2025 details the required competencies and requirements for a position requiring registration with the Unit. The Appendix of the Decision details the academic and professional qualifications and experience for a range of roles including insurance brokers, legal affairs managers, compliance officers and internal sharia auditors where these restrictions apply.

TURKEY

EMPLOYEE PAYMENT

A Regulation amending the regulation on the payment of salaries, bonuses, premiums and any other similar receivables through banks has been issued in Turkey. Under the previous regulation, those who employed at least five employees in Turkey were required to pay salaries, bonuses, premiums and all similar entitlements to those employees through bank transfers. As a result of this amending regulation from 1 July 2025 the threshold for this requirement has been lowered. This means that employers with three or more employees must now also make those transfers to employees via banks.

IN BRIEF

Syria: The Syrian President has issued two decrees introducing a 200% rise in the salaries of employees who are in the civil and military sectors, and of pensioners...

Kuwait: New recruitment requirements will apply to expatriate teachers in public schools in Kuwait from the 2025/2026 academic year...

Bahrain: Tamkeen, which is the Bahrain Labour fund, has issued an updated Financial Services Skill Report. The report has identified urgent sectoral needs, including advanced skills in digital transformation, cybersecurity, and data analytics, as well as a growing demand for compliance and sustainability officers...

Kuwait: Cheating in intermediate and secondary school exams has been criminalised by Kuwait Decree No. 77/2025. Activities such as leaking, publishing, or selling exam questions or answers, will lead to imprisonment for up to five years and fines between 1,000- 5,000 Dinars...

Ajman: The Balanced Summer initiative, which will run from 1 July to 22 August 2025, will see all government employees there being able to work remotely on Fridays. Working hours from Monday to Thursday will also be reduced from eight to seven hours, and will run from 7:30 am to 2:30 pm...

Oman: The Omani Ministry of Transport, Communications and Information Technology (MoTCIT) has issued new guidelines to standardise the accreditation of external personal data auditors...

Kuwait: Authorised school principals in Kuwait will be able to grant exit permits to expatriate teachers and staff through the government's integrated system....

Qatar: The Qatari Cabinet has given initial approval to a draft law which is set to establish a unified framework for volunteering across GCC countries...

Kuwait: The Ministry of Finance, and Civil Service Commission, have begun a detailed study into salary and wage structures across Ministries and government institutions in order to create greater fairness by developing new mechanisms for salary calculations...

Oman: A new service temporarily enables employers to transfer private sector employees during 2025 Khareef Dhofar...

IMMIGRATION FOCUS

RECENT GCC IMMIGRATION AND VISA CHANGES

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KUWAIT

MANDATORY EMPLOYER APPROVED EXIT PERMITS

With effect from 1 July 2025, the Public Authority of Manpower will require all expatriate private sector sponsored employees to obtain prior approval (an Exit Permit) before travelling outside of Kuwait. From 1 July, expatriate private sector sponsored employees who wish to travel outside of Kuwait (whether this is on a temporary or permanent basis), will need to have obtained prior employer approval and have an Exit Permit before they leave the country. These permits are obtained via the official government Sahel platform. This requirement applies regardless of whether the sponsored worker is planning to leave the country via air, land borders, or seaports. However, it is important to note that this new requirement does not currently extend to dependents, only to the primary residence holder (e.g. the expatriate worker). Therefore, dependents do not need to apply for separate exit permits.

An employee who needs an exit permit should first log into the Sahel app or Ashal Portal using their Civil ID. Here they will need to complete the required details which include their exit/travel dates and the expected return date. Once they have completed, this stage they will need to submit the application which will be automatically sent to the employer for approval.

These requests are automatically routed to the employer via the Sahel-Business app or Ashal Portal. The employer must then verify and approve the employee's request. The approval confirms the employer – employee relationship.

Once the employer has approved the request the Exit Permit is issued immediately to the employee through the digital system. If any inconsistencies are found the case will be referred to a specialist department for review. As a result in order to avoid any delays, it is important that all the information in the application matches the details on the Civil ID. If the employer fails to respond or rejects the application without having a valid cause to do so, the employee can file a complaint with the Public Authority of Manpower (PAM) in order to seek intervention. Although the new requirement only came into force on 1 July 2025, employees travelling on that date or shortly after it still needed these permits. There were no transitional arrangements.

It will be important initially for employees to be flexible in their travel arrangements, leave sufficient time to submit their applications and keep in close contact with their employer to ensure timely approval.

OMAN

PERSONAL INCOME TAX

In June 2025 it was announced that Oman will be introducing personal income tax. The law, Oman Sultani Decree No. 56/2025, comes into force in early 2028. The tax primarily targets high earners, leaving most residents unaffected while promoting more equitable revenue generation. New reporting and compliance measures will affect individuals and businesses, especially those with high incomes or international connections. Tax applies to individuals who are considered tax residents in Oman, targeting those with annual taxable income exceeding 42,000 Rials. Only the amount above this threshold will be taxed at a flat rate of 5%. Non-residents may also be subject to tax on certain types of Omani-sourced income, depending on the final regulations and the nature of their activities in Oman. Both residents in Oman and internationally mobile individuals will need to check whether they will be liable under this new regime. There are a number of exemptions which will apply to potentially impacted individuals. Firstly, there will be a one-time exemption on foreign income earned outside Oman for up to two years. There will also be another one-time exemption for income from the sale of primary and secondary residences. It should also be noted that income from gifts or inheritance

is exempt. In addition, income from industrial property rights will be exempt for five years after registration.

There will also be a number of potential deductions which those liable to pay this new tax may be eligible to benefit from in order to reduce their taxable income under the new law. These include a one- time deduction of interest on loans taken to finance the purchase or construction of a primary residence, charitable donations, zakat, and endowments (waqf), and expenses related to education and healthcare.

It will be important to accurately track and record any of these potential deductible expenses.

Taxpayers who come under this new law will have to submit accounts audited by licensed auditors approved by Oman's Financial Services Authority. The Oman Tax Authority will oversee the new regime and is expected to issue detailed regulations in the next year, and then guidance manuals. It will be important for impacted employees and their employers to keep up with these regulatory developments and announcements.

QATAR

OUQOUL EMPLOYMENT PLATFORM

Qatar's Ministry of Labour has announced the launch of the first phase of its Ouqoul platform. This is a user-friendly digital recruitment tool which aims to streamline private-sector hiring for university graduates in Qatar. The platform has been developed using advanced technology which is designed to improve recruitment efficiency and connect skilled graduates with private employers.

It includes an AI-powered chatbot feature which can assist employers in crafting precise, bespoke job descriptions on demand. This helps employers create tailored job descriptions using natural language processing and real-time feedback. Flexible job posting solutions are also provided. Companies can upload documents or create job specs directly on the platform, which gives them maximum flexibility.

The graduate registration will be launched as part of the platform's second phase which will be announced shortly. As a result, university graduates will be able to register and build their own profiles. Only the alumni of Qatari universities who have established form links with the platform will be able to use the new system.

This platform supports hiring for roles outside the strict scope of the Qatarisation law. It enables private sector employers to hire skilled expatriate graduates. By specifically targeting expatriate graduates, it is hoped this new platform will act as a tool to manage demographic and economic priorities, ensuring that local talent is prioritised where needed, while still enabling employers' access to international expertise in non-Qatarised roles.

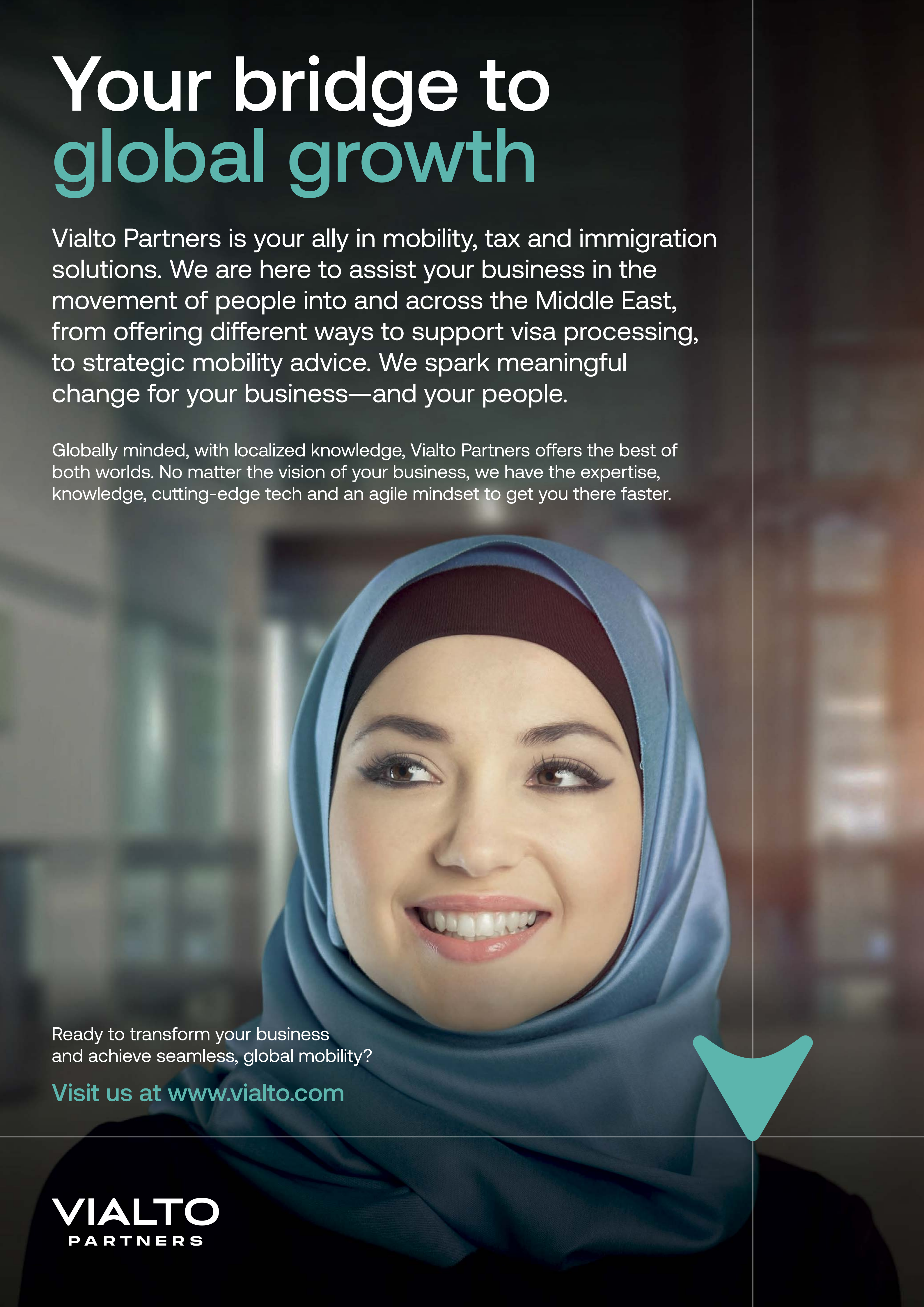
UAE

FREELANCE RESIDENT PERMITS

The UAE has placed a temporary suspension on issuing new freelance visas and residence permits in Dubai. The freelance licence and visa have previously enabled self-employed professionals to engage in freelance activities and secure residence in the UAE. At present, freelance licenses and visas are still available in other Emirates in the UAE and more information is being awaited on when applications will be open again in Dubai. Freelance residence permits have been an attractive category for foreign entrepreneurs located in or looking to relocate to Dubai. They provide a flexible pathway for individuals to work independently and without company sponsorship in the UAE across industries like media, education, tech, and design.

Freelancers can also reside in the UAE and sponsor their family members. These permits are often issued through economic freezones, which offer additional benefits and tailored regulations. At present, the suspension to freelance visas and residence permits is only applicable in Dubai. The move comes amid a series of broader visa reforms aimed at attracting international talent and fostering sustainable development. Authorities may be reviewing the overall effectiveness of this category.

Existing freelance permit holders are not affected, and renewals are being processed by the immigration authorities as usual. Individuals planning to relocate to Dubai and intending to apply for this visa should closely monitor updates from the relevant freezones and government authorities.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SAUDI VISIT VISA CHANGES

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Vialto Partners explain recent changes to the rules on visit visas in Saudi Arabia which have impacted individuals from 14 countries.

In February 2025, Saudi authorities introduced new restrictions on visit visas for nationals from 14 countries. These countries were Algeria, Bangladesh, Egypt, Ethiopia, India, Indonesia, Iraq, Jordan, Morocco, Nigeria, Pakistan, Sudan, Tunisia and Yemen. The changes included limits on one-year multiple-entry visit visas for business, tourism, and family visits.

The new policy was eventually implemented in April 2025.

THOSE ALREADY IN SAUDI ARABIA

In light of the entry restriction ban, individuals from the affected countries who were already in Saudi Arabia on visit visas were required to leave by 13 April 2025, and there was a risk of fines of up to SAR 100,000 and potential future entry bans in the event of non-compliance.

Although the suspension on new visit visa issuances remained in effect as of 25 April 2025, some holders of valid visas were still able to enter or exit Saudi Arabia, albeit inconsistently, as decisions were made at the discretion of Saudi immigration authorities.

In addition, Umrah pilgrims with these listed nationalities were also required to depart by 29 April 2025.

SUSPENSION LIFTED

On 30 June 2025, a suspension which had applied to the restricted nationalities was officially lifted. However, certain limitations do remain in place, with only single visit visas being issued. At present, only single-entry visit visas are being granted, permitting a maximum stay of up to 90 days.

Letters of Invitation (LOIs) are being issued without specifying visa validity or the number of permitted entries. The final determination of visa validity and entry type (single or multiple) remains at the sole discretion of Saudi authorities.

NEXT STEPS

The entry visa ban was introduced as part of broader efforts to manage immigration flows into Saudi Arabia during the Hajj season, with national security considerations playing a central role.

With the suspension now lifted, the Saudi government has signalled a shift towards a more open and facilitative visa policy, reaffirming its commitment to welcoming international visitors and attracting global talent in order to support the Kingdom's economic and development goals.

LAW CHANGES

NEW AND PROPOSED MENA LAWS

CONSTRUCTION SAFETY

Aarti Thadani and Sarah Sheppard of Norton Rose Fulbright (Middle East) LLP explain how Dubai Decree No. 19/2025 is set to change health and safety in the construction industry there.

Dubai Decree No. 19/2025 On the Safety in Construction Works in the Emirate of Dubai has required a new Code of Construction Safety Practice to be prepared in Dubai in order to significantly improve safety standards for workers on construction sites throughout the Emirate. This law repeals and replaces Dubai Administrative Decision No. 51/2008 and reinforces compliance with Federal Decree-Law No. 33/2021 on the Regulation of Labour Relations, particularly Article 13 and 36 of Federal Decree-Law No. 33/2021 (which cover employer obligations and occupational care and safety). The new Safety Code is to be issued by the Director General of Dubai Municipality, and reflects Dubai Municipality's commitment to improving safety practices in construction and aligning with international standards. The aim is to reduce workplace accidents and injuries by establishing a framework for risk prevention and operational excellence in construction site management. Dubai Decree No. 19/2025 is part of a broader initiative to enhance occupational health and safety across all sections, with construction a primary focus because of its inherent risks.

Dubai Decree No. 19/2025 applies across all areas of the Emirate, including Special Development Zones and Free Zones such as the DIFC. All contractors and engineering consultancy offices will have to comply with the safety standards, instructions, and obligations outlined in the forthcoming Code.

This law will come into force on 2 August 2025 and the new Code is expected to be issued within three months of the Decree's effective date. The code will be published on the Dubai Municipality and the Competent Authority official website. Once it is published, this new Code will be binding and enforceable and carry the same legal weight as legislation published in the Official Gazette.

PROVISIONS AND PENALTIES

The new Code is expected to cover a wide range of safety-related topics, including mandatory training for workers, especially in handling hazardous equipment and chemicals; provision and use of Personal Protective Equipment; implementation of fire prevention measures; regular inspections of construction sites to verify compliance with safety procedures; and requirements on adequate lighting and ventilation to ensure worker safety. Under Dubai Decree No. 19/2025, the Chairman of the Executive Council has been mandated to issue a decision which will define the specific acts that will constitute violations of both Dubai Decree No. 19/2025, and the new Code.

This decision will also outline the relevant penalties which will apply to offenders. Designated personnel from the Dubai Municipality and the Competent Authority may also be given law enforcement powers.

These powers will enable them to, among other things, inspect construction sites, document violations, and prepare reports. Where necessary, they may also seek assistance from police authorities

KUWAIT - CHARITY

There are stringent new regulations on the operation of charities in Kuwait Ministerial No. 122/2025 On issuing the Regulatory Bylaw for charitable institutions. The regulations cover a range of areas including fundraising and the registration of charities. One of the requirements is that charitable foundations have a minimum of ten Kuwaiti founders and board members with clean records and at least diploma-level education. A 10,000 Dinar deposit is also needed.

OMAN - SOCIAL INSURANCE

Oman Sultani Decree No. 52/2023 On the Issuance of the Social Protection Law has been amended by Oman Sultani Decree No. 60/2025. In particular the changes have altered the date of which specific parts of the law will come into force. These include the provisions on insurance for work injuries and occupational diseases for non-Omani workers, Chapter 6 of Title 3 of the law which covers sick leave and Article 139(1) of Oman Sultani Decree No. 52/2023 which covers the savings system for non-Omanis.

to ensure compliance and enforce safety standards effectively.

However, these are likely not to be the only changes in this area in Dubai going forward.

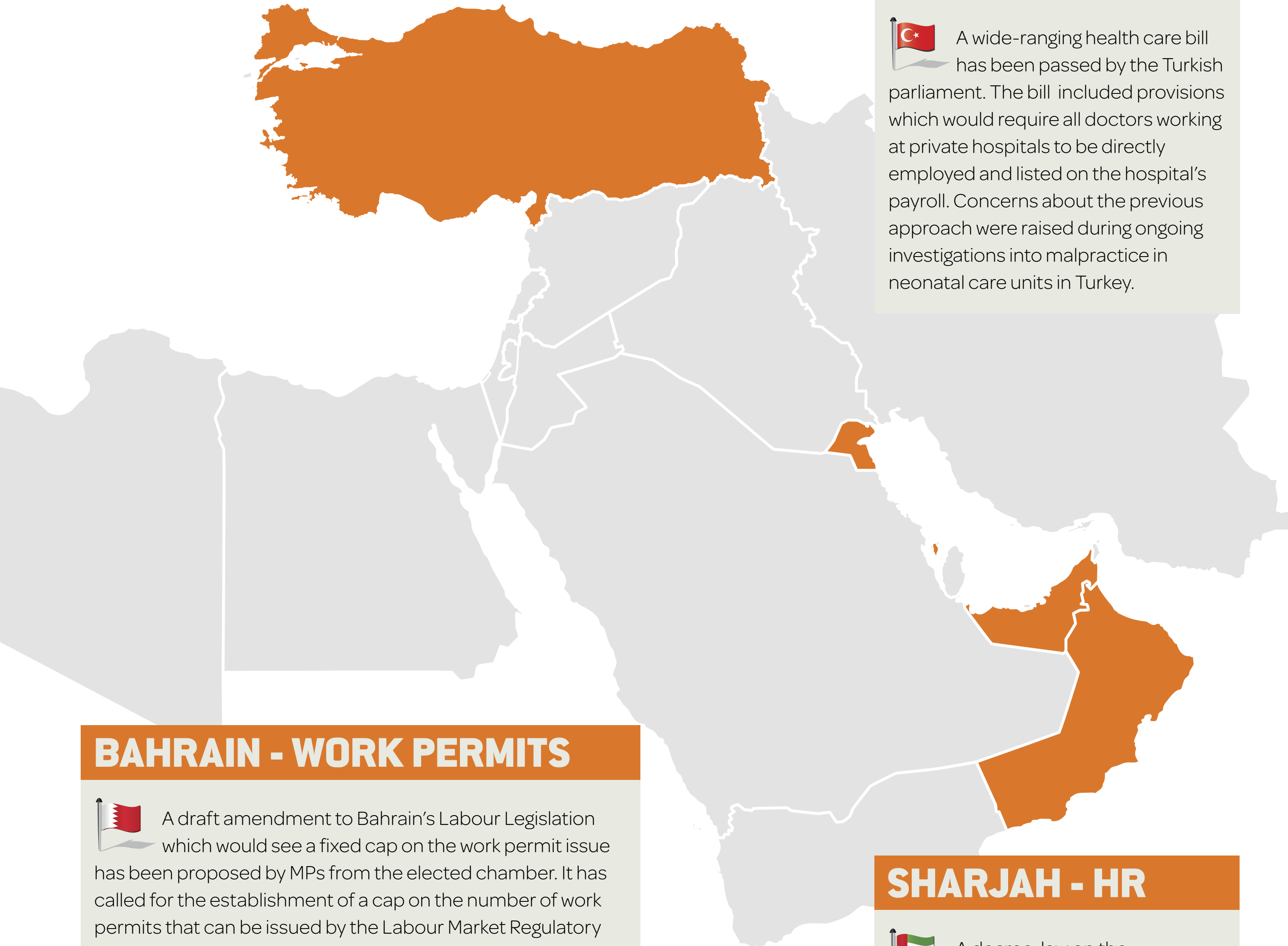
Article 6 of Dubai Decree No. 19/2025 specifically states the Municipality, in coordination with the Competent Authority, will review and update the Code on a regular basis.

Any updates made to the Code will have to be approved by a decision of the Director-General and will then be published on the Municipality and Competent Authority websites.

Dubai Decree No. 19/2025 is part of Dubai's ongoing efforts to enhance the regulatory framework on construction safety.

By mandating the development and implementation of this new Code, Dubai authorities are ensuring there will be proactive governance and worker protection.

As the construction industry in Dubai continues to grow, these measures will help safeguard lives, improve operational efficiency, and reinforce the Emirate's reputation as a global leader in infrastructure development.



TURKEY - HEALTH

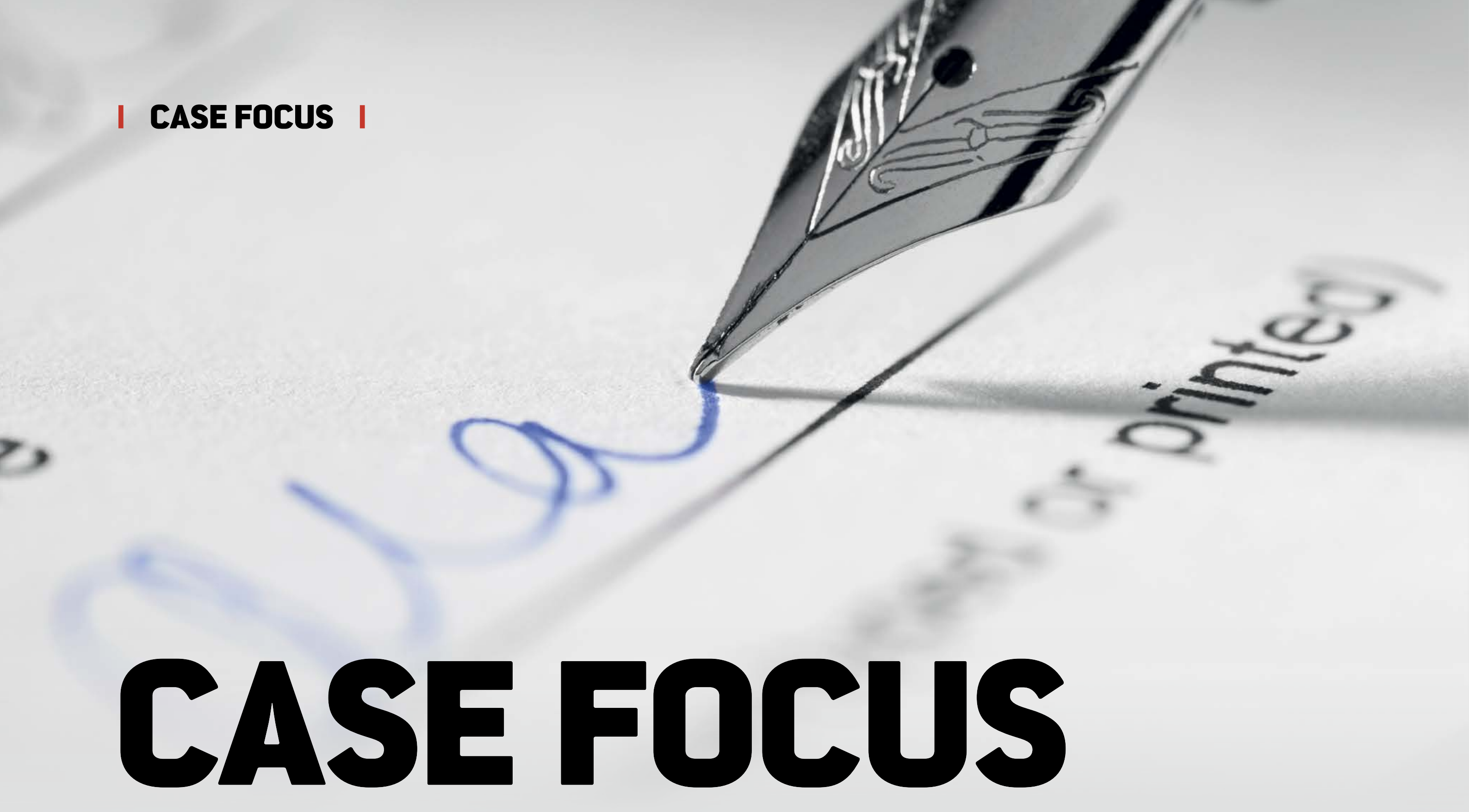
A wide-ranging health care bill has been passed by the Turkish parliament. The bill included provisions which would require all doctors working at private hospitals to be directly employed and listed on the hospital's payroll. Concerns about the previous approach were raised during ongoing investigations into malpractice in neonatal care units in Turkey.

BAHRAIN - WORK PERMITS

A draft amendment to Bahrain's Labour Legislation which would see a fixed cap on the work permit issue has been proposed by MPs from the elected chamber. It has called for the establishment of a cap on the number of work permits that can be issued by the Labour Market Regulatory Authority (LMRA), subject to specification in the national plan. This could mark a change from discretionary authority to a mandated limit which would apply to all sectors and types of work. The change would require the Labour Ministry and LMRA to have to adhere to the prescribed cap upon approval, with immediate effect once incorporated into the legal framework.

SHARJAH - HR

A decree-law on the management of human resources across governmental sectors has been issued in Sharjah. As a result, all governmental agencies, including those with pre-existing human resource protocols, will have to align with the Sharjah Department of Human Resources' standards. Significant amendments introduced by the law include prioritising the employment for citizens and children of female citizens. Non-citizens will be eligible for contractual employment as outlined by the executive regulations. The new law also clarifies the procedural requirements when there are administrative violations, investigations, and penalties, along with the procedures for addressing grievances and awarding end-of-service benefits.



CASE FOCUS

Case No ...**Zia Ur Rehman v Forvis Mazars LLC [2025] QIC (A) 7 issued on 14 May 2025**
Jurisdiction ....**QFC**
Court .... **QICDRC, Court of Appeal**
Recommended by .... **Muna Nasser Al Kaabi, Case Progression Officer, QICDRC**

WHAT IS IT ABOUT?

Zia Ur Rehman was employed by Forvis Mazars LLC as an auditor. He resigned on 8 May 2022 and before leaving, set up his own company, White Space Advisory and Consulting LLC. Mazars issued a Non-Objection Certificate (NOC) on his sponsorship transfer to White Space. Rehman worked through White Space which then secured a contract with Al Meera Consumer Goods Company QPSC through a bid, for which Mazars had unsuccessfully bid. Mazars threatened legal action against Rehman for soliciting their client, and breaching a non-compete clause in his employment contract. Rehman offered to subcontract the work to Mazars, but they refused and White Space withdrew from the Al Meera contract. Mazars filed a complaint with the Labour Relations Department, which was referred to the Labour Disputes Settlement Committee, claiming QAR 700,000 in damages for the breach but the Committee decided jurisdiction rested with the Qatar Financial Centre (QFC) Civil and Commercial Court. Mazars brought a claim before the First Instance Circuit by way of counterclaim claiming Rehman was in breach of the non-compete clause by establishing White Space and soliciting Al Meera. Rehman argued he had worked as an auditor at Mazars and White Space operated in different business areas and activities. Al Meera was not a client of Mazars' audit department where he had worked and he had had no dealings with them while at Mazars. The First Instance Circuit found the choice of law clause in the contract was invalid and unenforceable as it conflicted with Article 2(4) of the QFC Employment Regulations, as it stated state laws on employment did not apply to employees governed by these Regulations. It dismissed Mazars' counterclaim for damages due to the lack of evidence of any loss due to the Claimant's conduct. Mazars sought permission to appeal the First Instance Circuit's dismissal of their counterclaim for damages.

WHAT WAS DECIDED?

The appeal was dismissed and found without merit. Mazars had failed to provide any evidence showing that their former employee's activities through White Space competed with them or triggered any loss. There was no evidence on how Rehman's activities through White Space would, in fact, compete with their business, how his activities had caused them any loss, or how the QAR 700,000 claim was calculated or constituted their loss. There was no hearing in the First Instance Court as the parties had agreed the matter would be decided on the papers, so no evidence was presented and challenged. The permission requirement for appeals did not hinder the right to appeal but ensured unmeritorious and unfounded appeals were swiftly dismissed. The Court cited the ELI-UNIDROIT Model European Rules of Civil Procedure (OUP, 2011) highlighting this approach as a globally recognised practice which was in line with international best practices. The principle of finality and reasonable costs was important and prevented first instance proceedings from becoming mere test proceedings. The case highlighted the importance of having sufficient evidence to support claims for breach of contract and damages. Rehrman had withdrawn from the contracted work and Mazars could have rebid for it. Where a specific amount was claimed as compensation for breaching a non-compete clause it must be possible to demonstrate how the figure was reached and provide evidence for it. This case highlights that permission to appeal is only granted if a party can demonstrate substantial grounds and a significant risk of serious injustice if their appeal is not heard.

Case No .... **Teknowledge Services and Solutions LLC v Fadi Saghir [2025] QIC (F) 23 issued on 14 May 2025**
Jurisdiction .... **QFC**
Court .... **QICDRC, Court of First Instance**
Recommended by .... **Mohammed Alansari, Case Manager, QICDRC**

WHAT IS IT ABOUT?

The claimant, Teknowledge, was a QFC-registered company that was part of a multinational corporation. It operated a training centre and Mr Saghir served as their Country Manager. He resigned and, two days later, Teknowledge discovered what it described as 'highly suspicious activity' occurring at various points in October and November 2024. Teknowledge confronted Saghir and asked him to return his company-issued laptop. He signed an undertaking to return any information he had obtained during his employment with Teknowledge. Notably, in October 2024, Saghir had received a job offer from PwC, which was argued to be a competitor of Teknowledge in Qatar. Nine days before receiving the offer, Mr Saghir had downloaded thousands of confidential and sensitive Teknowledge documents onto his company laptop. A forensic report prepared by the employer's IT team confirmed the downloads and stated his conduct violated the company's 'Acceptable Use Policy'. When Saghir returned the laptop, the IT team found extensive file deletions had occurred, including the deletion of the files downloaded on 10 November. Teknowledge applied for an injunction to prevent Mr Saghir from breaching his non-compete, non-solicitation, and confidentiality obligations. Under Article 20 of the QFC Employment Regulations, any clause in an employment contract that restricts an employee from working on similar projects or for a competing company must be 'reasonable', must not amount to an unreasonable restraint of trade, and must be appropriate to the specific circumstances of the employee's employment.

The Court also considered past QICDRC cases, including Chedid & Associates Qatar LLC v Said Bou Ayash [2015] QIC (A) 2, which dealt with the reasonableness of non-compete clauses.

In that case, the Court emphasised the need to balance the interests of the general public and the employee against those of the employer. It noted, given Qatar's small size and the concentration of business in Doha, it was in the public interest for a foreign employee to be able to continue working in the country, even after leaving a previous employer. However, Article 20 still required a value judgment on whether a non-compete clause was reasonable under the particular circumstances of each case. The Court emphasised the reasonableness of such clauses depended on the specific facts and circumstances of the employee involved. While previous judgments could provide guiding principles, detailed factual comparisons were of limited value due to the uniqueness of each case.

WHAT WAS DECIDED?

The Court found that the non-compete clause – limited to 12 months post-resignation and covering a 15 km radius from the claimant's offices – was reasonable in the circumstances.

Mr Saghir did not give evidence at trial. The Court noted that it was essential for defendants to testify, as written allegations drafted by lawyers were no substitute for oral evidence subjected to cross-examination.

Mr Saghir had claimed that the files were automatically downloaded via a synchronisation process, and that he routinely backed up data to his personal external hard drive. He argued that he did not consider it necessary to return the hard drive, as it was his private property. The judge rejected these explanations.

Further evidence came from Teknowledge's Sales and Customs Manager, who testified that Saghir's new employer had attempted to recruit her as well, and that this coincided with a request from Saghir to meet her.

The Court found this evidence sufficient to infer that Saghir had breached the non-disclosure and non-solicitation provisions in his employment contract, as well as the employer's personnel regulations, which he was fully aware of.

While there was no direct evidence of solicitation, the Manager's testimony – considered in its entirety – demonstrated a clear and deliberate attempt by Mr Saghir to solicit an employee, in direct breach of the non-solicitation provisions.

To grant an interim injunction, the Court considered whether the harm Teknowledge would suffer if the injunction were wrongly refused would outweigh the harm to Mr Saghir if it were wrongly granted.

Additionally, the applicant (Teknowledge) had to show that they would suffer irreparable harm if the interim relief were not granted.

The judge also outlined the criteria for granting a final injunction.

The applicant must establish, on the balance of probabilities: a clear legal right; an infringement or a well-grounded apprehension of infringement of that right; and that such infringement would cause irreparable harm for which there was no adequate alternative remedy (such as damages).

The Court granted an injunction compelling Mr Saghir to comply with the non-compete and non-solicitation provisions in his employment contract until 11 December 2025, not to disclose proprietary data and information, return all data and information obtained from the claimant, and pay the claimant's legal costs.

HR PROFILE

HEAD OF HR OPERATIONS – LEGAL SERVICES

An agile approach to change

Samia AlRajaby, Head of HR Operations, Al Tamimi and Company explains how having an agile approach to change has helped her respond to everything from technological developments to changing generational priorities.

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BACKGROUND

I have worked in HR for 19 years. I have a degree in Commerce and Management from the University of Wollongong in Dubai and CIPD professional qualifications. In the past I have worked in a range of different HR disciplines, including on-boarding and off-boarding, compensation and benefits, Emiratisation, manpower and succession planning, employee relations, and learning and development. Before joining Al Tamimi and Company, I was the HR Operations Manager at the DIFC Courts and at the National Reference Laboratory, which is a Mubadala healthcare entity. Through this work I have experience and skills on automation, employee relations, and creating impactful employee experiences. I am passionate about streamlining processes, leveraging automation, and developing environments where teams can thrive. A key part of my philosophy is a firm belief that an organisation's greatest strength lies in its people. Experience of leading operational HR teams across different sectors has helped me to develop a strategic mindset, be agile when problem solving, and to deliver scalable, people-centred solutions across large organisations.

One of the most rewarding projects in my career to date was managing a large scale merger between two organisations. I led the on-boarding of a significant number of employees into the new structure, ensuring a seamless transition. It was a complex, high impact initiative that required robust change management, cross functional coordination, and a people first approach. Successfully integrating these teams while maintaining operational continuity was a defining moment for me – and a testament to the power of planning, empathy, and execution.

CURRENT ROLE

I currently work as Head of HR Operations and Employee Experience at Al Tamimi and Company. I lead all HR operational processes, from policy development and automation to nationalisation and employee engagement strategies. I am responsible for driving efficiencies, embedding best practices across the firm, and continuously evolving our HR approach to match the firm's high performance culture and regional growth. Al Tamimi and Company is a full service legal firm in the Middle East, with over 580 lawyers and 17 offices across 10 countries including the UAE, Saudi Arabia, Qatar, Egypt, Kuwait, Jordan, Bahrain, Iraq, Oman, and Morocco. We advise on a broad range of legal matters including litigation, corporate, banking and finance, intellectual property, real estate, and employment law.

LEGISLATION

Nationalisation policies are top of mind across the GCC, and particularly in the UAE, where I have been leading our Emiratisation efforts. We are committed to attracting, developing, and retaining Emirati talent. Recently we hosted an Emiratisation event in London, where we engaged with UAE national students who were studying abroad, showcasing our long term investment in local talent.

Our Chairman, Essam Al Tamimi, who is an Emirati himself, remains a strong advocate for national talent development across all our regional offices.

TRENDS

The legal industry is undergoing a significant transformation. Legal technology, AI integration, and automation are reshaping the way firms operate - not only in legal delivery but in internal functions like HR. We have been actively upgrading systems and building capabilities which align with these shifts, ensuring our people are future ready. Equally important is

PRACTITIONER PERSPECTIVE

Ben Brown
Partner
Clyde & Co

Ben Brown, Sara Khoja and Sarit Thomas of Clyde & Co look at a change in approach to leave which may be needed following a recent Abu Dhabi Court ruling.

A recent ruling by the Abu Dhabi Court of Cassation has sent a strong signal to employers across the UAE that change is needed when it comes to leave as failure to implement and document clear annual leave procedures can carry significant financial consequences. In the Abu Dhabi Court of Cassation case ADCC Case No. 73/2024, the court awarded an employee compensation for 13 years of unused leave, reinforcing the critical importance of having well-defined leave policies, transparent approval processes, and meticulous recordkeeping systems in place.

In this case a long-serving employee who had worked for the same employer from 2009 until June 2022 claimed on termination he had not taken any of his statutory annual leave and sought compensation.

EVIDENCE REQUIRED

However, the employer, notably, failed to present any documentation to prove the contrary. There were no leave approvals, leave usage logs, or records of any cash payouts which had been taken in lieu of the untaken leave.

While both the Court of First Instance and the Court of Appeal had awarded compensation for only the employee's final two years of employment (in line with traditional court interpretations in the UAE), the Abu Dhabi Court of Cassation adopted a much broader view.

Based on Article 29(8) and (9) of Federal Decree-Law No. 33/2021 (the UAE Labour Law) and Article 19 of Cabinet Decision No. 1/2022 (the UAE Labour Law's Implementing Regulations) the court found the employee was entitled to holiday pay for his entire 13-year tenure.

This led to a total award of AED 59,290.

There is a clear message from this Court of Cassation ruling for employers in the UAE that when it comes to disputes involving holiday pay and holiday entitlements the burden of proof rests with the employer. If an employer does not have clear documentation which can prove leave has been granted, leave was used or alternatively there has been payment in lieu of untaken leave, the court may assume that the employee's full entitlement remains, regardless of how long a period has passed.

STATUTE OF LIMITATIONS

Federal Decree-Law No. 9/2024 brought in a change to Federal Decree-Law No. 33/2021 which clarified that the two year limitation period of filing labour claims begins from the date on which the employment terminated rather than when the entitlement arose, e.g. the relevant leave year. That change gives employees more time to claim for unpaid leave further back.

REQUIRED CHANGES

This judgment has also highlighted a persistent gap found in many workplaces where leave is managed informally or through inconsistent tracking, where change is needed as it exposes employers to retrospective liability.

The first change which may be needed is that employers must ensure that they are maintaining accurate and up-to-date records of any employee leave.

These records need to include approvals, rejections, carryovers, and payments made in lieu of taking leave. Absence of such records can shift the burden of proof and expose the business to financial liabilities.

Secondly, it is also important for employers to have a well-drafted leave policy which should cover leave accrual rates, carryover limits, approval procedures, and the consequences of unused leave.

It is also important that this policy aligns with the UAE Labour Law (Federal Decree-Law No. 33/2021) and it must also be clearly communicated to all staff.

Sara Khoja and Sarit Thomas of Clyde & Co also contributed to this article.

the growing focus on employee well being. In 2024, we introduced a comprehensive Wellness and Employee Assistance Programme to support mental health across the firm. There is increasing recognition of burnout risks, particularly in high performance environments, and we are proud to be ahead of the curve in creating a culture that prioritises care, balance, and flexibility.

Our hybrid work model, backed with smart monitoring tools, is one example of how we are a firm which is evolving in order to meet modern workforce expectations. These changes are driving continuous policy enhancements and cultural shifts, which help us retain our position as an employer of choice. One of our ongoing challenges is adapting to the evolving expectations of a modern workforce – which range from generational shifts in priorities to new benchmarks for flexibility and well being.

Balancing high performance with sustainability, and tradition with innovation, requires an agile, thoughtful approach and being future focused.

We overcome these challenges by staying proactive, continuously reviewing our policies, investing in employee development, and fostering open dialogue across the firm.

Our approach is centred on building a resilient, engaged workforce that can navigate change with confidence.

MOVES AND CHANGES

A ROUND-UP OF BUSINESS NEWS, APPOINTMENTS AND PROMOTIONS

A CLEAN SWEEP

Reckitt, a manufacturing company known for its global consumer brands, including Lysol, Dettol and Vanish, has appointed Rasha Iqbal Farooqui as its Head of Human Resources Middle East. In her new role Rasha will drive the people agenda across the Middle East, shaping talent strategies and workforce planning in the region, which is a key growth area for the company which is a global leader in health, hygiene and nutrition. Reckitt has over 43,000 employees worldwide.

Rasha has over 14 years of HR experience. She originally joined Reckitt in 2012 and since then has held a number of key roles, including Talent Acquisition Manager for the MENAT region, Regional Talent & Learning Lead, and DEI Board Member for AME (Africa, Middle East, and Pakistan). She began her career with Starcom MediaVest Group in Pakistan.

BRINGING ENERGY TO HR

Doha Petroleum Construction Co WLL (DOPET) has appointed Sana Abbas as their new Vice President Human Resources. DOPET's work includes shutdown, turnaround and manpower supply projects for both offshore and onshore fields.

Previously, Sana spent three years as Administrative Director for DOPET where her hands-on approach and business alignment were key to driving people development. Her work was also vital in succession planning and health, safety, security and environment (HSSE) integration across the company. Her career began as a Human Resource Administrator where she developed strong foundations in HR operations along with other skills.

In her new role Sana will lead HR initiatives, drive organisational transformation and strengthen talent management at the business.

A MORE RELAXED APPROACH

Felicita Shanthy has become the Director of Human Resources with Taj Exotica Resort & Spa, The Palm, Dubai. In her new position Felicita will be responsible for overseeing all HR functions as well as supporting the continued growth of this destination on the Palm Jumeirah.

Prior to this move, Felicita spent four years at Taj, Dubai where she helped to develop a high performance team and implemented best practices which helped to foster employee satisfaction.

She has spent three decades working at Taj Hotels and has led HR for four prime properties.

Felicita has an Advanced Certification in Organisation Behaviour from Universitas 21 and a Masters of Business Administration (MBA) in Human Resources Development.

DAISY AND DATA

Daisy Kleinhans is now the Head of Human Resources, UAE & Qatar at Fugro, who are geo-data specialists, who collect and analyse comprehensive information about the Earth and structures on it. In her new role Daisy will be responsible for overseeing HR strategy, talent management and workforce planning across the UAE and Qatar.

Previously she was HR Manager-Operations for the MEAC region at Wood and HR Manager - International (MEICAP) at Sparrows Group in Dubai.

INVESTING IN PEOPLE

Al Muhaidib Group, which is a company that was founded back in 1943 and are a leading Saudi-owned investment conglomerate which supports sustainable development in the kingdom, has appointed Omar AlDossary as Vice President Human Resources. AlDossary has over 20 years of experience of working in HR leadership in a range of sectors. These have included financial services and investment conglomerates.

In the past he worked with Gulf International Bank in a range of positions including as Head of HR Business Partnering and Employee Services.

He has also worked as Head of Learning and Talent Management and Vice President of HR Business Partnering. Other positions have included time spent with Saudi British Bank (SABB) where he worked for over a decade.

CAREER LANDMARKS

Ina Bajwa is now the Group Head of Talent & Engagement at Landmark Group in Dubai. Ina has over 20 years' experience in human resources which has included time spent at the Tata Group including at Tata Digital and Tata Communications. She has also had past HR roles at HSBC and Essa. Landmark Group is headquartered in the UAE and is one of the largest retail and hospitality conglomerates in the Middle East, Africa, India and Southeast Asia.

BROADER ROLE AT BAIN

Ida Mozayani now has a broader leadership role at the global management consultancy firm Bain & Company Middle East having been appointed Vice President - Talent and Business Operations. Previously she spent almost eight years as Senior Director, Talent and Business Operations and led all talent-related activities for the Middle East.

OTHER CHANGES

PAY10: Fidha Sharaf is now Head of Human Resources at Pay10. She previously worked for over four years as Regional HR Head and drove HR operations for a fast growing fintech company, called Geidea.

SEND US YOUR NEWS

If you have news of an appointment or promotion within the legal or financial professions you would like to see reported in Lexis Middle East Law, please send details to: *claire.melvin@lexisnexis.co.uk*

Fractional Executives

A fractional executive is a high-level professional who works with multiple companies on a part-time or project basis, providing specialsed expertise without full-time commitment. This flexible model allows businesses to access experienced leaders for specific requirements and specialist expertise, without the overhead costs of a full-time executive. This approach is becoming more popular in Saudi Arabia (particularly in sectors like technology, finance, and consulting), especially with executives who have simultaneous roles in Saudi and other parts of the Middle East, which has become easier with the growth of remote working. In Saudi the Regional Headquarters (RHQ) Programme, which requires multinational companies who wish to do business with the Saudi government to have their regional headquarters in Saudi Arabia and provides other benefits including tax reductions, has also led to greater interest in fractional executives there.

POLICY CONSIDERATIONS

Any policy on hiring fractional executives in Saudi Arabia must take into account a number of specific legal considerations. If a fractional executive has previously been based outside Saudi Arabia, they may have notice periods based on roles in other jurisdictions which may not comply with Saudi requirements. Under the Saudi Companies Law (Saudi Arabia Cabinet Decision No. 678/1443) directors have a duty of care and loyalty to the company, and must avoid conflict of interest which includes disclosing any direct or indirect interests in the company's business. This includes avoiding situations where personal interests might interfere with their professional responsibilities. When fractional executives are used, companies must implement measures to ensure fair treatment and transparency in all business dealings. There are also a number of specific requirements on shareholders' and directors' nationality if companies are involved in certain activities. For example, certain trading activities require a Saudi partner to own at least 25% of the shareholding. In addition, the concept of double dipping of benefits (where an individual receives benefits from multiple sources for the same position) can also create legal complications, especially if the fractional executive is employed by the same company across multiple jurisdictions.

In Saudi Arabia a non-national can also only be a fractional executive if they have permission from each company they are to be an executive for, through the Ajeer System (which facilitates temporary work arrangements and secondments for expatriates in Saudi Arabia). This will depend on whether their job title under Saudi law and regulations means they are actual employees of each company, rather than, for example, just board members. If multiple employment contracts are needed, only one company will be the executive's sponsor and this will depend on the type of role the executive has. For non-Saudi or GCC nationals, their iqama (residence permit) sponsor may be different from the company they serve as a fractional executive. If this is the case careful management is needed to ensure compliance with Saudi Arabia Cabinet Decision No. 219/1426, which states non-nationals cannot work for anyone other than their sponsor unless specific conditions are met. However, the transfer of an iqama sponsorship can be facilitated through platforms such as the Qiwa platform, which streamline the process and ensure legal compliance. It is important to ensure the iqama sponsor aligns with their employment status as working for a company other than their sponsor without proper authorisation can create legal issues. Iqama holders must also avoid working in professions other than the one mentioned on their iqama. Their residency permit also needs to be valid and up-to-date, which requires timely renewals and compliance with all regulatory requirements. It is important to note in Saudi Arabia, only Saudi nationals are permitted to work as freelancers and non-nationals are generally not allowed to engage in freelance work. Therefore, it is operationally easier to assign a fractional executive role to a Saudi national.

Fractional executives must also have clear contracts which outline the scope of their work, duration, and specific responsibilities to avoid any legal ambiguities. It is also necessary to conduct regular audits to ensure compliance with all legal requirements and address any potential conflicts of interest where fractional executives are employed.

SAUDISATION

Saudisation, or the Nitaqat programme can also impact a fractional executive hiring policy. Businesses hiring fractional executives must still meet their Saudisation quotas based on industry and size which could limit the number of expatriate fractional executives they can recruit. It is worth noting under Saudi Arabia Cabinet Decision No. 219/1426 it is possible for Saudi nationals to have multiple employment roles or hold multiple positions. They can also still count proportionally towards Saudisation quotas when they do this.


Contributor
Dr. Sairah Narmah-Alqasim, Partner, Pinsent Masons

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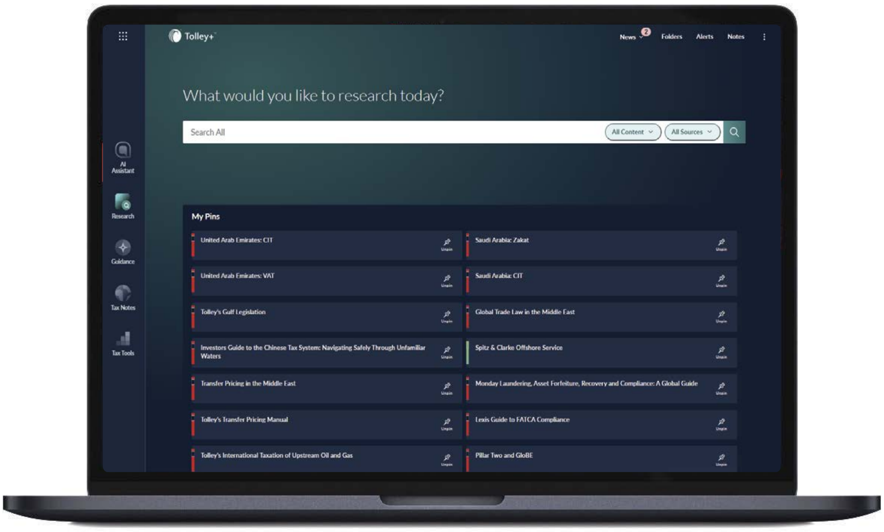

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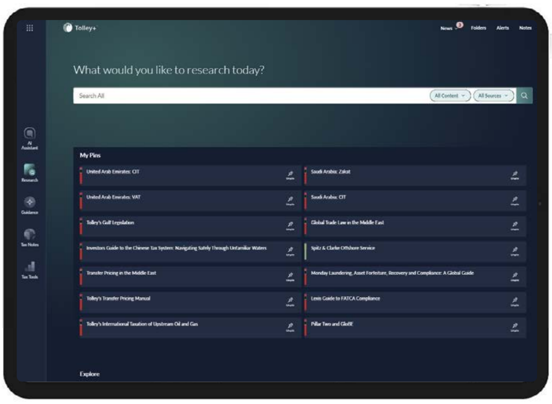

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