



# Official Gazette of Iraq

Al-Waqai' Al-Iraqiyya

الوقائع العراقية

وهقايعى عىراقى

الجريدة الرسمية لجمهورية العراق

رؤژنامهى فهرمى كوّمارى عىراق



تصدر عن وزارة العدل

وهزارهتى داد دهرى دهكات

Legislation

No. 11

## Social Protection Law

N0 (11) of 2014

With the Tow Decisions of the Council of Ministers

NO. (254) of 2016 & NO. (153) of 2021

قانون الحماية الاجتماعية

مع قىرارى مجلس الوزراء رقم (254) لسنة 2016 ورقم (153) لسنة 2021

Translated in

Ministry Of Justice

Iraqi Official Gazette Department

Translation Section

2024





## Laws

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In the name of people

Presidency of Republic

### **RESOLUTION NO (8)**

Based on what had been approved by the Parliament, in accordance with the provisions of Item (First) of Article (61) and Item (Third) of Article (73) of the Constitution, the President of the Republic decided on March 19, 2014 issuing the following law:

**NO (11) OF 2014**

**SOCIAL PROTECTION LAW**



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### SECTION ONE VALIDITY, DEFINITIONS AND OBJECTIVES

#### ARTICLE 1

First: The provisions of this law shall be applied to the following categories of families and individuals who are below-the-poverty-line Iraqis and nationals of other countries residing in the Republic of Iraq permanently, continuously and legally with regard to social protection subsidies in those countries, as follows:

- a. People with disabilities and special needs.
- b. Widow, divorced woman, the wife of the missing person, the abandoned woman, the unmarried adult girl and the single woman.
- c. Disable.
- d. Orphan.
- e. Family of the adult or the juvenile prisoner if his/ her sentence exceeds one year and whose ruling has become final.
- g. Beneficiaries in the state's shelter Houses.
- h. Convicted juveniles whose sentence exceeds one year and whose ruling has become final.



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i. Married student until high school.

j. Families with no income or whose income is below the poverty line.

Second: The Council of Ministers may, based on the Minister's proposal, include categories other than those mentioned in the law.

### ARTICLE 2

The following terms have the definitions indicated next to them:

First: Body: Social Protection Body.

Second: Social Protection: The subsidies and services provided by the Body for the purpose of reducing poverty.

Third: Family: The husband, wife or both and the children or children alone or the individual.  
In the case of polygamy, family members shall be considered one family.  
Upon the death of the husband, each widow shall be considered an independent family of its own.

Fourth: Minor children: Dependent sons and daughters who are not more than (18) eighteen years old.

Fifth: Orphan: Every child whose parents have died or whose father has died and whose mother has re-married.

Sixth: Divorced woman: Every woman under the age of (63) who has divorced and never married again.

Seventh: Widow: Every woman under the age of (63) whose husband died and never remarried after his death.



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Eighth: Abandoned woman: A woman whose husband has abandoned her.

Ninth: Disabled Person: Every person who is unable to work permanently to secure his/ her livelihood due to illness or old age. The person who has reached (60) years of age for men and (55) years for women shall be considered disabled.

Tenth: Single woman: The unmarried woman who has reached the age of thirty-five.

Eleventh: Unmarried adult girl: Someone who has reached eighteen years of age and is missing parents and has no legal breadwinner.

Twelfth: Poverty line: The amount of income of an individual or family determined by the Ministry of Planning.

Thirteenth: People with disabilities and special needs: The person who is determined in accordance with the provisions of the Law on the Care of with Disable and Special-Needs People No. (38) of (2013), regardless of the age of the beneficiary.

### ARTICLE 3

This law aims to:

First: Achieving a decent life for the people of society.

Second: Contributing to enhancing the values of social solidarity.

Third: Ensuring that the social protection umbrella reaches all groups covered by its provisions.



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Fourth: Providing psychological and financial stability for individuals and their families or their successors, and ensuring income for individuals and their families in cases of infirmity, disability, old age, death and loss of the ability to work in a way that ensures a decent life.



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### **CHAPTER TWO** **SOCIAL PROTECTION BODY**

#### **ARTICLE 4**

First: A body called (the Social Protection Body) shall be established, which shall have a legal personality and financial and administrative independence. It shall be represented by the head of the body or his/ her authorized representative and shall be linked to the Ministry of Labour and Social Affairs.

Second: The headquarters of the body shall be in Baghdad, and it shall open sections and divisions for social protection in region-not affiliated-provinces.

Third: The body shall be headed by a special rank employee who is appointed in accordance with the law.

Fourth: The Director Manager of the Social Protection Department shall be the first vice head of the body and the General Manager of the Social Protection Department for Women shall be the second vice head.

Fifth: The body's tasks shall be determined by a regulation issued by the Council of Ministers.



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### ARTICLE 5

First: The body shall be consisted of the following formations:

- a. Social Protection Department.
- b. Woman Social Protection Department.
- c. Legal, Administrative and Financial Department.
- d. Social Protection Fund.
- e. Information Technology Centre.
- f. Audit and Internal Control Department.
- g. Body Head Office.
- h. Citizen Affair Department.

Second: The formations stipulated in Paragraphs (a, b, c, d and e) of Item (First) of this Article shall be managed by an employee with the title of General Manager who holds at least a first-year university degree and is experienced and specialized and has actual service in his/ her work field for a period of no less than (15) Fifteen years old.

Third: The sections stipulated in Paragraphs (f, g and h) of Item (First) of this Article shall be managed by an employee with the title of Manager who holds at least a first-degree university degree and is experienced and specialized and has actual service in his/ her work field for a period of no less than (10) ten years.

Fourth: The tasks and divisions of the formations referred to in Item (First) of this Article shall be determined by a bylaw issued by the Head of the body.





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### **SECTION THREE** **CASH SUBSIDY AND SOCIAL** **SERVICES**

#### **ARTICLE 6**

- First: Every individual or family below the poverty line shall have the right to receive cash subsidies and social services in accordance with the provisions of this law.
- Second: Those covered by the provisions of this law shall be determined through demographic targeting by adopting poverty data and social research annually using a special form prepared by the body in coordination with the Ministry of Planning.
- Third: Cash subsidy obtaining requires that the applicant does not receive a salary from the state and does not have a sufficient private resource, except for those who receive a daily wage.
- Fourth: The Body shall, aiming to implement its tasks in identifying the persons covered with the provisions of this Law, specify enough number of the specialized social researchers in all the Body sections and the Ministry of Finance shall provide the necessary job grades.



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### ARTICLE 7

The categories stipulated in Item (First) of Article (1) shall be granted the cash subsidy specified in the table annexed to this Law if they do not have an income, if they have a fixed income, the difference between their income and income level mentioned in the table shall be granted to them if they meet the eligibility requirements and in accordance with the number of the family members.

### ARTICLE 8

First: The Body shall be responsible for providing the cash subsidies granted in accordance with the number of family members and the subsidy ladder mentioned in the table annexed to this Law or providing the social services to those covered by the provisions of this Law.

Second: Financial subsidy shall be conditionally provided to the members and the families covered by the provisions of this law to ensure their access to the social services in the education, health, residence and other fields in coordination with the relevant authorities.

Third: The amount of minimum and maximum limits of the subsidy stipulated in Item (Second) of this Article and its conditions of paying to the beneficiaries shall be determined through instructions issued by the Body Head.



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### ARTICLE 9

The Body shall be, in coordination with the relevant ministries and entities, responsible for providing the social services below to the member and the family covered by the provisions of this Law:

First: Assisting in entering the labour market through:

- a. The training, the professional education and capacity building.
- b. Helping in access to job opportunities, loans, grants of income-generating small projects

Second: In the field of education, health and residence.

Third: Providing awareness programs concerning building families and social behaviour.

Fourth: In the field of childhood, young and juvenile care and preparing the safe environmental atmosphere for them.

Fifth: Training able-to-work people covered by the provisions of this Law in the not-affiliated-to-ministry ministries and entities for the purpose of acquiring expertise and skills and anchoring the work culture.

Sixth: Studying the situation of family members, identifying those able to work even partly, integrating them into work to increase the family resources, employing their potential in building the society and integrating them in labour market.



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### ARTICLE 10

First: The Manager of Social Protection Section in the province shall be responsible for deciding on the application of granting subsidy with reasoned decision within (30) thirty days from the date of registering it in his/ her office, and he/ she shall inform the applicant in written about the acceptance or refusal, in case he/ she does not visit the concerned entity, then he/ she shall be notified via a returned registered message or via e-mail, if available.

Second: The applicant may object to the decision issued by the Manager of Social Protection Section within (30) thirty days as of the date as of notifying of it in the Supreme Committee for Social Protection in the province.

### ARTICLE 11

A Supreme Committee shall be formed by decision issued by the Body Head in the centre of of each not-affiliated-to-region province, referred to as the Supreme Committee for Social Protection which thereby consists of:

- First: A full-time judge nominated by the Supreme Judicial Council Chairman
- Second: Manager of the Directorate of Labour and Social Affairs in the province. Vice-Chairman
- Third: Province Statistics Manager. Member





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Fourth: A representative of the Human Rights Commission Office.  
Member

Fifth: An employee with the title of Social Researcher from the Social Protection Section in  
the province.  
Member

### ARTICLE 12

The Supreme Committee shall be in charge of the following:

First: Monitoring the work in the sections of social protection and supervising, following up and presenting the proposals to facilitate the social protection inclusion procedures.

Second: Deciding on the objections to the decisions of the Manager of the Social Protection Section in the province by a reasoned decision within (15) fifteen days as of the date the decision received by the Committee. The Committee shall, upon his/ her visiting the committee, inform the objector in writing of the decision and of his/ her right to object. In case of non-visiting, notification shall be made to his/ her registered address.

Third: Distributing the specified number for each province and its affiliated districts and sub-districts in accordance to the percentage of population and poverty in that province.

### ARTICLE 13

First: Subcommittees in its affiliated administrative units shall be formed by decision of the Body Head and in coordination with the province, shall be consisted of:



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|--|----------|
| a. An employee from the Social Protection Section in the province. | Chairman |
| b. Social researcher from the Social Protection Section.           | Member   |
| c. Representative of the administrative unit/ employee.            | Member   |

Second: The Committee shall be responsible for the following:

- a. Receiving social protection inclusion applications (in writing or electronically)
- b. Ensuring the availability of the required documents in accordance to the instructions.
- c. Sending the requirements-meeting applications to the Social Protection Section in the province in accordance to assigned statements.
- d. Completing the missing documents and information and verifying that there is not legal breadwinner for the family, provided that this is accompanied by the Local Council's issuance attestation in the residential area.

Third: The provinces and their affiliated administrative units shall provide the suitable place and the necessary supplies for the subcommittee aforementioned in Item (First) of this Article to perform its tasks.

### ARTICLE 14

First: If the subsidy applicant is minor, mentally-ill, wholly-disabled or having a disease impeding him/ her from submitting his/ her application, following it up or objecting to the decisions issued against it, the chairman of the Social Protection Supreme Committee may, in case no one of his/ her relatives up to the fourth degree, request the appointment of a guardian or trustee by decision of the competent court.



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Second: A visiting regarding social subsidy by persons other than those stipulated in Item (First) of this Article shall not be accepted except by the certified power of attorney certified by a notary public.

### ARTICLE 15

First: A person who is covered by the provisions of this Law shall, after one year as of his/ her due date, submit to the subcommittee in the province or the social protection section in the province an annual statement regarding his/her family situation and financial status in accordance with the format issued by the Body, and if the annual statement is not submitted within the aforementioned period, the subsidy payment shall be ceased as a precaution and he/ she shall be notified thereof by the competent employee, and if he/ she delays to visit aforementioned entities more than a year without a legal excuse as of the date of ceasing, the subsidy payment shall be permanently cut off as of the date of its ceasing by a decision issued by the section manager.

Second: A person who is covered by the social subsidy or any member of his/ her family shall inform the Committee or the Social Protection Section in the province within (30) thirty days as of the date of change procedures in any of the following:

- a. Changing the family residence place permanently.
- b. Death of one of the family members.
- c. Any change of the family situation or the financial status affecting his/ her eligibility for the subsidy totally or partly.

Third: The subsidy payment shall be amended as of the first days of the next month of the date in which the change occurred.



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### ARTICLE 16

Cutting off the subsidy payment with a decision by the Social Protection Manager in the province in one of the following cases:

First: The beneficiary is outside Iraq more than (6) six months without legal excuse.

Second: The adulthood of the minor orphan and his/ her failure to continue studying.

Third: Failure of one of the children of the covered person to continue his/ her studying, except for university studies

Fourth: In the event of death, the subsidy shall be transferred to the widow of the covered person.

Fifth: The reasons for coverage, such as full recovery of the patient, adulthood for the minor orphan or marriage, disappear,.

Sixth: The family's access to an income or financial resource that exceeds the amount of the subsidy granted.

Seventh: Refusal to join in one of the institutes or establishments concerned with training and rehabilitation.

Eighth: Refusal to join the work provided by the protection programs for three times without a legitimate excuse.





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### ARTICLE 17

The subsidy shall be permanently cut off by a decision of the Director of the Social Protection Department in the governorate in one of the following cases:

First: One of the eligibility conditions stipulated in this law is no longer exist.

Second: Document or information proven to be forged are submitted for the purpose of covering the provisions of this law or incorrect information is provided in the annual statement form with the aim of continuing to be covered by social protection.



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### SECTION FOUR SOCIAL PROTECTION FUND

#### ARTICLE 18

First: A fund called (the Social Protection Fund) shall be established and linked to the Body and headed by an employee entitled Manager General who holds at least an first university degree and is experienced and specialized and has an actual service in his/her work field for a period of not less than (15) fifteen years.

Second: The Fund shall be managed by a Board of Directors consisted of:

- |   |                       |
|---|-----------------------|
| a. The Head of the Body   | Head                  |
| b. General b. Manager of Planning and Following up Department in the Disability and Special-Need Care People Body | Vice Head             |
| c. General Manager of the Social Protection Department.   | Member                |
| d. General Manager of the Woman Social Protection Department.   | Member                |
| e. General Manager of the social protection fund  | Member and Rapporteur |
| f. A representative of the following ministries and entities with the rank of General Manager:                    | Members               |



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1. Ministry of Finance
2. Ministry of education
3. Ministry of Health
4. Ministry of Planning
5. Ministry of Justice
6. Ministry of Interior

Third: The Head of the Body may, upon the proposal of the Board of Directors, approve the representation of other entities in the Board of Directors.

Fourth: The functions and powers of the Board of Directors, the procedures for its workflow and the manner of taking decisions shall be determined by a bylaw issued by the Head of the Body upon a proposal by the Board of Directors.

### ARTICLE 19

First: The revenues of the Fund shall be consisted of the following:

- a. Financial allocations from the state federal general budget.
- b. Subsidies, grants and donations in accordance with the law.
- c. Half the estate of the one who has no heir.
- d. (1%) of the profits of government companies.
- e. (0,0025) deducted from the salaries of state employees and public service officials.
- f. Returns on investment of the Fund's money.



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g. (1%) of the Tourism revenues.

Second: The Fund shall pay the amounts of social subsidy to those covered by the provisions of this law.

Third: The Council of Ministers may, upon the proposal of the Minister, allocate a certain percentage of the revenues of fees and fines as revenue for the benefit of the Fund.





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### **SECTION FIVE**

### **INFORMATION TECHNOLOGY CENTRE**

#### **ARTICLE 20**

A Centre for information technology shall be established in the Body, in which the data on individuals and families and the social protection aid of all kinds they get shall be registered. The data of this centre shall be updated by linking it to the databases of the Central Bureau of Statistics, ration card data, Civil Status Directorates and other concerned entities, and it shall be responsible for mechanizing the work of the Body.

#### **ARTICLE 21**

In setting its policies and procedures, the Social Protection Body shall rely on the data or indicators provided by the Information Technology Center periodically.

#### **ARTICLE 22**

Governmental and non-governmental entities shall be obligated to provide the Information Technology Centre at the body with the information and data available to them related to the subsidies or social services they have provided or are providing in cash or in kind for any individual or family.



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### **CHAPTER SIX** **GENERAL AND FINAL PROVISIONS**

#### **ARTICLE 23**

The individual or family shall be entitled to cash subsidies and social services as of the date of the Social Protection Section Manager's approval of the application that meets the conditions.

#### **ARTICLE 24**

The Council of Ministers may annually reconsider the categories benefiting from social protection, the number of family members and the amounts allocated to each individual, with the aim of including other categories other than the categories mentioned in the law and increasing the number of individuals benefiting, the amount of the subsidy and the level of income stipulated in the table attached to this law, in proportion to the change in the economic and living situation.

#### **ARTICLE 25**

First: The subsidy applicant may file a grievance before the Supreme Committee against its decision within (30) thirty days as of the date he/ she informed of the decision grieved against or the date of considering him/ her as being informed, the subsidy applicant



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shall have the right to appeal it before the Administrative Court within (60) sixty days as of the date of rejection of the grievance as an express ruling or its effect, and the decision of the Administrative Court shall be subject to cassation before the Supreme Administrative Court within (30) thirty days as of the date of notifying the subsidy applicant of the rejection or considering him/ her as being notified of.

Second: Transactions submitted by those covered by the provisions of this law shall be exempted from fees, including judicial fees.

### ARTICLE 26

The amounts of social protection network subsidies disbursed in violation of the provisions of this law shall be recovered, in accordance with the Government Debt Collection Law No. (56) of 1977.

### ARTICLE 27

It shall not permissible to waive or seize the subsidy.

### ARTICLE 28

First: A Palestinian residing in Iraq since 1948 shall be treated as an Iraqi with respect to the application of this law.



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Second: The provisions of this law shall be applied to the Iraqi woman married to foreigner and her children, as well as foreign woman married to Iraqis and her children in the event that they settle to live in Iraq for the categories mentioned in Item (First) of Article (1) of this law.

### ARTICLE 29

The name of the Social Protection Department shall replace the name of the Social Welfare Department and the name of the Social Protection Department for Women replace the Social Welfare Department for Women mentioned in the Ministry of Labour and Social Affairs Law No. (8) of 2006, as amended.

### ARTICLE 30

First: Chapter Two and Articles (4), (5), (99) and (101) of the Social Care Law No. (126) of 1980 shall be repealed.

Second: Resolution No.(98) of 2000 of the dissolved Revolutionary Command Council shall be repealed.

### ARTICLE 31

The mechanisms of work of the committees, the manner of their convening and the procedures for their functioning shall be determined by instructions issued by the Head of the Body.





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### ARTICLE 32

The Head of the Body may issue the necessary instructions to facilitate the implementation of the provisions of this Law.

### ARTICLE 33

Any text that is inconsistent with the provisions of this law shall not be applied.

### ARTICLE 34

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

**For the President Jalal Talbani,**

**d. Kudair Kuzaki**



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### MINISTER COUNCIL RESOLUTION

NO. (254) OF 2016

**This Resolution was published in the Official Gazette of Iraq, Issue no. (4491) dated (October 10, 2016)**

Based on what had been presented by the Ministry of Labour and Social Affairs/ Social Protection Body, in accordance with its letter numbered: 624, dated: August 3, 2016, the Council of Ministers decided at its thirty-sixth regular session, held on September 27, 2016 to approve the following:

Amending the social subsidy ceiling table attached to the Social Protection Law, based on the provisions of Article (24) of the Social Protection Law No. (11) of 2014, to be as following:



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### Appendix Social Subsidy Ceiling Table

Family size (number of family members)	1	2	3	4 or more
First: Monthly subsidy amount for woman	(100,000) One hundred thousand dinars	(150,000) One hundred and fifty thousand dinars	(200,000) Two hundred thousand dinars	(225,000) Two hundred and twenty five thousand dinars
First: Monthly subsidy amount for man	(100,000) One hundred thousand dinars	(125,000) One hundred and twenty- five thousand dinars	(150,000) One hundred and fifty thousand dinars	(175,000) One hundred and seventy- five thousand Dinars

**Dr. Mahdi Mohsen Al-Alaq,**

**Acting Secretary-General of the Council of Ministers**



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### MINISTER COUNCIL RESOLUTION

### NO. (153) OF 2021

**This Resolution was published in the Official Gazette of Iraq, Issue no. (4630), dated (May 10, 2021)**

Based on what the Prime Minister had presented as an emergent presentation during the meeting of Minister Council and what had stated in the official letter of the Ministry of Labour and Social Affairs No. (2448), on (April 25, 2021), the Minister Council decided during its regular 17<sup>th</sup> session held on (April 27, 2021), the following:

Approving amending the ceiling table of the social subsidy attached to the Social Protection Law, based on the provisions of Article (24) of the Social Protection Law No. (11) of (2014) to become in accordance to the following:



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### Appendix Social Subsidy Ceiling Table

<b>Family size (number of family members)</b>	<b>One-member Family</b>	<b>Two-member Family</b>	<b>Three- member Family</b>	<b>Four-or-more member Family</b>
First: The amount of monthly subsidy for the man	(125,000)  One hundred and twenty- five thousand Dinars	(175,000)  One hundred and seventy- five thousand Dinars	(225,000)  Two hundred and twenty- five thousand dinars	(275,000)  Two hundred and seventy- five thousand Dinars
First : The amount of monthly subsidy for the woman	(125,000)  One hundred and twenty- five thousand Dinars	(200,000)  Two hundred thousand Dinars	(275,000)  Two hundred and seventy- five thousand Dinars	(325,000)  Three hundred and twenty-five thousand Dinars

**Hameed Na'eem Al-Ghizzi**

**Secretary-General of the Minister Council**

**April 28, 2021**