

Court Cases

Worker's case dismissed

Labor rights are not subject to arbitration clause, says court

KUWAIT CITY, Aug 12: The Court of Appeal annulled the ruling of the First Instance Court, saying it does not have the jurisdiction to consider the case involving a worker who sued his company due to the existence of an arbitration clause," obliging the court to reconsider the case. It confirmed in the merits of its ruling that labor rights are not subject to the arbitration clause, reports Al-Seyassah daily.



Al-Tawalah

Lawyer Sultan Al-Tawalah representing the plaintiff had demanded in the lawsuit his client's dues from the company but during the hearing of the case, he was surprised to learn that the company owner had submitted a contract stating she sold the company and waived the license to another person. It was clearly stated in the contract that the jurisdiction therein shall be an arbitration that includes the entitlements of company employees- whatever the dispute arising in connection with the deal.

The lawsuit was deliberated before the Court of First Instance until it ruled that it "has no jurisdiction to hear the case due to existence of the arbitration clause," which prejudices the rights of the worker, so Al-Tawalah did not accept the ruling and appealed against it at the Appeal Court.

He established his appeal on the fact that labor dues arising from the work contract are the jurisdiction of the Labor Department and the arbitration clause the appealed judgment relied on has nothing to do with the worker,

while it governs the relationship between the company and the person to whom the facility was assigned, which does not affect the entitlements of his client.

He indicated that workers' dues are related to public order and may not be the object of disclaimer by the owner of the company and the person to whom it is assigned under the pretext of the existence of arbitration clause.

The Court of Appeal stated in the merits of its ruling that "relationship arising from the work contract falls within the jurisdiction of the labor circuit of the plenary court, and what is included in the sale and assignment contract does not affect the jurisdiction of judicial arbitration bodies formed in the Court of Appeal.

This is limited to disputes between the parties on the contract, as to what is raised from disputes regarding its interpretation, implementation or cancellation. Therefore, the appealed judgment, if decided that the court does not have the jurisdiction to hear the dispute in its entirety due to the existence of the arbitration clause, has erroneously applied the law in what should be canceled and then returned to the Court of First Instance.

After the issuance of the Court of Appeal ruling, Al-Tawalah stated that it happens sometimes that the owner of the facility sells the property and assigns it to another person while stating in the contract that any dispute that may occur has jurisdiction over an arbitration body, including the entitlements of its employees. Thus, the goal is to involve the worker in long legal procedures but this is contrary to the provisions of the Labor Law, which was confirmed by the Court of Appeal in its ruling.



Fire-fighters toil to put out fire to the oil tanker.

KFSD photo

Fire destroys oil tanker, trees on road

The Public Relations and Media Department of the Directorate-General of Fire Department announced four fire-fighting engines acting on information rushed to the Al-Mutla'a region and controlled the fire after a fuel tanker over-

turned on the Jahra Road in front of Al-Jahra Sports Club and went up in flames, reports Al-Seyassah daily.

The daily quoting sources said the tanker was loaded with 36 thousand liters of fuel. The

fire destroyed the tanker and the trees on the side of the road.

The sources said the Arab driver of the tanker was injured and was rushed to the hospital.

Detention for two as Zakat House official accused of taking bribe to award contract

Moves to impose fees on beach-goers pondered

KUWAIT CITY, Aug 12: In a new scandal of crimes against public money, and in a place whose officials are supposed to be entrusted with the sanctity of funds belonging to the weak and the needy, an informed source revealed that an official from Zakat House was arrested after awarding contract to a company in exchange for half a million dinars, reports Al-Qabas daily.

The daily quoting a source said the Attorney General, Counselor Dirar Al-Asoufi, issued a decision to detain the official in question and the owner of the company that bribed him for a period of 21 days before referring them to the Central Prison.

He added "the bribing company submitted a request alongside a number of companies to supply food to the needy, and tender was awarded for approximately one million dinars based on an arrangement that the interest rate delivered to the accused official would be about 50 percent. The crooked deal was discovered later."

The source said the emergence and crowding of corruption cases recently is evidence of positive development in the fight against corruption, asserting that no one will escape punishment, whatever it is. Also, it indicates that the sword of law has reached out to everyone who extends his hand to steal one dinar from the public money.



Governor of Farwaniya with the senior officials.

Mol photo

Stability maintained during curfew

Top officers honored for contributing to security

KUWAIT CITY, Aug 12: The Mubarak Al-Kabeer Governor, Major-General Mahmud Bush-ehri, was recently quoted as saying security is a fundamental pillar of life and the main pillar of development in various fields, and that security efforts exerted at this stage must be appreciated, reports Al-Seyassah daily.

He added, the securitymen have written a national epic in translating the instructions of the Council of Ministers to impose curfew to limit the spread of the coronavirus and "we also appreciate the efforts of the secu-

ritymen in maintaining internal stability by carrying out tasks assigned to them."

This came during his honoring of security leaders who had contributed to maintaining security and stability within the governorate - Director-General of the Security Directorate of the Governorate of Farwaniya, the former director of Mubarak Al-Kabeer Security Directorate, Brigadier Abdullah Saffah, the former assistant director of Security, Brigadier-General Nafeh Al-Enezi, and the former director of Mubarak Al-Kabeer Investi-

gation Unit, the current Director of the Electronic Crimes Department, Colonel Abdulaziz Al-Mutawa.

They were honored in the presence of Mubarak Al-Kabeer Security Director Brigadier Khaled Al-Kandari.

Governor Bushehri appreciated the response of the people of the governorate to the instructions issued by the authorities and adherence to the curfew. He wished good health to HH the Amir Sheikh Sabah Al-Ahmad Al-Sabah and safe return to the homeland and wellness.



Mol photo

Major General Faleh Shuja receives in his office Brigadier-General Abdullah Al-Dajah.

KNG's Shuja receives Jordan official

The Associate for Operations and Training in the National Guard, Major General Faleh Shuja, received in his office the new military attaché at the Embassy of the Hashemite Kingdom of Jordan in Kuwait, Brigadier-General Abdullah Al-Dajah, who congratulated him on assuming duties in his new position, reports Al-Seyassah daily.

The National Guard said in a press statement Major-General Shuja welcomed the guest and conveyed to him the greetings of HH Sheikh Salem Al-Ali, Chief of the National Guard, and Sheikh Misha'al Al-Ahmad, Deputy Chief of the

National Guard and the Guard Under-secretary Lieutenant-General, Engineer Hashem Al-Rifai, wishing him success in his duties.

A statement issued by the National Guard said both sides discussed issues of common interest, especially those related to the military side; the consolidation of distinguished military relations between the two sides were also addressed through the cooperation protocol signed between the National Guard and the Jordanian Armed Forces -- the Arab Army.

News in Brief

'Dakous' price on rise: President of the Union of Consumer Cooperative Societies Fahd Al-Kashti issued a circular to remove 'dakous' (hot sauce) items from the shelves of cooperatives as the price of the product increased by 35 to 40 percent, in addition to lack of commitment to the union's circular regarding prices, reports Annahar daily.



Al-Kashti

Al-Kashti also obligated eight major companies to sign pledges not to enter cooperative societies except after taking a circular from the union, pledging not to increase the price of their products and obligating them to return to the previous price.

Car fire probed: The security authorities have opened an investigation to find out how a 'luxury' car went up in flames in the parking lot of a school in Jabriya, reports Al-Seyassah daily.

According to a security source, when the Operations Room of the Ministry of Interior received a report on the incident police and firemen rushed to the spot put out the fire.

A security source said the vehicle belongs to an unidentified Kuwaiti. Arson is not ruled out.

Iraqi doing drugs: Police have arrested an unidentified Iraqi after the homeowner complained to the police that he was consuming narcotic pills with people saying they were his friends, reports Al-Seyassah daily.

Leg stuck in pot: Fire-fighters rescued a two-year-old boy whose leg got stuck inside a cooking pot in Riggae, reports Al-Seyassah daily.

Firefighters from Shuwaikh Industrial Area Fire Station, led by Lieutenant Colonel Abdullah Muhammad Akbar, rushed

to the location after the Operations Unit in the Firefighting Department received information about a child whose leg got stuck in a cooking pot.

Eve-teaser thrashed: An unidentified young man, who continued to harass a young woman until she reached her house, was taught an unforgettable lesson by the woman's father, reports a local Arabic daily. The daily added, the father beat the man and handed him over to the police.

According to security sources, the suspect chased the woman from the Arabian Gulf Street until she reached her home. The woman while driving contacted her father and the latter managed to seize the suspect, beat him and handed him over to the police.

Secretary robs client: An unidentified female secretary working for a plastic surgery clinic has been referred for investigation for robbing a client, reports Al-Rai daily.

The theft was recorded by the CCTV camera installed in the clinic. The arrest came after the victim, a Kuwaiti woman informed the Operations Room of the Ministry of Interior.

The owner of the clinic has filed two cases against the secretary - theft and betrayal of trust.

KOC reports oil spill: The Kuwait Oil Company (KOC) said on Tuesday that there is a limited oil spill near the 18th km of the Seventh Ring Road.

On its Twitter account, the company added that the relevant authorities are currently dealing with the leak, affirming that the situation is safe and under control.

The emergency teams, in coordination with the State's concerned bodies, are dealing with the leak in accordance with the procedures and plans applied in such cases, it said, noting that work is underway to isolate the source of the leakage.

The company stressed that it is keen on abiding by all regulations pertaining to health, safety, security and environment in such cases. (KUNA)

Beach fees mulled: Municipal Council members have different views on whether the idea of imposing symbolic fees on citizens and residents to enter public beaches is feasible or not, reports Al-Rai daily.

Some of the council members are against restricting visitors to the beaches, while others called for specifying beaches and then impose fees for services and facilities provided therein as it is currently practiced in other developed countries.

They also voiced objection to the practice of several chalet owners who closed the paths leading to the seashore; explaining that it is not permissible for them to do this as per the law because the beaches are properties of the State, not individuals.

Council member Dr Hassan Kamal rejected the idea of imposing any fees for visiting public beaches, especially since there are private beaches that are not properly utilized and their existing conditions are not good. He pointed out it means there was previous experience in this aspect, while warning about administrative chaos if fees are imposed

and there will be no further development in the beaches.

He also stressed that it is not permissible to close any passage leading to the sea, asserting: "You bought a house and a chalet, you did not buy the beach. The claim that allowing citizens and residents to enter beaches is an invasion of your privacy is incorrect; especially since the owners of houses and chalets were fully aware that beaches are public properties prior to the purchase, so why did they push through with the purchase?"

Mol denies reports: The Ministry of Interior denied news published on some social media platforms recently that it has written off the fines imposed on citizens and residents who violated the Traffic Law, reports Al-Jarida daily.

In a press statement, the Public Relations and Security Media General Department disclosed the ministry is currently updating its official website; hence, some of the violations are not

appearing on the website now.

The ministry called for accuracy in reporting news which should be taken only from official sources, stressing the department's doors are open round the clock to respond to any inquiry about the security issue.

Asian driver kills himself: An Asian driver ended his life by hanging in the home of his sponsor in Jaber Al-Ali, reports Al-Seyassah daily.

According to a security source, when the sponsor entered the driver's room, he found the driver dangling from a rope and immediately informed the Operations Room of the Ministry of Interior.

The remains of the victim have been referred to Forensics.

Woman, cop beaten: A Kuwaiti has been arrested by the police for his involvement in several crimes in addition to assaulting a woman and a policeman who rushed to help her when she was being assaulted by the man, re-

ports Al-Anba daily.

The man broke into the home of the woman and assaulted her when he was in the state of intoxication.

According to a security source, the arrest came after the woman contacted the Operations Room of the Ministry of Interior that someone was trying to break into her apartment and asked for help.

The security men immediately went to the site and saw a man assaulting the woman and when the security man rushed to her help, he turned on the man in uniform.

On the other hand, an Arab woman has filed a complaint with the Ahmadi Police Station, accusing a Kuwaiti of assaulting her and causing serious injuries.

A case of felony has been registered against the man. According to a security source, the woman said she was with the man at a camp off the Seventh Ring Road and he beat her following a verbal altercation between them.

Court fines central jail director for failing to produce prisoners

By Jaber Al-Hamoud Al-Seyassah Staff

KUWAIT CITY, Aug 12: The Criminal Court fined the director of central prison KD100 for not bringing a number of prisoners serving different terms, including the human trafficking case in which a colonel

in the Ministry of the Interior and several expatriates are involved. The court decided to postpone the sessions until next week for the defendants to attend.

A number of expatriates involved in the case of human trafficking had admitted against the officer's accomplices that they obtained money in exchange for bringing them to

Kuwait without providing them any job.

The defendants denied the charges against them, and emphasized that statements of the violating expatriates were an attempt to blackmail their families to obtain money before leaving Kuwait for good.

The Public Prosecution heard the

statements of 15 of the victims of the incident who were referred by residency investigation as witnesses. They confirmed that they suffered a great deal from the crime of human trafficking, and that some of them paid more than 55,000 pounds in Egyptian currency, while others paid between KD 1,000 and 1,500 as prices for their residencies.