

**Reintegration Programme (Operation and Management) Directives for Returnee
Migrant Workers, 2079¹**

Preamble: Whereas, it is expedient to conduct a social and economic reintegration programme by using the capital, skills, technology and experience acquired during foreign employment by people returning from foreign employment for the development of entrepreneurship and promoting skills in Nepal.

The Government of Nepal has formulated this Directives in accordance with Subrule 1 of Rule 52 (a) of the Foreign Employment Rules, 2064 BS.

**Chapter-1
Preliminary**

1. Short title and commencement: (1) The name of this Directives is "Reintegration Programme (Operation and Management) Directives for Returnee Migrant Workers, 2079".

(2) This Directives shall come into force immediately.

2. Definitions: Unless the subject or context requires otherwise, in this Directives,-

- a) "Act" means the Foreign Employment Act, 2064 (2007).
- b) "Programme" means the Reintegration programme in accordance with Section 3.
- c) "Programme Implementation Committee" means the Programme Implementation Committee in accordance with Section 19.
- d) "Programme Coordination Committee" means the Programme Coordination Committee in accordance with Section 17.
- e) "Fund" means the Foreign Employment Welfare Fund in accordance with Section 32 of the Act.
- f) "Board" means the Foreign Employment Board in accordance with Section 38 of the Act.
- g) "Ministry" means the Ministry of Labour, Employment and Social Security, Government of Nepal.
- h) "Employment Service Centre" means the Employment Service Centre in accordance with Section 10 of the Right to Employment Act, 2075.
- i) "Secretariat" means the Secretariat of the Foreign Employment Board.

¹ The unofficial translation of the Directives was done by Ms. Sudeshna Thapa and Dr. Jeevan Baniya, Research Coordinator and Assistant Director, respectively, at Centre for the Study of Labour and Mobility (CESLAM), Social Science Baha.

j) "Local level" means rural municipality or municipality.

Chapter-2

Operation of Reintegration Programme

3. To operate Reintegration Programme: In order to use the skills, capital and technology acquired by Nepali citizens who have returned from foreign employment for the benefit of the nation and to reintegrate such citizens, the Secretariat will conduct socialisation programmes, programmes for involvement in employment and programmes to promote entrepreneurship.

4. Socialisation programme: While conducting the socialisation programme in accordance with Section 3, programmes such as family and social reunification, psychosocial counselling, leadership development, social network building, and volunteer mobilisation will be conducted with the participation of such citizens and their family members in order to integrate people who have returned from foreign employment into the society.

5. Involvement in Employment Programme: In accordance with Section 3, for the operation of the Involvement in Employment Programme, skills testing and certification of persons returning from foreign employment, provision of professional and managerial skill-based training based on the needs of the labour market, modernisation of traditionally operated occupations and provision of employment according to market demand and individual's ability will be facilitated.

6. Entrepreneurship Promotion Programme: 1) While conducting the programme to promote entrepreneurship in accordance with Section 3, utilising the capital, knowledge, skills, technology and experience acquired during foreign employment, an individual or group-based self-entrepreneurship programme will be conducted by providing technical and administrative support in order to increase the financial literacy and accessibility of persons who have returned from foreign employment.

2) In conducting the programme to promote entrepreneurship in accordance with Subsection 1, grants and subsidised entrepreneurial loans may be provided to those who have returned from foreign employment in coordination with the provincial government and the local level for the establishment and operation of businesses based on new knowledge and skills, and priority may be given to exhibit the goods or services produced by such persons or in sales and distribution in industrial fairs, special economic zones, industrial zones or industrial villages.

7. Fund may be used: The secretariat may use the Fund as approved by the Board while conducting the programme.

8. Call for proposals: 1) The Secretariat will call for proposals from the local level for conducting the programme.

2) After the call for proposal is issued in accordance with Subsection 1, the local level desiring to implement the programme must submit a proposal to the Secretariat in the format prescribed in Schedule 1, specifying the details including the type of programme, the number of beneficiaries, the cost of the programme, and the contribution that can be made by the local level for the operation of the programme based on the list of beneficiaries in accordance with Section 15.

3) After receiving the proposal in accordance with Subsection 2, the Secretariat shall submit such proposal to the Programme Coordination Committee.

9. Approving the proposal: 1) In relation to the proposal submitted in accordance with Section 8, the Programme Coordination Committee may examine the proposal as needed and approve appropriate proposals based on the following:

- a) Budget available for operating the programme,
- b) Certainty that there will be no duplication,
- c) Nature and demand of the programme,
- d) Contribution that can be made by the local level for the operation of the programme,
- e) Capacity to operate the programme and usefulness of the programme.

2) If the proposal is approved in accordance with Subsection 1, the Programme Implementation Committee may implement the programme according to the proposal.

10. Programme may be conducted by a national NGO: 1) Any national non-government organisation (NGO) may conduct the programme.

2) The non-government organisation desiring to operate a programme in accordance with Subsection 1, must submit a proposal to the Secretariat specifying the programme in accordance with Section 3 in the format prescribed in Schedule 1 in addition to the documents certifying that the conditions mentioned in the prevailing law have been met.

3) After receiving the proposal in accordance with Subsection 2, the Secretariat shall submit such proposal to the Programme Coordination Committee.

4) In relation to the proposal submitted as per Subsection 3, the Programme Coordination Committee may give permission to the relevant organisation to conduct the programme if it finds it appropriate to implement such a proposal after conducting the necessary investigation.

5) Before granting permission in accordance with Subsection 4, the Programme Coordination Committee shall obtain the consent of the concerned province government and local level.

6) The organisation that implements the programme after receiving the approval in accordance with this Section must fulfil the conditions and procedures according to the federal laws and the laws of the respective provinces and local levels, and if it is proven that such conditions or procedures are not fulfilled, the permission granted in accordance with Subsection 4 will be revoked.

11. Foreign countries or organisations may conduct the programme: 1) Countries with bilateral labour agreements or diplomatic relations with Nepal, United Nations agencies, development partners or international non-governmental organisations can conduct the programme.

2) Any country, agency, or organisation desiring to conduct a programme in accordance with Subsection 1 must enter into an agreement with the Government of Nepal and conduct the programme in accordance with such agreement.

3) The country, United Nations agency, development partner or international non-governmental organisation desiring to conduct the programme in accordance with Subsection 1 shall submit a proposal to the Ministry in the format prescribed in Schedule 1, specifying the details of such programme in order to obtain permission.

4) If the proposal submitted as per Subsection 3 is deemed appropriate and necessary for the national interest, the Ministry may grant permission to operate the programme subject to the agreement in accordance with Subsection 2.

5) During the implementation of the programme permitted in accordance with Subsection 4, the conditions or procedures as per the federal law and relevant provincial and local laws must be fulfilled and if it is proven that such conditions or procedures have not been fulfilled, the permission will be revoked.

6) The Secretariat will provide the necessary coordination and facilitation for the operation of the programme to the country, agencies or organisations that have received permission in accordance with this Section.

12. Nepal government agency, provincial government or local level may conduct the programme: Nepal government agency, provincial government or local level can use their

resources to conduct the programme within their jurisdiction in coordination with the Secretariat.

13. Report to be submitted: Any country, agency or organisation operating the programme in accordance with Sections 10, 11, and 12, must submit the progress report of the programme to the Secretariat in the format prescribed in Schedule 2 within the time specified by the Secretariat.

Chapter-3 **Enlisting Beneficiaries**

14. To be enlisted in the list of beneficiaries: 1) Persons returning from foreign employment must be enlisted in the list of beneficiaries to participate in the reintegration programme in accordance with this Directives.

2) Persons who are not enlisted as beneficiaries in accordance with Subsection 1 will not be allowed to participate in the programme in accordance with this Directives.

15. Procedure to be listed as a beneficiary: 1) A person returning from foreign employment who wants to be enlisted as a beneficiary in accordance with Section 15 must submit an application to the Employment Service Centre in the format prescribed in Schedule 3.

2) Based on the application received in accordance with Subsection 1, the Employment Service Centre shall examine the application as needed and maintain an updated record of such person's details and enter them in the employment information management system.

3) While examining the details in accordance with Subsection 2, the Employment Service Centre may also consider the details in the profile in accordance with Section 16.

4) While operating the programme, an institution or agency shall base its operations on the records of the beneficiaries listed under this Section.

16. Profiling: The Secretariat will prepare national, provincial and local Returnee Migrant Profiles and update the same by including, among others, personal details of persons who have returned from foreign employment, the country of foreign employment and the nature of the work; knowledge, skills, and experience acquired; desire, need, preference, and plan for employment or self-employment in the home country while utilising the knowledge, skills and experience acquired during foreign employment.

Chapter-4

Institutional Provisions

17. Programme Coordination Committee: (1) For carrying out the necessary coordination in order to conduct the reintegration programme in a regular and systematic manner, the following Programme Coordination Committee shall be established:

- a) Executive Director, Board - Coordinator
 - b) Undersecretary, Foreign Employment Management Section, Ministry - Member
 - c) Undersecretary, Law and Decision Implementation Section, Ministry - Member
 - d) Representative (Undersecretary level), Ministry of Finance - Member
 - e) Representative (Undersecretary level), Ministry of Federal Affairs and General Administration - Member
 - f) Representative, Federation of Nepalese Chamber of Commerce and Industries - Member
 - g) One person recommended by the Ministry from among experts working in the foreign employment management sector - Member
 - h) One person recommended by the Government of Nepal from among persons who have returned to Nepal after having gone abroad for foreign employment and working for at least two years - Member
 - i) Undersecretary (relevant Section) - Member-Secretary
- 2) The representative of the relevant province or local level may be invited to the meeting of the programme coordination committee as needed.
- 3) The Secretariat will also act as the secretariat of the Programme Coordination Committee.
- 4) Other procedures related to the meeting of the Programme Coordination Committee shall be as determined by the Programme Coordination Committee itself.
- 5) The expenses of the Programme Coordination Committee will be managed by the Secretariat.

18. Functions, Duties and Powers of the Programme Coordination Committee: In addition to the functions, duties and powers mentioned elsewhere in this Directives, the

functions, duties and powers of the Programme Coordination Committee shall be as follows:

- a) To prepare the programme plan to be conducted annually and submit it to the Board for approval,
- b) To submit policy directives to the Board if necessary for the implementation of the programme,
- c) To maintain or cause to maintain updated records of beneficiaries to ensure that the same beneficiary is not repeated in programmes conducted by more than one agency or organisation,
- d) To coordinate with private sector non-government organisations and foreign countries or organisations for the implementation of the programme,
- e) To regularly monitor the programme being conducted in accordance with this Directives,
- f) To make the necessary arrangements for solving the problems presented by the Programme Implementation Committee,
- g) To give the necessary instructions to the Programme Implementation Committee,
- h) To periodically submit reports to the Board detailing the approved and permitted programmes, the status of implementation of such programmes, and the progress.

19. Programme Implementation Committee: 1) In order to implement the programme operated by the Government of Nepal, provincial governments and local levels in accordance with this Directives, the following Programme Implementation Committee shall be established at each local level:

- a) Vice President of the local executive of the concerned rural municipality or the Deputy Head of the local executive of the municipality - Coordinator
- b) One member of the local executive of the concerned municipality or rural municipality recommended by the coordinator - Member
- c) The chief administrative officer of the concerned local level - Member
- d) One representative appointed by the coordinator from among the non-governmental organisations working at the relevant local level - Member
- e) One person appointed by the coordinator from among the persons who have worked abroad for at least two years and have returned home and are residing at the relevant local level. - Member
- f) Employment Coordinator, Employment Service Centre - Member

2) The concerned local level may invite a representative of a local bank that conducts banking business and a representative of the relevant district-based Chamber of Commerce and Industries to the meeting of the Programme Implementation Committee.

3) The secretariat of the Programme Implementation Committee will be in the respective local executive of the concerned municipality or rural municipality.

4) Other procedures related to the meeting of the Programme Implementation Committee will be as determined by the Programme Implementation Committee itself.

5) The expenses of the Programme Implementation Committee will be managed by the concerned local level.

20. Functions, Duties and Powers of the Programme Implementation Committee: In addition to the functions, duties and powers mentioned elsewhere in this Directives, the functions, duties and powers of the Programme Implementation Committee shall be as follows:

- a) To identify and prioritise programmes that can be conducted based on the details of beneficiaries listed in accordance with Section 15,
- b) To choose the programme in such a way that it does not overlap with the programme conducted by other institutions or agencies,
- c) To coordinate with the non-government organisations working at the local level for the implementation of the programme,
- d) To coordinate with banks and financial institutions at the concerned local level for the implementation of the programme,
- e) To implement the programme effectively,
- f) If any problem arises during the implementation of the programme and cannot be solved at the local level, submit the same to the Programme Coordination Committee,
- g) To follow the instructions received from the Programme Coordination Committee,
- h) After completion of the programme, prepare a progress report in the format prescribed in Schedule 2 and submit it to the Programme Coordination Committee.

Chapter-5

Monitoring, Evaluation and Reporting

21. Monitoring and Evaluation: 1) The Secretariat will regularly monitor and evaluate the programmes conducted in accordance with this Directives.

2) The Secretariat may seek the assistance of any government agency to monitor and evaluate the programme conducted in a particular district in accordance with this Section.

22. Submission of Annual Report: 1) The Secretariat shall prepare an annual report on programme operation and submit it to the Ministry within three months of the end of the fiscal year.

2) Provinces and local levels should prepare an annual report of the programmes operated by the respective provinces or local levels and submit it to the Ministry and the Secretariat within two months of the end of the fiscal year.

Chapter 10 **Miscellaneous**

23. Establishing information and counselling centre: 1) An information and counselling centre will be established in the Secretariat or the body designated by the concerned provincial government to provide information about the programme in accordance with this Directives.

2) At the local level, the Employment Service Centre will carry out the activities relating to information and counselling in accordance with this Directives.

24. Help desk to be operated at the international arrival point: The secretariat will operate a help desk at the international airport and at other arrival points in coordination with the Immigration Department and the Nepal Civil Aviation Authority in order to incorporate information including personal details of persons returning from foreign employment; country of work and nature of work; knowledge, skills, and experience acquired etc. into the information system of the Department of Foreign Employment.

25. Coordinating: 1) The Ministry will coordinate with the provincial government and local level to maintain policy and operational consistency while conducting the programme at the federal, state and local levels.

2) Coordination and contact with foreign countries or intergovernmental organisations in the course of implementing the programme is to be done through the Ministry.

3) The Secretariat will coordinate with financial institutions in coordination with Nepal Rastra Bank to secure financial assistance for the implementation of the programme in accordance with this Directives.

26. Making Necessary Arrangements: The Ministry will make the necessary arrangements in case any problems arise in the implementation of this Directives.

Schedule-1

(Related to Subsection 2 of Section 8, Subsection 2 of Section 10 and Subsection 3 of Section 11)

Format for proposal to be submitted for programme implementation

1. Name of the local level/ institution/ agency implementing the programme:
.....
2. Programme details:
 - a. Name of Programme:
 - b. Goal of the Programme:
 - c. Objectives of the Programme:
 - d. Duration of Programme Implementation: From to
.....
 - e. Place where the programme will be implemented: District:
..... Local Level:
 - Ward Number:Tole:
 - f. Number of beneficiaries:
 - g. Number of beneficiary families:
3. Total cost of the programme: NPR
4. Source of cost coverage: (In case of local level,
also specify the contribution that can be made by the local level for the
implementation of the programme)
5. Expected return:
6. Major activities of the programme:
7. Procedure for financial and economic analysis of the programme:
.....
8. Plan for programme implementation and expenditure:
.....
9. Human resources and administrative expenses required for programme
implementation:
10. Detailed proposal for operation of programme:
11. Potential socio-economic impact of the programme on the society:
.....
12. Details regarding the programme operated prior to the proposed programme:
.....

Schedule-2

(Related to Section 13 and Section 20 (h))

Format for Progress Report

1. Name of the local level/ institution/ agency implementing the programme:
.....
2. Name of Programme:
3. Duration of Progress Report:
4. Number of beneficiaries:
5. Number of beneficiary families:
6. Financial progress:

S.N.	Programme	Approved cost	Expenditure Amount	Percentage of financial progress
1.				
2.				

7. Socio-economic progress:
8. Problems encountered in the implementation of the programme and efforts made to resolve such problems:

S.N.	Programme	Problems encountered	Measures taken to resolve the problem	Suggestions
1.				
2.				

9. Details of programmes that can be operated in the future:

Schedule-3

(Related to Subsection 1 of Section 15)

Format for proposal to be submitted for being enlisted in the list of beneficiaries

To,
The Employment Coordinator,
Employment Service Centre
.....

Subject: Request for being enlisted in the list of beneficiaries

In relation to the aforementioned subject, I
have travelled to country in the course of foreign
employment and acquired skill/ knowledge and
wish to participate in the reintegration programme after having returned to Nepal. Hence,
I submit this proposal requesting to be enlisted in the list of beneficiaries.

1. Details of the applicant:

- a) Full name:
 - b) Permanent address:
 - c) Temporary address:
 - d) Passport No.:
 - e) Citizenship No.:
 - f) Date when labour permit was obtained:
 - g) Date of departure for foreign employment:
.....
 - h) Country travelled to for foreign employment:
.....
 - i) Name of facilitating foreign employment professional:
.....
 - j) Date of return to Nepal:
 - k) Type of employment:
 - l) Skill/knowledge acquired:
 - m) Contract period:
 - n) Type of reintegration programme the applicant wishes to participate in:
.....
 - o) Psychosocial counselling needed/ not needed:
.....
2. Name of father/ mother:

3. Name of spouse:
4. Documents included:

The information provided above is true. If found false, I shall bear the consequences in accordance with the law.

Right



Left



Applicant

Signature:
Full Name:
District:
Rural Municipality/ Municipality:
Ward No.:

Date of submission of proposal:
Contact No.:

Unofficial Translation