

**A Decree Issued by Law No. ( ) of 2010 Amending the Palestinian Industries General Union and the Specialized Industries Unions Law No. (2) of 2006**

**Palestine Liberation Organization's Executive Committee Chair  
President of the Palestinian National Authority**

Following the review of the amended Basic Law No. 2 of 2003 and its amendments, especially article (43), and the Palestinian Industries General Union and the Specialized Industries Unions Law No.(2) of 2006, the Law of the Chambers of Commerce and Industry No. 41 of 1949, in force in the northern governorates and the provisional Chambers of Commerce Law No. (21) of 1961 , in force in the northern governorates and Order No. 326 of 1954 for Issuance of Chambers of Commerce Law in force in southern governorates. Based on the decision of the Council of Ministers taken during its meeting held on the.../..2010 and pursuant to public interest and the powers legally invested in us,

We issued the following decree by law:

**Article 1: Name**

This decree shall be named the decree by law number ( ) of 2010 amending the Palestinian Industries General Union and the Specialized Industries Unions Law No. (2) of 2006.

**Article 2: Definitions**

Article (1) of the original law shall be amended by adding the following definitions:

<b>General Union:</b>	The General Union of Palestinian Industries.
<b>Union General Assembly:</b>	The General Assembly of the General Union.
<b>Internal Bylaw:</b>	The General Union's internal bylaw.
<b>Industrial Facility:</b>	Any facility the main objective of which is to transform ores and raw materials to fully or half manufactured or intermediate products or to transform half manufactured and intermediate products to fully manufactured ones. This include mixing, separation, formation, reformation, assembly, packing and packaging activities, provided that work at the facility is mainly performed by mechanical power.
<b>An Industrial Craftsmanship:</b>	Any activity in the field of production or maintenance, which depends on the handicraft's skills, where the machinery is simple and the products are atypical.

**Article 3: Scope of Application**

The provisions of this law shall apply to specialized industrial unions registered at the General Union, and to establishments, industrial handicrafts and their members in Palestine.

**Article 4: Amending Article (4) "the General Union Aim"**

The text of article (4) of the original law had been amended by amending paragraphs (b and c) and adding paragraphs (dthroughg)as follows:

- b) Participate in regulating industrial activity according to the type of industrial production through specialized unions and providing such unions with the necessary support.
- c) Work on raising the competitiveness of national industrial products, in cooperation with relevant stakeholders.
- d) Participate in developing the general policy for industry and the strategy and necessary plans for its implementation.
- e) Participate in the development and growth of national industry.
- f) Look after the interests of all industrial establishments and handicrafts facilities, registered at the General Union.
- g) Strengthen cooperation among specialized industrial unions and between such unions and Arab and foreign unions and chambers of industry.
- h) Work towards strengthening the role of specialized industrial unions and coordinating their efforts.

#### **Article 5: The General Union's Duties and Functions**

Amend the title of article (5) of the original law to read as “the General Union’s duties and functions” and annul the text of the same article and replace it by the following text:

1. Work towards the preparation and development of industrial programs, identification of industrial sector needs and work towards fulfilling them.
2. Represent the specialized industrial sector before other parties and any official or nonofficial bodies inside and outside Palestine, and rehabilitate and develop its professional and competitiveness capacities.
3. Participate in economic and industrial conferences, in addition to local, Arab and international exhibitions.
4. Assist the Ministry conceptualize and prepare agreements of industrial nature.
5. Coordinate with the Ministry in relation to specialized industrial unions and industrial and handicrafts establishments registered at the General Union.
6. Collect industrial information and data to organize and classify them, and to provide official bodies and those working in the industrial sector with such information, data and views related to industrial issues.
7. Provide advice and opinion in relation to draft laws, regulations and directives related to the industrial sector.
8. Conduct studies and research related to national industry, its expansion and modernization.
9. Provide economic, industrial, technical and professional advice, through the use of experts and economists.
10. Coordinate between the various specialized unions.
11. Supervise and manage the Industry Modernization Center, work towards activating its role, and develop necessary policies and programs for enhancing its performance.

12. Coordinate with relevant competent entities concerned with the issuance and authentication of certificates of origin and re-export of manufactured products at registered industrial establishments.
13. Prepare and organize the national register for industrial classifications (barcode).
14. Create the register that will enlist all industrial and handicraft establishments registered at various specialized unions, in addition to issuing a certificate of such registration. The internal bylaw shall stipulate the registration and renewal procedures in addition to the related periods and timelines.
15. Coordinate and cooperate with all relevant stakeholders such as chambers of commerce and industry, ministries and private sector entities in relation to the industrial sector in Palestine.
16. Any other tasks related to its goals in accordance with the provisions of this law.

#### **Article 6: the Obligatory Nature of the General Union's Membership**

1. All specialized industrial unions have to join the General Union.
2. Article (6/2) of the original law shall be annulled.

#### **Article 7: the General Union's General Assembly**

1. The General Union's general assembly shall be composed of the members of the board of directors of specialized industrial unions provided that such unions operate in Palestine and its board members were elected according to law and they have paid their memberships and affiliation fees according to the membership terms defined in the internal bylaw for each specialized union.
2. The internal bylaw shall regulate the general assembly's meetings, the process of inviting members to attend such meetings, the attendance sheet, meeting minutes, voting method, in addition to any other issues related to the Union's general assembly meetings.

#### **Article 8: Amending article (7) the General Assembly's Mandate**

The text of article (7) of the original law shall be amended by adding paragraphs (6 and 7) as follows:

6. Discuss and approve the annual administrative and financial report issued by the board of directors.
7. Discuss the issues presented to it by the board of directors and take necessary decisions in their regard.

#### **Article 9: Amending article (8) the Board of Directors**

The text of article (8) of the original law shall be annulled and replaced by the following text

1. The management of the General Union and the running of its affairs shall be done by a board of directors comprised of (9 to 15) members elected in accordance with the procedures stipulated in the Union's internal bylaw.
2. In accordance with the provisions of paragraph (1) above, the members of the board of directors shall be the chairperson of the specialized unions' boards of directors or any person(s) defined by the internal bylaw of the related specialized union.
3. The board of directors term shall be three years.

4. The board of directors shall in its first meeting elect its chairperson, its chairperson's deputy, its secretary and treasurer.
5. The board's chairperson and his/her deputy, stated in paragraph (4) above, shall be owners of industrial facilities.
6. The board's chairperson shall not assume the chairmanship of the Board for more than two consecutive terms.

#### **Article 10: Amending Article (9) The Board's Mandate**

The text of article (9) of the original law shall be amended by adding paragraphs (6-17), as follows:

6. Decide on requests for establishing specialized industrial union and issue appropriate decision in their regard, within sixty days from the date of submitting the request.
7. Implement the policies and programs of the Industry Modernization Center.
8. Look after the interests of the members represented by the General Union and defend their rights according to the provisions of the law.
9. Provide quality services to members of the General Union and specialized unions.
10. Manage the General Union's administrative and financial affairs.
11. Work towards achieving the General Union's objectives and functions.
12. Call for the General Assembly meetings and discuss the board's recommendations.
13. Issue the directives related to the Union's administrative and financial affairs.
14. Coordinate with relevant entities in the preparation of draft legislations related to industry and economy.
15. Establish the committees necessary for the implementation of this law and the regulations issued according to it.
16. Authenticate certificates, private documents or those issued by specialized industrial unions and the industrial and handicrafts facilities according to their requests in coordination with the relevant competent authorities.
17. Any other issues that achieve the objectives of the Union and the industrial sector in accordance with the provisions of this law.

#### **Article 11: Objecting Against the Refusal of the Specialized Unions' Registration and Licensing**

The specialized union may object to the General Union's decision refusing its registration before the Minister within thirty days from the date such decision was issued. In case the Minister refused the registration, the specialized union may refer the issue to the competent court according to the provisions of the law.

#### **Article 12: Documents and Credential Certified by the General Union**

All documents and credentials issued or certified by the General Union and stamped by it shall be accredited before all ministries and public institutions in addition to private sector institutions.

#### **Article 13: Amending article (10) Financial Resources**

The text of article (10/1) of the original law was amended by adding paragraphs (d-f), as follows:

- d) The revenues of the General Unions investments.

- e) The fines imposed by the Union on its members.
- f) Any other resources approved by the board.

#### **Article 14: Regulating Board of Directors' Meetings and Elections**

The internal bylaw shall regulate the board of directors' meetings, internal elections, voting method, membership's vacancy, resignation and other issues related to the board of directors.

#### **Article 15: Amending article (12) The Establishment of Specialized Unions**

The text of article (12) of the original law shall be nullified and replaced by the following:

1. It is allowed, according to the provisions of this law, to establish specialized unions, which shall enjoy an independent legal personality and the legal competence warranting the achievement of its goals according to this law and the regulations issued according to it. Such specialized unions shall be registered at and licensed by the General Union.
2. It is not allowed to register or license any specialized union the members of which are less than twenty industrial facilities as a minimum.
3. Except for what is provided for in paragraph (2) above, the General Union may exceptionally register a specialized union with a membership of less than twenty industrial establishments according to the specific nature of the industrial sector submitting the request and with the approval of the board.
4. The licensing term of the specialized union shall be one calendar year. The specialized union shall submit a renewal application to the General Union before not less than sixty days from the beginning of the new fiscal year, provided it pays the renewal fees stated in the regulation.
5. The renewal of the specialized union license or any changes that might affect it shall be done through the General Union in cooperation and coordination with the Ministry.

#### **Article 16: Amending the Title of Article (14) "The Composition of the Specialized Union's General Assembly"**

1. The specialized union's General Assembly shall be composed of the representatives of the industrial facility, which is a member of the Union and works in the same industrial division of the union.
2. The specialized union's internal bylaw defines the election procedures of the board of directors, its meetings and mandate, provided that the board members shall not be less than seven and not more than thirteen.

#### **Article 17: Amending Article (15) Membership**

The text of article (15) of the original law shall be nullified and replaced with the following one:

1. Mandatory membership :  
Membership in a specialized union shall be mandatory provided that the facilities meet the following conditions:
  - a) Be a company is registered at the Ministry.
  - b) The capital of the industrial facility shall not be less than (70,000) Jordanian Dinars or its equivalent in the legally used currency.

C) The establishment's main activity shall be industrial and in the same industrial sector covered by the Union. The Union's board of directors shall verify this in any way it deems appropriate.

d) The establishment has to carry out actual industrial activities.

2. Voluntary membership :

a) Industrial and handicrafts establishments which do not meet the membership conditions stated in paragraphs (a and b) of this article, may request to join the industrial union and the industrial union's board of directors shall have the power to decide upon such request in coordination with the General Union.

b) Commercial establishments whose interests are tied to industrial sectors and wishes to join the specialized unions may request to join the related industrial union as a supporting member without having the right to run or vote in the industrial unions' boards of directors' elections. Such institution shall pay the membership fees stated in the internal bylaw. The industrial union's Board of Directors shall decide upon the joining request in coordination with the General Union.

**Article 18: Losing the Membership of the Specialized Union**

Cases of membership loss shall be defined by the specialized union's internal bylaw.

**Article 19: The Industrial Sector Represented in the Specialized Union**

Amending article (17) of the Industries' Unions

The text of article (17) of the original law shall be nullified and replaced with the following one:

The General Union in coordination with Ministry shall define the industrial sectors and sections represented by the specialized unions and any modification thereof.

**Article 20: Nullification**

All that contradicts with the provisions with this law shall be null and void.

**Article 21: Implementation, Effect and Publication**

All competent authorities shall implement this law by decree each according to its competency. The law shall come into force on the date of its publication in the Official Gazette.

**Issued in Ramallah on .../.../2010**

**Mahmoud Abbas**

**President of Palestine**

**Chairman of the Palestinian Liberation Organization Executive Committee**

**President of the Palestinian National Authority**