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Law

Civil Service

No. (24) of 1960, amended

Chapter One

General Provisions and Definitions

Article One:

1- The provisions of this law apply to all employees in government departments who receive their salaries from the general budget or from the endowment budget, as well as to local administration employees. It does not include army officers, non-commissioned officers, warrant officers, and soldiers, except for the provisions of Article Fifty-Three, taking into account what is stipulated in the special laws regarding other pathways and the specific provisions for foreign service attached to this law.

2- The Council of Ministers is subject to the provisions of Articles (52), (2), (3), (57), and (58) only, and the provisions of paragraphs 2 and 3 of Article 50 apply to employees under special contracts unless their contracts stipulate otherwise.

Article Two:

In this law, the following terms are defined as:

Employee: Any person entrusted with a permanent position included in the permanent staff of employees.

User: (The staff category was abolished by decision 911 on 19/8/1976).

Staff: The total number of positions and the grades assigned to them, approved under the budget law or by the Minister of Finance.

Minister: The Prime Minister concerning the employees of the Council of Ministers and its affiliated departments, and the relevant minister concerning the employees of his ministry. The President of the Presidential Office, the President of the Financial Supervision Bureau, and the President of Baghdad University are considered equivalent to the minister regarding their employees in matters related to the implementation of this law, provided that the Prime Minister is considered equivalent to the minister for these departments, as well as the Minister of Higher Education and Scientific Research concerning Baghdad University in matters that require the issuance of a presidential decree.

Department Head: The Undersecretary of the Ministry, the Director General, the Governor, and any other employee authorized by a decision from the Council of Ministers to exercise the authority of the department head.

Direct Supervisor: The head of the division or unit to which the employee directly belongs.

Higher Authority: The minister or department head or their authorized representative.

Chapter Two

Grades and Salaries

Article Three:

1- The grades of employees, their annual increments, and their periods of employment shall be as follows: (Refer to the table in the appendix).

(1974/ Article Four: (Abolished by decision 95)

Article Five:

The scales mentioned in Article Three include an allowance from the minimum to the maximum specified for each grade, granted to the employee upon completing a year of service with a salary less than the maximum of the scale. This allowance may not be granted to employees from grade nine to grade three, except for those holding the position of General Director, based on a recommendation submitted by the employee's direct supervisor and approved by the higher authority. This recommendation must indicate that the services of the employee eligible for the allowance were satisfactory in all respects during the year. The Minister of Finance shall issue instructions regarding the submission of these recommendations.

Article Six: Abolished by decision (996/1979) concerning the appointment of the Chairman and members of the abolished Public Service Council.

Chapter Three

Employment Conditions

Article Seven:

No one shall be appointed to government positions unless they meet the following conditions:

1. They must be Iraqi or naturalized, with at least five years since their naturalization.
2. They must have completed eighteen years of age, or sixteen for nurses.
3. They must pass a medical examination and be free from infectious diseases and physical or mental disabilities that would prevent them from performing the assigned job, as determined by the relevant medical authorities according to a specific system.

4. They must have good morals and not have been convicted of a non-political felony or a misdemeanor that affects honor, such as theft, embezzlement, forgery, or fraud.

5. They must hold a recognized educational certificate.

Article Eight:

The following conditions must be considered in employment:

1. There must be a vacant position in the staff.

2. The appointment or reappointment must be made by the relevant minister, except for those appointed or reappointed to the following positions, which are done by presidential decree issued based on a proposal from the relevant minister and the approval of the Council of Ministers:

A. Special positions

B. Dean

C. General Director

D. Inspector General

E. Minister Plenipotentiary

F. Governor

G. Assistant Advisor

3. An employee may not be appointed for the first time except in the grade specified in Article Nine, taking into account the provisions stated in Article Ten of this law.

Article Nine:

Employees are appointed for the first time in the following grades according to their educational level: A- After the issuance of this law, graduates of

primary education or its equivalent shall not be appointed to the positions listed in the tables of 1958 to other positions not included in Law No. 10 attached to the staffing law, and those currently in service who were appointed since 18 shall not be transferred to positions that start with a salary of (22,500) dinars until they obtain a certificate of intermediate education.

B- Graduates of intermediate schools or other schools at the same level shall be at least at grade eight.

C- Graduates of secondary schools or other schools at the same level shall be at least at grade seven.

D- First: Holders of initial university and college degrees or their equivalent shall be at least at grade six.

Article Ten:

1- Graduates of higher and vocational schools and those who have passed the courses mentioned in Article Nine, who have practiced the profession that their certificate allows either in service or outside it, may be appointed to positions related to their profession with a salary higher than the salary permitted upon first appointment, provided that their period of work in that profession is not less than the legally required period for promotion, with the approval of the Council of Ministers if the staffing allows for it. The incomplete period shall be counted against the legally required period for promotion for the purposes of allowances and promotions, and salaries of those appointed due to amendments to the salary scale or promotion periods resulting from amendments to previous service laws shall be adjusted accordingly, and delays in promotion shall not be counted for this purpose. 2- The duration of higher education for an employee who holds a primary certificate, resigns, and then obtains a higher certificate is considered a continuation of service for the purposes of allowances and promotions upon reappointment, provided it does not exceed the minimum duration required for obtaining that certificate. The mentioned duration is considered professional practice for non-employees, as well as the practice

that preceded the mentioned certificate, provided it is related to the primary certificate. Based on this, the salaries of those who were appointed or reappointed before the implementation of this law will be adjusted if the staffing allows for it.

3- For those who have previously served in the military, the practice prior to the vocational course following the attainment of the school certificate is counted as practice for the purposes of this article.

4- The practice is not counted during the entire period of the employee's suspension for promotion and allowances if the suspension is for non-political reasons.

Article Eleven:

The Council of Ministers may decide to promote an employee when there is a vacancy or grant them a seniority for promotion or adjust their salary without considering that adjustment as a promotion except in the following cases:

1- If they have received a salary lower than what they deserve based on their certificate and professional practice.

2- If they have obtained a degree during their service that is directly related to their job, qualifying them for a higher salary than their current one, and these procedures do not include the periods during which their promotion was delayed.

Article Twelve: (Cancelled by decision 911)

Article Thirteen: (Cancelled by decision 911)

Article Fourteen:

1- An employee upon their first appointment will be under probation for one year of actual service, and an order must be issued to confirm their appointment. 1. The employee's position will be confirmed after the completion of the probation period if their competency is verified; otherwise, the probation period will be extended for another six months.

2. An employee may be dismissed if it is confirmed by their department that they are unsuitable for the designated job during the probation period specified in paragraph (1) of this article.

3. The probation period is counted as part of the employee's service after confirmation.

4. School holidays are considered actual service for the purposes of paragraph (1) of this article for those who benefit from them.

5. An employee who is dismissed under this article has the right to appeal to the General Disciplinary Council within thirty days from the date they are notified of the decision, and the Council's decision in this regard is final.

Article Fifteen:

An unconfirmed employee will be placed under probation again if they are re-employed after resigning, their position is canceled, or they are dismissed, and they may not be granted a salary higher than their previous salary unless permitted under the provisions of this law.

Article Sixteen:

1. An employee is entitled to their salary from the date they commence their job. If they do not start within ten days from the date they are notified of their appointment (excluding usual travel days), the appointment will be

considered canceled. The appointing authority may grant the employee a period not exceeding thirty days from the date of notification (for the purpose of starting work), and upon its expiration, the appointment will be deemed canceled.

2. An employee whose position has been canceled, dismissed, or terminated – without their hand being withdrawn – is entitled to their salary until the day they are notified of the decision unless their duties require them to complete a handover, in which case they will be allowed a reasonable period. Sending a copy of the decision to the employee or their permanent residence is considered notification for the purposes of this article.

Article Seventeen: Canceled by decision 1216 of 1978.

Chapter Four

Promotion of Employees

Article Eighteen:

Employees are selected for promotion based on competence and length of service, except for educational, medical, and engineering positions, which require employees to hold academic qualifications that correspond to their job titles according to the personnel law.

Article Nineteen:

1- An employee may be promoted to the grade immediately above their current grade, provided that:

A- There is a vacant position that is equivalent to or exceeds the position to which the employee is to be promoted.

B- The employee's ability to perform the job is proven, and they excel over other employees based on a recommendation from their ministry or department, except for those positions that were exempted at the time of appointment according to Article Two of this law.

C- The employee has completed the duration specified in the table included in Article Three of this law.

2- The duration that the employee has spent in their classification and previous grade before the implementation of this law is counted for promotion from their new grade to a higher grade, while the employee retains their previous promotion duration if their salary becomes personal under this law of 1956 and has not been raised by their previous promotion duration, or if their salary falls within the second category of their classification or grade.

3- The period required to reach a salary that exceeds the minimum for his grade is considered as seniority for promotion if appointed based solely on the school certificate.

4- Any employee who obtains a university specialization certificate during or outside of service is granted one year of seniority for promotion, provided that this certificate was not used as a basis for determining his salary for the purposes of this law, and this does not include those who obtained that certificate before April 1, 1960.

5- Seniority for promotion is granted to any employee who successfully completes a training course lasting no less than six consecutive months, either inside or outside Iraq, as specified below:

A- For six months for those whose exam scores in the course are 85% or above, or with a very good grade.

B- For three months for those whose exam scores range from 70% to 84%, or with a good grade.

C- The seniority mentioned in this paragraph includes employees who participated in training courses and successfully completed them after the issuance of Law No. 45 of 1974.

6- The seniority referred to in paragraph (5) is not granted to an employee whose exam scores in the course are below 70%, although his success in the course will be taken into consideration when competing for promotion.

7- Any employee who participates in a training course and whose exam scores are below 50% will have their promotion delayed for one year from the date they are eligible for promotion.

8- Participation in training courses is mandatory for employees whom the relevant ministry has decided to nominate for participation.

9- The National Center for Consulting and Administrative Development is responsible for supervising the training courses, developing detailed curricula, and other requirements necessary for conducting these courses.

Article Twenty:

1- An employee promoted to a position with different responsibilities than their previous position will be on probation for six months starting from the date they assume their new position. An order must be issued to confirm their position after this period if their capability for the promoted position is confirmed; otherwise, their probation may be extended for a maximum of six additional months.

2- The employee will be returned to their previous grade if their capability is not confirmed during the probation period specified in paragraph (1) of this article. They have the right to appeal this decision to the General Disciplinary Council within thirty days from the date they are notified of the order, and the Council's decision in this regard shall be final.

Article Twenty-One:

If a confirmed employee whose service has ended for any reason is reappointed at a grade lower than their previous grade, and a position equivalent to that grade becomes vacant, they may be granted the salary of the mentioned grade along with its allowance, and the time spent in the lower grade will be counted for promotion purposes.

Article Twenty-Two:

A confirmed employee whose service has ended for any reason may not be reappointed at a grade higher than the grade they held previously. It is only permissible if the legal conditions for promotion are met or if the qualifications mentioned in Articles (9 and 10) of this law are fulfilled, in which case he may be reappointed to a grade appropriate to his qualifications.

Article Twenty-Three:

A committee shall be formed by order of the minister in each ministry to nominate employees for promotion, and it must take into consideration the services of the employee proposed for promotion and the reports concerning him. The employee shall be informed if the committee decides not to nominate him for promotion, and he has the right to appeal to the minister within ten days from the date of notification, and his decision shall be final.

Chapter Five

Public Service Council

Article Twenty-Four:

The council was abolished by decision 996 of 1979, and the articles regulating its formation and duties in the law from (24) to (32) were also repealed.

Chapter Six

Monitoring the Number of Employees, Organizing Them, and Training Them

Article Thirty-Three:

1- The Minister of Finance shall seek the assistance of a body of inspectors when monitoring the number of employees to investigate requests for additional positions and to inquire about surplus positions.

2- The Minister of Finance shall take the necessary measures to transfer surplus employees in any ministry to other departments or to abolish their positions in accordance with the personnel law. Article 34:

In the relevant ministries, training courses may be established when necessary to train employees who cannot be trained in order to enhance their efficiency, after obtaining the approval of the Minister of Finance regarding the duration of the course, the conditions for enrollment, and the rights of graduates.

Chapter Seven

Resignation, Transfer, and Secondment

Article 35:

1- An employee may resign from their position by submitting a written request to their relevant authority.

2- The authority must decide on the resignation within a period not exceeding thirty days, and the employee is considered released upon the expiration of this period unless an acceptance order is issued before that.

3- If the employee submits their resignation and specifies a date for acceptance, it may be accepted from that date or earlier.

Article 36:

An employee may not be transferred from their place of work until they have completed a period of no less than three years if they are in regular locations,

and a period of no less than one and a half years in locations where they are entitled to receive local allowances. They may not be transferred before that except for public interest or health necessity, and the public interest must be based on specific reasons mentioned in the transfer order, while health necessity must be supported by reports from the official medical authority.

Article 37:

- An employee notified of a transfer must join their position within a period not exceeding five days (excluding regular travel days), unless the transfer order specifies a longer duration. If the employee delays joining without a legitimate excuse, they will be considered resigned.

2- An employee must return to their position as soon as their leave ends. If they do not return without a legitimate excuse within a maximum of ten days from the end of their leave, they will be considered resigned.

3- An employee who is absent from their job will be considered resigned if their absence exceeds ten days and they do not provide a legitimate excuse justifying this absence.

Article 38:

1- An employee may be seconded outside the government's establishment with their written consent by a decision from the Council of Ministers, provided that the secondment period does not exceed five years. This period may be extended for an additional five years for those working in the Gulf region and the Arabian Peninsula.

2- If the borrowing department returns the seconded employee before the end of the secondment period, it is obligated to pay their salary until they are returned to their position by their original department or until the secondment period ends.

4- The salaries allocated by the borrowing department to the seconded employee do not affect their grade.

5- The duration of the loan is counted as service for the purpose of promotion, and an employee may be promoted while on loan upon the direction of the head of the borrowing department.

Article Forty:

An employee who requests retirement must submit a written request to the competent authority, stating the legal reasons on which the retirement request is based. If the legal reasons are valid, the request must be accepted within a period not exceeding thirty days.

Article Forty-One:

If the employee's position is abolished and a vacant position that matches the duties of their position and grade is available at the time of abolition in the department to which they belong, they are considered transferred to that position with their current salary. If the vacant position is of a lower grade, they have the option to accept or decline it, and if they accept it in writing, they must be appointed to that position.

Article Forty-Two:

An employee may not be transferred from a category with different employment conditions than those specified in this law without their written consent, and they shall not receive a salary higher than what they were earning in their previous position.

Chapter Eight

Leave

Article Forty-Three:

1. An employee is entitled to regular leave with full pay at the rate of one day for every ten days of service.

2. Leave is granted upon a written request, provided that public interest is not compromised, and it is not permissible to refuse leave for this reason for more than six months from the date of the first application.
3. Leave can accumulate for up to 180 days, provided that no more than 120 days with full pay is granted at one time.
4. If the employee is not entitled to regular leave but it is necessary to grant it, they may be granted leave for up to 60 days without pay.
5. An employee on probation will have their leave and enjoyment of it treated the same as a confirmed employee.
6. A female employee is entitled to maternity leave before and after childbirth for a duration of 72 days with full pay, provided she enjoys at least 21 days of this leave before childbirth. This leave may be repeated with each subsequent pregnancy and childbirth.
7. Leave is granted by the minister or by those authorized by him, or by the head of the department according to their authority.

Article 44:

1. Those enjoying school holidays are not entitled to the leave stipulated in Article 43 of this law, except for what is mentioned in paragraph 6. The competent minister may call some of these individuals to perform certain educational duties during this holiday, provided that the duration of the holiday they enjoy does not fall below 45 days each academic year.
2. Employees covered by paragraph 1 of this article may be granted special leave with full pay for a duration not exceeding seven days each academic year.
3. For those enjoying school holidays, regular leave accrued according to paragraph 1 of Article 43 of this law prior to their transfer to schools may be taken in accordance with the provisions of paragraph 2 of the mentioned

article, provided that the leave granted does not exceed 120 days for the purposes of applying the provisions of Article 45.

4. a. The minister may grant married female employees who wish to join their husbands abroad their entitlement to regular leave with full pay, and beyond that, without pay, if the husband is an employee working outside Iraq, or is on an official mission for a year or more, or is a scholarship student, or is on academic leave, or is pursuing graduate studies, or is a student continuing their university education at their own expense with approval from the relevant official body, or if the husband is ill and requires treatment outside Iraq by a decision from the medical committee. This privilege may not be enjoyed more than once while the husband is stationed in one place, if the accompanying leave is interrupted in order to benefit from any leave or holiday with full pay.

b. The minister may grant the male employee the leave mentioned in paragraph (a) to join his employed wife under the situations mentioned in the same paragraph.

5. The competent minister may grant a married female teacher or employee regular leave without pay for those wishing to move to the residence of their husband where no vacancy exists, ensuring that the specialty is taken into account for teachers when available. The leave may not be interrupted and resumed after the end of the first half of the academic year for teacher and school.

Article 45:

1. An employee whose service has ended due to staff restructuring or who has been retired (except in cases of dismissal or expulsion) shall receive full nominal salaries for the regular leave they are entitled to, not exceeding 180 days from the date of their separation, which will be paid to them in advance, in addition to any retirement rights they are entitled to under retirement law.

2. An employee who enjoys school holidays and whose service has ended due to staff restructuring or retirement (except in cases of dismissal or expulsion) in the second half of the academic year or during the summer holiday will receive salaries for the summer holiday, provided that it does not exceed 180 days.

3. The duration of the leave or holiday mentioned in the previous two paragraphs will not be counted as service for the purposes of this law.

4. If an employee is reinstated before the end of the leave or holiday specified in paragraphs 1 and 2 of this article, the salaries due for the remaining period of leave or holiday shall be reclaimed, and the total or installments shall be deducted from the salaries they are entitled to after reinstatement.

5. The provisions of the previous paragraphs apply to the minister if they leave their position before assuming a ministerial role, provided they are entitled to regular leave or fall under the provisions of paragraph 2 of this article according to this law.

6. Upon the death of any individual covered by the previous paragraphs of this article, the salaries they were entitled to shall be paid to those entitled to receive their retirement rights according to the provisions of retirement law.

****Sick Leave****

Article 46:

1. An employee is entitled to sick leave with full pay for a period of thirty days for each full year of service, and forty-five days at half pay, under the following conditions:

- a. The duration of sick leave for each illness shall not exceed 120 days with full pay, followed by 90 days at half pay.

- b. The total amount of sick leave during the five years preceding the end of sick leave shall not exceed 180 days with full pay and 180 days at half pay.

2. An employee under probation may be granted sick leave for the first time for up to thirty days with full pay and forty-five days at half pay, which shall be deducted from their entitlement to sick leave upon confirmation.

3. An employee who has exhausted all sick and regular leave they are entitled to may be granted additional leave without pay for a maximum of 180 days. If they are unable to resume work after that period, they shall be retired.

4. Employees suffering from tuberculosis, cancer, leprosy, or any other incurable disease, or requiring long-term treatment as confirmed by relevant health authorities, are exempt from the provisions of this article. Their sick leave with full pay may last up to two years, and if they are unable to resume work, they shall be retired.

Here's the translation of the provided text:

Article 47:

The calculation of regular and sick leave for the employee will be based on the laws in effect at the time of their acquisition before the implementation of this law.

Article 48: (Repealed by decision 911 of 1976)

Article 49:

The resigning employee loses all regular and sick leave unless the resignation is for the purpose of appointment to a ministerial position, election to the National Council, or for study or specialization. In these cases, the employee is entitled to enjoy this leave upon returning to service, with due regard to what is stated in paragraph (5) of Article 45.

Article 50:

1. a. The concerned minister, with the approval of the Revolutionary Command Council, may grant an employee holding a (first) or higher university degree who has completed two years of actual service a study leave outside the country with pay to obtain a (higher) degree for the duration required for study and language learning, according to the conditions approved for scholarship students.
- b. The study leave mentioned in paragraph (a) above may be extended to obtain a higher degree under the same conditions.
- c. The study leave mentioned in paragraphs (a) and (b) above may be extended for no more than one additional year for each if necessary.
- d. A student on study leave is treated like a scholarship student concerning financial support in the event of failing, and the period covered by such support is considered regular leave without pay.

2. The concerned minister may grant an employee who has completed two years of actual service study leave within the country with full salary to obtain:

a. A higher degree for those holding a first university degree for the duration prescribed for study, which may be extended for no more than one additional year if necessary.

b. A diploma after regular study for a period of two years.

c. A first university degree (Bachelor's) after secondary school for a period of four years.

3. It is a condition for granting study leave that the subject of the employee's study relates to the duties of their job or the scientific or practical competencies of their ministry.

4. The duration of the granted study leave is considered actual service for all purposes, with due regard to what is mentioned in paragraph (d-1) above.

5. The employee granted study leave is bound by a commitment.

The provisions of this decision apply to employees of state departments and the socialist sector who are granted study leave and are still continuing their studies (as per decisions 1436/6-1971 and 1060/1971).

Here's the translation of the provided text:

6-The Minister of Planning, in coordination with the concerned minister, may allocate study seats in light of the needs of their ministry and according to the requirements of the public interest.

Chapter Nine: Allocations

Article 51:

1. The following allowances may be granted according to the instructions issued by the Minister of Finance:

- (a) (Repealed by decision 498 on 11/4/1982)
- (b) Additional work fees outside of working hours, provided that they do not exceed 25% of the monthly salary.
- (c) The following allowances for employees in health institutions:
 - First: For combating epidemics, not exceeding 25% of their salaries while performing actual work related to epidemic control. These allowances are granted to employees engaged in forensic medicine, bacteriology, radiology, nuclear medicine, tuberculosis, leprosy, or those working in isolation hospitals or fever hospitals, as well as to doctors and pharmacists teaching non-clinical subjects. Forensic doctors receive these allowances at a rate of 50% of their salaries.
 - Second: For working in mobile clinics, not exceeding 25% of their salaries.
 - Third: For doctors' and pharmacists' clinics, not exceeding 25% of their salaries as compensation for their clinics and pharmacies when they are prohibited from practicing their profession privately outside of working hours, provided they undertake additional work.
 - Fourth: Employees in veterinary institutions combating epidemic diseases receive an allowance of 25% of their salaries.

- (d) Allowances for those holding a university degree who are prevented from practicing their professions outside of working hours at a rate of 25% of the salary for engineers or others determined by the Council of Ministers based on the circumstances of their work, or for engineers who graduated from the now-defunct Iraqi School of Engineering.
- (e) Hospitality allowances for governors, their assistants, district commissioners, and directors of sub-districts, not exceeding 40 dinars per month, according to instructions issued by the Ministry of Interior and the Ministry of Finance.

2. Allowances for employees whose salaries exceed the maximum limit for the first degree are exempt from the provisions of Article 3 of the Law on Allowances for State Employees and Users No. 26 of 1953, as amended.

Article 51 (Repeated):

(Repealed by decision 498 on 11/4/1982 and pertains to employee allowances).

Article 52:

The following allowances may be granted according to special regulations:

1. (Repealed by Law 41 on 1/1980).
2. Travel allowances and transportation expenses for the costs incurred by the employee while carrying out an official duty, or when transferred from their job location, or when appointed for the first time, or when leaving service in any manner, including the transportation of household furniture and family members whom the employee is legally obligated to support.

3. Allowances for assignments when an employee is sent abroad by a decision from the Prime Minister to carry out an official mission.

4. Special allowances for employees performing official duties in remote areas outside municipal boundaries for extended periods.

Article 53:

1. An employee is not entitled to receive two salaries for two positions simultaneously, or allowances for committees or tasks that are part of their job responsibilities. However, they are entitled to receive fees for special services provided to the government if those services do not relate to the duties of their official position and differ from the regular duties of their department. The Minister of Finance may issue instructions to implement this article.

2. A military member appointed to a civilian position may receive their salary and allowances for the period of annual leave they are entitled to based on their military service under the Officers' Service Law No. 89 of 1958, in addition to the salary of the civilian position they hold. The provisions of this paragraph apply to all cases that preceded the effective date of this law.

Article 54:

Payment of allowances is suspended when the conditions that justified their granting cease to exist.

Chapter Ten: Miscellaneous Provisions

Article 55:

An employee who marries after the implementation of this law is granted a loan equivalent to four months of their nominal salary, which must be repaid in four annual installments starting at the end of the current year from the date of marriage, with each installment distributed across the months of the year in which that installment is due.

Article 56:

1. Working hours in government offices are determined by the Cabinet from time to time, provided that the total working hours do not exceed eight hours a day or forty-four hours a week.

2. The head of the department, with the approval of the concerned minister, may set special working hours according to the needs of their department, provided that the total hours do not exceed those specified in the previous paragraph.

3. The head of the department may increase working hours for urgent work specific to their department, provided that the total hours do not exceed those specified in paragraph (1) of this article. The order issued for this purpose must specify the reasons for the increase, the duration of the increase, and the employees affected.

4. The Cabinet may exempt certain departments from the provisions of this article.

Article 57:

1. The employee and the family members they are legally obligated to support have the right to receive treatment in government hospitals and health institutions at reduced fees as follows:

-A. An employee of grade three or below pays a quarter of the prescribed fee.

-B. An employee of grade two or above pays half of the prescribed fee.

2. An employee who suffers from an illness or sudden accident resulting from their official duties is exempt from paying the fee stated in paragraph (A) of this article.

3. An employee is treated in hospitals at the government's expense if their illness is confirmed by a report from an official medical committee, which states that the illness occurred due to their service. If the committee supports that treatment is not feasible in Iraq due to the lack of necessary means or specialists, the employee is sent abroad for treatment at the government's expense by a decision of the Cabinet, and the committee designates the hospital or country to which the employee should be sent.

Article 58:

The employee and the family members they are legally obligated to support have the right to travel using government transportation at reduced fares agreed upon with the relevant authorities, based on a statement issued from time to time. The provisions of this article do not apply to travel undertaken by the employee or their relatives in an official capacity.

Article 59:

1. Lawsuits filed by an employee against the government regarding rights arising from this law or under the Civil Service Law No. 55 of 1956 and its amendments, or any regulations issued thereunder, shall not be heard in courts. Such matters shall be resolved in the General Disciplinary Council.

2. A fee of three dinars shall be charged to the employee when filing a lawsuit under paragraph (1) of this article, which shall be fully or partially refunded as determined by the council when it issues a final ruling in the employee's favor.

3. A lawsuit against the government shall not be heard after thirty days from the date the employee is notified of the contested order if they are inside Iraq, and sixty days if they are outside Iraq.

4. The decisions of the General Disciplinary Council are binding on the government.

Article 60:

The salary of an employee or the allowances due to them under this law may not be seized before they are received from the treasury to settle a debt owed by them, except in the following cases and not exceeding one-third of the salary and allowances:

1. If the debt is owed to the state treasury, which the Cabinet decides is subject to such seizure.

2. If the debt is for the purpose of fulfilling legal alimony.

3. If the debt arises from a dowry ruled against the employee.

Article 61:

(This article is considered repealed by Decision No. 100 of 1999 published in the annex.)

Article 62:

If it is proven that the conditions for employment stipulated in Articles 7 and 8 of this law were not met If the employee has not met all or part of the requirements upon their initial appointment, they must be dismissed by order of the appointing authority. However, if the legal barrier to employment is removed and there is no other reason for dismissal, they may remain in service, provided that the incomplete period of meeting the conditions is not counted as service for the purposes of this law.

Article 63:

The Minister of Finance may issue instructions to compensate the employee for any lost or damaged property and for animals that perish while performing their official duties.

Article 64:

In addition to the regulations stipulated in this law, the government may issue special regulations concerning the following matters:

1. State honors (this paragraph was repealed by Article 2 of Law No. 26 of 2000).
2. The handover and receipt of duties between employees.

3. The employee registry.

Article 65:

An employee or their rightful beneficiaries shall be granted six months' salary at the rate of their last nominal salary if they are retired after completing fifteen years of service due to illness or disability incurred during service, or if they die as a result of that, regardless of their length of service.

Article 66:

The Minister of Finance is authorized to issue necessary instructions to facilitate the implementation of the provisions of this law.

Article 67:

The Civil Service Law No. 55 of 1956 and its amendments are hereby repealed, and any provision in any other law that conflicts with the provisions of this law is also repealed, except for the law concerning the purification of the governmental apparatus.

Article 68:

Regulations issued under the Civil Service Law and other repealed service laws that do not contradict the provisions of this law shall remain in effect until replaced by other regulations.

Article 69:

This law shall come into effect starting from April 1, 1960.

Article 70:

The ministers are responsible for implementing this law.

Article 1:

The text of paragraph (1) of Article 16 of the Civil Service Law No. (24) of 1960 is hereby repealed and replaced with the following:

1. An employee is entitled to their salary from the date of their appointment, starting from the date they begin their duties. If the employee does not start within ten days from the date they are notified of their appointment (excluding usual travel days), the appointment is considered revoked. The appointing authority may grant the employee an extension of no more than thirty days from the date of notification for legitimate reasons to begin their duties; after this period, the appointment will be deemed revoked.

Article 2:

The text of Article 37 of the law is hereby repealed and replaced with the following:

Article 37:

1. An employee notified of a transfer must join their new position within no more than five days (excluding usual travel days) unless the transfer order specifies a longer period. If the employee delays their joining and does not provide a legitimate excuse, they will be considered to have resigned.

2. An employee must return to their duties immediately upon the end of their leave; if they fail to do so without a legitimate excuse within a maximum of ten days from the end of their leave, they will be considered to have resigned.

3. An employee who is absent from their position will be considered to have resigned if their absence exceeds ten days without a legitimate excuse justifying this absence.

Article 3:

This law shall be enforced from the date of its publication in the official gazette.

****Saddam Hussein****

****Chairman of the Revolutionary Command Council****

Justifications:

In order to set a specific time frame for an employee to join the position they have been appointed to, or to consider an employee who has not joined after a transfer or upon the expiration of their leave, or who has been absent without a legitimate excuse, as resigned. This law was enacted.

Published in the Iraqi Gazette No. 4062 on February 18, 2008.

In the name of the people,

Presidency Council

(Decision No. 54)

Based on what was approved by the House of Representatives in accordance with the provisions of Article (61/First) of the Constitution and

based on the provisions of paragraph (Fifth/A) of Article 138 of the Constitution.

On October 7, 2007, the Presidency Council decided in its session to issue the following law:

Law No. (55) of 2007

****Amendment to the Civil Service Law No. (24) of 1960****

Article 1:

The text of Article 49 of the Civil Service Law No. (24) of 1960, paragraph (1), is amended to include the following, making it paragraph (2):

2. An employee who resigns with the approval of their department is granted accumulated leave pay not exceeding a maximum of 180 days, and any period beyond that will not be counted as service for retirement purposes.

Article 2:

This law shall be enforced from the date of its publication in the official gazette.

****Tariq al-Hashimi****

****Adel Abdul-Mahdi****

****Jalal Talabani****

****Vice President of the Republic****

****Vice President of the Republic****

****President of the Republic****

Justifications:

In order to ensure that an employee who resigns with the approval of their department is not deprived of their accumulated leave pay for their service, while considering the distinction between an employee who resigns with departmental approval and one who is retired at their request and with departmental approval, this law was enacted.

Published in the Iraqi Gazette No. 4084 on August 25, 2008.

Based on what was approved by the House of Representatives in accordance with the provisions of Article (61/First) of the Constitution and based on the provisions of paragraph (A) of the Fifth item of Article (138) of the Constitution. The Presidency Council decided in its session held on August 17, 2008, to issue the following law:

Law Amending the Civil Service Law No. (24) of 1960 as amended:

Article 1:

Article 65 of the Civil Service Law No. (24) of 1960 as amended is hereby repealed and replaced with the following:

1. An employee or their entitled heirs shall receive six months' salary at the rate of their last nominal salary if they are retired after completing fifteen years of service due to illness or disability incurred during service, or if they die as a result of that, regardless of their length of service.
2. The heirs of the employee covered by the provisions of Article (5) of Law No. (3) of 2006 shall receive all their accumulated salaries from the

date of their arrest, detention, or apprehension until the date of processing their accumulated salary, taking into account the following:

A. They are entitled to all salaries granted to their peers during that period.

B. The scale of salaries in effect at the time of disbursement shall be used as a criterion for calculating accumulated salaries.

C. The provisions of Article (16) of Law No. (3) of 2006 shall apply to define the meaning of "heirs of the employee" mentioned in paragraph (2).

D. This applies to anyone tasked with public service covered by the provisions of Article (5) of Law No. (3) of 2006 From the Provisions of Article One of the Civil Service Law.

Article 2: This law shall be enforced from the date of its publication in the official gazette.

****Tariq al-Hashimi****

****Adel Abdul-Mahdi****

****Jalal Talabani****

****Vice President of the Republic****

****Vice President of the Republic****

President of the Republic

Justifications:

Given the injustices and oppression faced by a wide segment of the Iraqi population due to the authoritarian policies of the previous regime, which led to executions or loss of life, thus depriving their families of a decent

living due to the loss of their breadwinners, it is now time to achieve justice for them after the establishment of the rule of law. However, the payment of their accumulated salaries to their rightful heirs relied on the exchange rates of the Iraqi dinar at the time they were in service, based on their nominal salaries, which is inadequate to their rights due to the continuous rise in salaries and changes in exchange rates and the issuance of new salary scales. Therefore, it has been decided to adopt a realistic criterion for calculating the accumulated salaries and disbursing them based on the salary scale in effect at the time of disbursement. This law was enacted.

Published in the Iraqi Gazette No. 4133 on August 17, 2009.

Decision No. (13)

Based on what was approved by the House of Representatives in accordance with the provisions of paragraph (First) of Article (61) and the provisions of paragraph (A) of the Fifth item of Article (138) of the Constitution, the Presidency Council decided in its session held on August 11, 2009, to issue the following law:

Law No. (14) of 2009

Amendment to the Civil Service Law No. (24) of 1960 as amended:

Article 1:

The text of Article (50) of the Civil Service Law No. (24) of 1960 as amended is hereby repealed and replaced with the following:

1. The relevant minister or head of a non-ministerial entity may grant a university graduate employee who has completed (2) years of actual service after their last degree a study leave abroad, during which they will receive their full salary and fixed allowances to obtain a higher degree for the duration required for study and language learning, according to the conditions set for scholarship students.

2. The study leave specified in paragraph (A) of this article may be extended for an additional (1) year.

3. The study leave specified in paragraphs (A) and (B) of this article may be extended for no more than (6) months if necessary, supported by proof of the student's need for the extension.

4. An employee on study leave is treated as a scholarship student concerning disbursements made to them through a loan in case of failing, and the duration for which the loan was given for this reason is considered regular leave without pay.

5. An employee on study leave to obtain a degree from abroad must provide a real estate guarantee or a personal guarantee equivalent to all the salaries and other allowances they will receive and all expenses, grants, and aids that will be spent on them during their study leave for the duration required for study and language learning, including any extension of the leave.

Secondly: The relevant minister or head of a non-ministerial entity may grant an employee who has completed (2) years of actual service after their last degree a study leave within Iraq, during which they will receive their full salary and fixed allowances to obtain:

A. A higher degree for those holding a preliminary university degree for the duration specified for study, which may be extended for no more than (1) additional year if necessary.

B. A diploma after completing secondary education for a duration of (2) years.

C. A preliminary university degree (Bachelor's) after completing secondary education for a duration of (4) years.

Thirdly: It is required that the subject of the employee's study is related to their specialization and in line with the needs of the ministry or non-ministerial entity.

Fourthly:

A. The duration of the study leave granted to the employee is considered actual service for the purposes of allowances, promotions, and retirement if they obtain the contracted degree.

B. The duration of study for the employee on study leave is not counted for allowances and promotions if their studies end in failure for any reason, except for illness that prevents them from continuing their studies or success, provided that this is supported by a medical report approved by a specialized official medical committee, or due to exceptional circumstances that prevent the employee from continuing their studies.

C. If the employee on study leave obtains a degree lower than the one they contracted for, the duration exceeding the minimum allowed for obtaining that degree will not be counted for allowances or promotions.

D. The employee who fails in their studies will bear the educational expenses incurred during their studies, including the salaries received and travel expenses, except for failures due to illness with a medical report approved by a specialized official medical committee, or due to exceptional circumstances that prevent the employee from continuing their studies.

Fifthly: An employee granted study leave to obtain a higher degree from within or outside Iraq who achieves the contracted educational certificate within the legally specified study period without extension shall enjoy the following privileges, in addition to those entitled under current legislation:

A. Counting the remaining period of study specified in the contract for allowances, promotions, and retirement purposes if they complete their studies before the end of the period.

B. Direct extension of the study leave specified in paragraph (A) of this article to obtain a higher degree, provided that they succeed with distinction and a grade of at least very good.

Sixthly: An employee granted study leave to obtain a Master's degree from within Iraq who achieves the contracted degree within the specified

period with a grade of at least very good may continue their higher studies directly to obtain a Doctorate or its equivalent, either within or outside Iraq.

Seventhly: The conditions for granting study leaves and the form of the commitment that the employee on study leave must adhere to in obtaining a certificate shall be determined by instructions from the Minister of Higher Education and Scientific Research in coordination with the Minister of Finance inside or outside Iraq.

Eighth: Each ministry or non-ministerial entity shall submit its annual needs for study seats to the Ministry of Planning and Development Cooperation at the beginning of each year. The mentioned ministry, in coordination with the Ministry of Higher Education and Scientific Research, shall prepare a central plan outlining the allocated seats for ministries and non-ministerial entities according to the state's needs for scientific and professional specialties. This information must be communicated to the relevant ministries and entities by the end of March of the same year.

Article 2: No provision that contradicts the provisions of this law shall be applied.

Article 3: The dissolved Revolutionary Command Council Decision No. (930) of 1980 is hereby repealed.

Article 4: The Minister of Higher Education and Scientific Research, in coordination with the Council of Ministers, may issue instructions to facilitate the implementation of the provisions of this law.

Article 5: This law shall take effect from the date of its publication in the official gazette.

Tarik
Adel

Abdul

al-Hashimi
Mahdi

Jalal
Vice
Vice
President

Talabani
President
President

Reasons for Enactment:
To elevate the scientific level of employees in government departments and to facilitate their attainment of higher degrees from within or outside Iraq. This law grants the relevant minister or head of a non-ministerial entity the authority to grant study leaves within and outside Iraq according to a general policy reflecting the state's needs in general and the specific needs of ministries or non-ministerial entities for scientific and professional specialties