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تصدر عن وزارة العدل

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Legislation

No. 154

Efficient person Care Law

No. (154) of 1974

With its amendment

قانون رعاىة اصحاب الكفاءة

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Laws

In the name of the people

Revolutionary Command Council

RESOLUTION NO. 1153

Based on the provisions of Paragraph (a) of Article (42) of the Interim Constitution, the Revolutionary Command Council decided at its session held on October 24, 1974 to issue the following Law:

EFFICIENT PERSON CARE LAW

NO. (154) OF 1974



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ARTICLE 1

1. Every Iraqi has obtained at least a master's degree or its equivalent from a reputable foreign university in abroad, or has practiced and mastered a job or obtained a certificate in his/ her field of specialization shall be considered efficient.
2. For the purposes of this law, every Iraqi who occupies a position in state departments and institutions and he/ she meets the conditions mentioned in Paragraph (1) of this Article shall be considered efficient.

ARTICLE 2

The efficient person shall be granted the following privileges:

- a. The travel fee of the returnee and his/ her family members residing with him/ her from his/ her place of residence to Baghdad
- b. Fees for transporting his/ her home furniture, personal belongings and scientific tools, all of which shall be exempted from customs duties.
- c. Exempting his/ her car from the import license and customs duties
- d. A marriage grant equivalent to two months' salary, if he/ she marries after returning. A marriage advance equivalent to six months' salary shall be recovered from him/ her within five years
- e. Putting in his/ her possession a suitable plot of land at a moderate price, with a loan not exceeding (4000) four thousand dinars, in accordance with the rules currently in effect,.



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- f. Accepting the cash allowance from him/ her and exempting him/ her from the penalty for failure to serve in military service
- g. An advance from his/ her department, the amount of which does not exceed (500) five hundred dinars, to be deducted from him/ her within five years as of the date of his/ her appointment.
- h. Considering his/ her return to Iraq as fulfillment of his/ her contractual obligations with the state.
- i. The returnee's salary shall be effective as of the date of his arrival in Iraq.
- j. Considering the period of the returnee's studies and practicing the profession abroad as an actual service for the purposes of appointment and retirement, and exempting him/ her from pension contributions for the period of study only.
- k. Keeping his/ her foreign currency in an Iraqi bank and dispose of it without restrictions.
- l. Giving up his/ her work and residing outside Iraq, provided that he/ she compensates the state for the financial facilities and customs exemptions he/ she enjoyed if this is done before five years of continuous service.

ARTICLE 3

Every Arab who meets the descriptions prescribed for in Article (1) of this law shall enjoy the financial facilities and customs exemptions mentioned in Article (2) and shall be treated as an Iraqi with respect to all service and retirement laws if he/ she wishes to work in Iraq for a period of not less than ten years.



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ARTICLE 4

- a. A body shall be established shall be is referred to as "Efficient People Care Body" its members shall be appointed by presidential decree.
- b. The Efficient People Care Body shall be affiliated to the Presidency of the Republic.
- c. The Efficient People Care Body shall have a secretary-general in charge of organizing the body's work and following up the execution of its decisions.
- d. The decision of the Body shall be subject to appeal before the President of the Republic by the efficient within ninety (90) days from the date of his/ her notification of it, and the President of the Republic's decision shall be final.

ARTICLE 5

The Efficient People Care Body shall exercise the following powers:

- a. Finding the efficient individuals and inviting them to work in Iraq.
- b. Appointing Iraqi and Arab scientists and technicians to work in Iraq and determining their salaries and retirement procedures, as an exception to the provisions of the service and retirement laws.
- c. Caring for the affairs of the efficient persons.
- d. Considering the objections efficient Iraqis and Arabs related to the application of the provisions of this law.



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ARTICLE 6

- a. The efficient person shall submit his/ her application annexed to all the necessary documents to The Efficient People Care Body through the nearest Iraqi representation from his/ her place of residence.
- b. The Iraqi representation shall check the authentication of the documents and refer them to the Body.
- c. The Body shall decide on the applications of the scientists and technicians and refer the other applications to the competent authorities.

ARTICLE 7

This Law shall include any efficient person if he/ she returns to his/ her country within two years as of the date of this law's effectiveness, or he/she returns within six months as of the date of the last high degree he/ she gained abroad.

ARTICLE 8

The Law of Encouraging the Return of the Scientifically Efficient Persons to the Country No. (189) of 1970 and the resolution of Revolutionary Command Council No. (891) issued in November 30, 1972 shall be abolished.



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ARTICLE 9

This Law shall be effective as of the date of its publication in the Official Gazette.

Ahmed Hassan Al-Bakr

Chairman of the Revolutionary Leadership Council