

Book - 6
Inspection On Work, Judicial
Police Authority And Penalties

Part - I

**Inspection On Work And Judicial Police
Authority**

Article : 232

Public servants in charge of executing the provisions of the present law and the decrees issued for its enforcement, and those to be determined by decree of the Minister of Justice in agreement with the concerned minister shall be vested with the quality of judicial law officers with respect to crimes committed within the circles of their competence in connection with the tasks of their jobs.

Each of them, before exercising his work, shall take the oath before the concerned minister, to perform his work with honesty and integrity, and not to divulge any of the work secrets or inventions to which he will have access in virtue of his position even after he quits the work.

Article : 233

A public servant vested with the judicial law officer quality shall hold a card establishing that quality. He shall have the right to enter all places of work, inspect them to ascertain the application of the provisions of the present law and its enforcing decrees, examine the books and papers connected therewith, and request the necessary documents and data from the employers or their assigned deputies.

A decree of the concerned minister shall determine the rules of issuing instructions for night inspection of the places of work , outside the official times of work for those in charge of it, and the remunerations payable to them.

Article : 234

The employers or their assigned deputies shall facilitate the mission of those charged with controlling the implementation of the provisions of the present law and its enforcing decrees and submit to them the documents and data necessary for performing their mission.

Article : 235

The employers or their assigned deputies shall respond to the appearance demands sent to them by the public servants referred to in article (232) of the present law, within the dates determined by them.

Article : 236

The concerned authorities shall assist the public servants charged with controlling the implementation of the present law and its enforcing decrees in performing their jobs when so requested.

Part – II

Penalties

Article : 237

Subject to any stricter penalty prescribed in any other law, the penalties prescribed in the following articles shall be imposed on the crimes referred to therein.

Article : 238

Whoever violates the provision of article (13) clause-2 of the present law shall be liable to a fine penalty of not less than fifty pounds and not exceeding one hundred pounds. The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

Article : 239

Whoever violates any of the provisions of the first and second clauses of article (15) of the present law shall be liable to a fine penalty of not less than two hundred pounds and not exceeding five thousand pounds.

The minimum limit of the fine shall be one thousand pounds in case of violating any of the provisions of the third clause of the said article.

Article : 240

Whoever violates the provision of the second clause of article (16) of the present law shall be liable to a fine penalty of not less than one thousand pounds and not exceeding five thousand pounds. The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

Article : 241

Whoever violates any of the provisions of the ministerial decrees enforcing article (26) of the present law shall be liable to a fine penalty of not less than fifty pounds and not exceeding five hundred pounds. The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

Article : 242

Whoever commits any of the following crimes shall be liable to imprisonment for a period of not less than one month and not exceeding one year and a fine penalty of not less than ten thousand pounds and not exceeding twenty thousand pounds or either penalty:

1. Exercising the activities of recruiting the Egyptians for work within the Arab Republic of Egypt or abroad, by other than the quarters determined in article (17) of the present law, without obtaining the license prescribed therein or by virtue of a license issued on the basis of false data.
2. Collecting amounts from the worker in return for recruiting him to work in the Arab Republic of Egypt or abroad, in contravention to the provisions of article (21) of the present law, or charging amounts without due right on the worker's wage, or out of his dues in return for his work at home or abroad.
3. Violating the provisions prescribed in the first clause of article (20) of the present law, or submitting to the concerned ministry or other concerned quarters false data on agreements or contracts for recruiting the Egyptians to work outside the Arab Republic of Egypt, on their wages, the kind or conditions of their work, or any other conditions connected with that work.

In all cases, a ruling shall be issued for refund of the amounts collected or obtained without due right, and the court shall automatically rule for compensating the victim of the crime for the harm caused to him because of the crime prescribed in item (3) of the present article.

Article : 243

Whoever violates any of the provisions of article (24) of the present law or the ministerial decree issued for its enforcement shall be liable to a fine penalty of not less than two thousand pounds and not exceeding ten thousand pounds.

Article : 244

The ruling passed in conviction, in any of the crimes prescribed in the two previous articles, shall order the closure of the establishment where the crime took place, and shall be published in two mass circulation dailies at the expense of the convict.

The fines, refund of amounts or compensations as ruled by the court shall be collected from the amount of the letter of guarantee as prescribed in item (3) of article (22) of the present law. The rules prescribed for execution of the court rulings shall be followed in connection with amounts in excess of that value.

Article : 245

Whoever violates any of the provisions of chapter (2) of part (I) in Book (2) concerning the regulation of aliens' work and the ministerial decrees issued for its enforcement shall be liable to a fine penalty of not less than five hundred pounds and not exceeding five thousand pounds.

The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

Article : 246

The employer or his delegated representative for the establishment who violates the provision of article (32) of the present law shall be liable to a fine penalty of not less than fifty pounds and not exceeding one hundred pounds.

The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

Article : 247

The employer or his delegated representative for the establishment shall be liable to a fine penalty of not less than one hundred pounds and not exceeding five hundred pounds if he violates any of the provisions of articles (33, 35, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 52, 54, 58, 59, 61, 62, 63, 64, 65, 66, 67, and 68) of the present law and its enforcing ministerial decrees.

The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

Article : 248

The employer or his delegated representative for the establishment shall be liable to a fine penalty of not less than five hundred pounds and not exceeding one thousand pounds if he violates any of the provisions of articles (73 clause (2), 74, 75, 89, 90, 98, 99, 101, and 102) of the present law and its enforcing ministerial decrees.

The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred and shall be doubled in case of recurrence.

Article : 249

The employer or his delegated representative for the establishment shall be liable to a fine penalty of not less than one hundred pounds and not exceeding two hundred pounds if he violates any of the provisions of articles (76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 91, 92, 93, 94, 95, 96, 139, 140, 142, and 144) of the present law and its enforcing ministerial decrees.

The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

Article : 250

The employer or his delegated representative for the establishment shall be liable to a fine penalty of not less than two hundred pounds and not exceeding five hundred pounds if he violates any of the provisions of articles (110, 111, 113, 116, 118, 119, 123, 124, 126, 127, and 130) of the present law and its enforcing ministerial decrees.

The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

Article : 251

Whoever violates any of the provisions of articles (135, 136, 137, and 138) of the present law shall be liable to a fine penalty of not less than five hundred pounds and not exceeding two thousand pounds.

In case a ruling with conviction, it shall be coupled with an order for mandatory closure of the establishment.

Article : 252

Whoever violates any of the provisions of articles (149, 150, and 157), of the present law shall be liable to a fine penalty of not less than two hundred pounds and not exceeding five hundred pounds.

Article : 253

Whoever violates the provision of article (169) of the present law shall be liable to a fine penalty of not less than one thousand pounds and not exceeding five thousand pounds.

Article : 254

The employer or his delegated representative for the establishment shall be liable to a fine penalty of not less than one thousand pounds and not exceeding two thousand pounds if he violates the provision of article (196) of the present law.

The fine shall be multiplied with the multiplicity of workers in whose respect the crime occurred, and shall be doubled in case of recurrence.

Article : 255

The employer or his delegated representative for the establishment shall be liable to a fine penalty of not less than five hundred pounds and not exceeding one thousand pounds if he violates the provisions of articles (197, 198, and 200) of the present law.

Article : 256

Whoever violates any of the provisions of Book (5) on "Vocational Safety and Health, and Ensuring Labour Environment Security", and the decrees issued for its enforcement shall be liable to imprisonment for a period of not less than three months and to a fine penalty of not less than one thousand pounds and not exceeding ten thousand pounds or either penalty.

The imprisonment and fine penalties as prescribed in the previous clause shall be mandatory in case the crime results in death or grave injury.

The fine shall be doubled in case of recurrence.

The employer or his delegated representative for the establishment shall be responsible jointly with the convict for settlement of the financial penalties unless the crime has occurred in consequence of his default on any of the duties imposed on him by the present law.

Article : 257

The employer or his delegated representative for the establishment shall be liable to a fine penalty of not less than five hundred pounds and not exceeding one thousand pounds if he violates the provisions of articles (234, 235) of the present law.

The fine shall be doubled in case of recurrence.