

The following Act of the Parliament of the Peoples' Republic of Bangladesh received the assent of the President on the 27<sup>th</sup> of October 2013/the 12<sup>th</sup> of Kartik 1420, and is hereby published as the official translation into English and for information to general public:—

## **Overseas Employment and Migrants Act 2013**

### **(Act No. VLVIII of 2013)**

An Act to promote opportunities for overseas employment and to establish a safe and fair system of migration, to ensure rights and welfare of migrant workers and members of their families, to enact a new law by repealing the Emigration Ordinance, 1982 (Ordinance No. XXIX of 1982), and for making provisions in conformity with the International Convention on the Rights of Migrant Workers and the Members of Their Families 1990 and other international labour and human rights conventions and treaties ratified by the People's Republic of Bangladesh

WHEREAS it is expedient and necessary to promote opportunities for overseas employment and establish a safe and fair system of labour migration, to ensure rights and welfare of migrant workers and members of their families, to enact a new law by repealing the Emigration Ordinance, 1982 (Ordinance No. XXIX of 1982), and for making provisions in conformity with the International Convention on the Rights of Migrant Workers and the Members of Their Families 1990 and other international labour and human rights conventions and treaties ratified by the People's Republic of Bangladesh;

it is, THEREFORE, enacted as follows:

#### **CHAPTER I Preliminary**

**1. Short title and commencement.**— (1) This Act will be called the Overseas Employment and Migrants' Act, 2013.

(2) It shall come into force at once.

**2. Definitions.**— In this Act, unless the context otherwise requires,—

(1) "**migration**" means the departure of a citizen from Bangladesh for the purpose of employment in a trade or profession in any foreign country;

(2) “**migrant**” means any citizen of Bangladesh who has migrated to a foreign country for the purpose of overseas employment in any work or profession and is staying in that country;

(3) “**migrant worker**” or “**worker**” means any citizen of Bangladesh who, for wages,—

(a) is in the planning process to migrate for work or is departing to any foreign country for work;

(b) is employed in a trade or profession in any foreign country; or

(c) has returned to Bangladesh at the end of the tenure of employment or without having completed the tenure of employment in a trade or profession from a foreign country;

(4) “**demand**” means any job-offer or request for Bangladeshi workers for employment in a project or organization/entity by an overseas or a Bangladeshi employer, or a person overseas, which is approved or conforms with the instructions for visa or is approved vide any other lawful means by the appropriate authorities of the country of employment;

(5) “**citizen**” means any citizen of Bangladesh according to the provisions of the Citizenship Act, 1951 (Act No. II of 1951) and the Bangladesh Citizenship (Temporary Provisions) Order, 1972 (P.O. No. 149 of 1972);

(6) “**prescribed**” means set down as a course of action to be followed by Rules;

(7) “**dependent**” means a spouse/husband or wife, mother, father, children, brother or sister, or any other household member who is financially dependent on the migrant worker;

(8) “**employer**”, for the purpose of overseas employment, means an overseas or Bangladeshi person or organization/entity who has hired the worker;

(9) “**fraud**” means to cheat, deceive, induce or mislead others wilfully or negligently by any word or conduct or by contract or document about any facts or law, which shall include the meaning for which the word “fraud” is used in section 17 of the Contract Act, 1872 (Act No. 9 of 1872);

(10) “**departure**” means the emigration of a Bangladeshi citizen to a foreign country;

(11) “**Rules**” means Rules made under this Act;

(12) "**Bureau**" means the Bureau of Manpower, Employment and Training established under Memorandum No. VIII/E-4/76/296, dated 3-4-1976 of the then Ministry of Health, Population Control and Labour;

(13) "**overseas employment**" means the employment of a Bangladeshi citizen in a foreign country outside the legal authority of Bangladesh;

(14) "**person**" means any natural person, company, association of persons, partnership firm, or statutory or any other kind of bodies including their agents;

(15) "**recruitment**" means the hiring of workers for overseas employment by any overseas or Bangladeshi employer directly or through concerned authorities or a recruitment agent by means of a contract entered into orally or in writing, or enlistment of workers subsequent to publishing or circulating an advertisement for recruitment of workers, or exchanging letters or in any other way;

(16) "**recruitment agent**" means any person/entity licensed under the Section 9; and

(17) "**licence**" means a licence issued to a recruitment agent under the Section 9.

## CHAPTER II

### Sending Workers Overseas, Migration, and such others

**3. Authority to send workers for overseas employment.**— (1) The control of all activities relating to the recruitment and emigration of workers from Bangladesh for the purpose of overseas employment shall be vested in the Government or its delegated authorities.

(2) Under this Act, the Bureau, any other organisation or entity established by the Government, and a recruitment agent may conduct recruitment related activities.

**4. Migration.**— (1) No citizen shall migrate or cause others to migrate for overseas employment except in accordance with the provisions of this Act.

(2) For migration of a citizen, in addition to the clearance issued under the Section 20, following documents shall be required:—

(a) evidence of recruitment for overseas employment by a person, organization or an entity authorised by the Government under an Agreement concluded with any country, or by a recruitment agent with appropriate visa; or

(b) letter of appointment in for an overseas job or a work permit, or a no-objection certificate issued by any authorities of the country of employment and an appropriate visa.

**5. Non-application of this Act in case of departure of certain persons.**— This Act shall not be applicable for the departure of following category of persons:—

(a) a person employed in the service of the People’s Republic of Bangladesh or of a local authority, who, with permission from the competent authorities, is going overseas for performing an official duty or for the purposes of education or training, or for employment with an international or multilateral organisation;

(b) a student, a trainee, or a tourist;

(c) a person emigrating at self-initiative for employment in a foreign government or international or multilateral organisation;

(d) a person emigrating to a foreign country for the purpose of medical treatment and care, or for religious, business or investment purposes;

(e) a dependent of any Bangladeshi citizen employed overseas or lawfully staying overseas; or

(f) a person who initially emigrated for education and later accepted employment in a foreign country; and

(g) a person emigrating for a purpose which is not in conflict with the purposes of this Act.

**6. Application of the principle of equality.**— The principle of equality is to be applied at all times for overseas employment and return of migrant workers and while providing services or performing any other action under this Act, and no one shall be discriminated on on one or more grounds, including, gender, language, birth, colour, age, ethnicity or national origin, political views, religion, ideology, familial, marital or social identity, or regional affiliation, or any other reasons.

**7. Place of departure.**— The departure for overseas employment will be from the port or place as may be specified by the Government by notification in the official Gazette.

**8. Restrictions relating to migration.**— (1) If the Government is satisfied that the migration of Bangladeshi citizens to a particular country shall be against the public or state interest or that their health and safety may be jeopardized in that country, the state may, by order, restrict the migration to that country.

(2) The Government may, in the public interest or for preservation of human resources, temporarily restrict migration of a citizen or a category of citizens.

### **CHAPTER III** **Recruitment Agents, Licence, and such others**

**9. Licence.**— (1) No person shall operate any activity relating to recruitment unless issued a licence under this Act.

(2) A person willing to recruitment services shall have to apply to the Government for a licence in the manner and form prescribed and upon payment of fees, and by submitting the following documents:—

- (a) certified copy of the trade licence;
- (b) certified copy of the certificate of payment of taxes, along with a copy of the Tax Identification Number (TIN);
- (c) bank statement indicating financial solvency;
- (d) police certificate;
- (e) In case of a company, its memorandum of association, articles of association and the certificate of incorporation;
- (f) an affidavit declaring that while sending migrant workers overseas, fees and other amounts in excess of the ceiling fixed by the Government shall not be charged; and
- (h) an undertaking to the effect that while sending workers overseas, false promises shall not be made to any person and that fraudulent actions shall not be practiced.

(3) Upon receipt of an application under subsection (2), the Government may, if satisfied upon examination of the information aforementioned and necessary investigation, grant the said person a licence to act as a recruitment agent after the receipt of security money and subject to conditions, or may reject the application.

(4) If any application is rejected under sub-section (3), the applicant may apply to the Government for review of the decision within the specified time and in the manner prescribed.

(5) The licence fee, the amount of security money, and the renewal fee payable under the Section 11 shall be determined by the Rules.

**10. Eligibility for licence.**— (1) No person shall be considered competent to obtain a licence, if the person:—

(a) is not a citizen of Bangladesh;

(b) has not attained adulthood as per the law;

(c) is not a person of sound mind;

(d) is declared by a competent court to be an insolvent and discharge from insolvency has not been established;

(e) has been convicted of human trafficking, money laundering, international terrorism or any other serious crime; and

(f) has been convicted of a criminal offence involving moral turpitude and a period of two years has not elapsed since the completion of the punishment.

(2) A licence may be granted in favour of a company, organisation, partnership firm, or any other legal entity, if:—

(a) in case of a company or organisation, not less than sixty percent shares of that company or organisation; and

(b) in case of partnership firm or any other legal entity, sixty percent capital or ownership in that partnership firm or legal entity is owned or controlled by Bangladeshi citizens.

**11. Duration and renewal of licence.**— The licence of a recruitment agent issued under the Section 9 shall remain valid for three years from the date of its issue, and it shall be renewable at a three years' interval in the manner prescribed and upon payment of the fees as may be prescribed.

**12. Suspension and cancellation of licence.**— (1) The Government may, after adequate investigation and upon affording the licensee an opportunity to be heard, suspend or cancel the licence of any recruitment agent for any of the following reasons:—

(a) If the licence was obtained through false information or through fraudulent means;

(b) if the conditions of licence were violated or if the licence was not renewed within due time;

(c) if any provisions of this Act or the Rules or of the Code of Conduct prescribed for the recruitment agents stand violated;

(d) if the person to whom the license has been issued has been convicted a criminal offence;

(e) if the recruitment agent recruits or employs a migrant worker for a purpose not in the interest of Bangladesh; or

(f) in case of a company, organisation, a partnership firm or any other legal entity, if the licensee is duly wound up or dissolved.

(2) If the licence of any recruitment agent is suspended under above-mentioned Subsection (1), the said recruitment agent shall no longer have the legal capacity to carry out any action related to recruitment.

(3) If a licence is suspended or cancelled, the recruitment agent may, within 30 days of such suspension or cancellation, appeal to the Government for a review and the Government shall review the case within 60 days of the appeal, and the decision of the Government in this regard shall be final.

(4) If any licence of a recruitment agent is suspended or cancelled under this Section, the Government shall take appropriate measures to protect the rights and interests of those persons who may have enlisted for recruitment related services with that recruitment agent.

**13. Revocation of licence.**— Notwithstanding anything to the contrary contained in other provisions of this Act, the Government may, by notification through the official Gazette, may withdraw a licence in view of a public interest.

**14. Branch offices.**— (1) A recruitment agent, with prior approval of the Government, may run one or more branch offices.

**15. Duties of the recruitment agent.**— The duties of a recruitment agent shall be as follows:—

(a) to protect the interest of migrant workers;

(b) to produce, when applicable, the migrant worker for registration under section 19 and to collect migration clearance;

(c) to employ the migrant worker in the job offered and provide wages and other benefits and to ensure a good workplace conditions in accordance with the terms and conditions of the employment contract, and to maintain communication with the employer for these purposes; and

(d) to discharge other duties as may be specified, from time to time, by the Government.

**16. Classification of recruitment agents.**— (1) The Government may classify the recruitment agents in a prescriptive graded manner.

(2) The classification into various grades shall be done based on an evaluation of the conditions that must be met by the recruitment agents.

(3) The factors to be considered while classifying the recruitment agents into various grades under this Section shall be prescribed by the Rules.

**17. Transfer of licence, the change of address, and such others.**— (1) A recruitment agent is not allowed to transfer the licence.

(2) Upon the death of a recruitment agent, the concerned licence shall not devolve upon the heirs, but if an heir were to apply for a new licence, the Government shall, subject to the provisions of this Act, consider the application with preference, and in such a case, the licence shall be issued with the number of the previous licence.

(3) If the recruitment agent is a company, organization, partnership firm, or any other legal entity, any partner or any member thereof, as the case may be, are not permitted to transfer individual part or share without the approval of the Government.

(4) A recruitment agent shall not change the address of the office or the branch office without obtaining prior approval of the Government to do so.

(5) If a recruitment agent changes the address of the office premises or the address of the approved branch office under the Subsection (4), new address must be published in newspapers by that recruitment agent and a copy thereof submitted to the Bureau and the Government.

**18. Forfeiture of surety, and such others.**— (1) If a licence is cancelled under the Section 12, the Government may confiscate the whole or part of the surety money paid by the concerned recruitment agent.

(2) Compensation to any affected migrant worker or the cost of return/repatriation of a worker who was sent overseas by the concerned recruitment agent may be paid from the surety money confiscated under the Subsection (1).



(3) If the confiscated surety money is inadequate to pay compensation to the affected migrant worker or to ensure return/repatriation from overseas, the Government may direct the concerned recruitment agent to pay an appropriate amount of compensation.

(4) If any recruitment agent fails to pay the money directed to be paid under the Subsection (3), the Government may recover it from that recruitment agent in accordance with the provisions of the Public Demands Recovery Act, 1913 (Bengal Act No. III of 1913).

(5) If a recruitment agent surrenders the licence following the expiry of its validity period, or if the recruitment agent dies, the Government shall return the surety money to the recruitment agent or the legal heir of the recruitment agent.

#### **CHAPTER IV**

#### **Registration of Migrant Workers, Migration Clearance, and such others**

**19. Registration of migrant workers and protection of their interests.—** (1) A person planning to migrate under the provisions of this Act or all migrant workers shall be registered with the Bureau and concerned trade and profession recorded, and the Bureau shall preserve full information of the workers registered in the manner prescribed and, if necessary, shall enter those information into a register.

(2) If a migrant is not registered under sub-section (1), the worker shall be allowed to register and have concerned trade and profession recorded at any time in Bangladesh or with the Bangladesh Mission in the country where the worker is employed.

(3) The Bureau, any other organisation or company established by the government, and the recruitment agents shall recruit workers openly and by means of computerised database on a random basis from amongst workers registered according to their trade or profession under subsection (1):

Provided that qualified workers are not available in the database, workers may be recruited through open advertisements in the newspapers with prior approval of the Government or of the authorities with delegated authority, and in such a case, the advertisement shall include a declaration to the effect that a fee or money in any form shall not be charged before and unless the worker has been recruited.

(4) The Bureau shall discharge the responsibility of protecting the interests of workers employed overseas, and the duties and functions relating thereto, and the means of monitoring thereof shall be prescribed by the Rules.

**20. Migration Clearance.**— Subject to the fulfilment of all official requirements related to migration, the Bureau shall stamp the passport of every person registered under the Section 19 with a seal bearing the registration number, and shall issue a migration clearance electronic card bearing the thumb impression and necessary information concerning migration including biometric details of the concerned migrant worker.

**21. Cost of Migration.**— The Government may, by an Order, prescribe the ceiling of the cost of migration to be charged for the purpose of recruitment and overseas employment.

## **CHAPTER V**

### **Employment Contract**

**22. Employment contract.**— (1) The recruitment agent shall cause to be concluded an employment contract between the recruited worker and the employer, in which stipulations concerning the worker's wages, accommodation facilities, duration of employment, compensation amount in the event of death or injury, cost of emigration to and return from the foreign country, and so on shall be stated.

(2) For the purpose of the contract mentioned in the Subsection (1), the recruitment agent shall be deemed to be a representative of the overseas employer, and as regards liabilities arising from the contract, the said recruitment agent and the employer shall be liable jointly and severally.

(3) The recruitment agent shall submit a copy of the contract concluded under the Subsection (1) to the Bureau and to the Bangladesh Mission in the concerned foreign country.

(4) In case workers being sent overseas by the Bureau or any organisation, entity or company established by the Government, the Bureau or the organisation, entity or the company established by the Government shall arrange for the conclusion of a employment contract between the employer and the worker and shall submit a copy thereof to the Bangladesh Mission the concerned foreign country.

## **CHAPTER VI**

### **Labour Welfare Wing and Agreements on Migration**

**23. Labour Welfare Wing.**— If it is deemed necessary to establish a Labour Welfare Wing in any country for the purpose of expanding reach into the labour market thereto or for protecting the rights of migrant workers, the Government may establish a Labour Welfare Wing in the Bangladesh Mission in the concerned foreign country, and the Wing shall perform duties as have been specified in this Act and the Rules thereof.

**24. Duties of Labour Welfare Wing.**— (1) The authorized officer of the Labour Welfare Wing shall inspect the place of work where Bangladeshi migrant workers are to be employed in the concerned country and shall meet with the employers, when necessary.

(2) Following the regular inspection under the Sub-section (1), the authorized officer of the Labour Welfare Wing shall, in December of every year, send to the Government an annual report along with necessary recommendations relating to the condition of Bangladeshi migrant workers working in the concerned country.

(3) The report prepared under subsection (3) shall contain the following information:—

(a) a list of Bangladeshi migrant workers with names of trades and professions they are employed in, their working conditions, benefits and problems;

(b) a list of cases brought against Bangladeshi migrant workers, if any, along with details thereof, and information about workers detained or convicted for offence;

(c) a list of names of the migrant workers who have died, causes of their deaths, and whether they were compensated by the employer or not, or indication of possibility of getting compensation;

(d) services, counseling, and legal assistance offered by the Bangladesh Mission or the steps taken to resolve the problems of migrant workers;

(e) an estimation of the job opportunities of for the Bangladeshi workers in the concerned country and the current status of the implementation of any existing bilateral agreement regarding the rights of Bangladeshi migrant workers in such country;

(f) facilities related to passports, visas, and consular services; and

(g) any other matter as may be specified by the Government from time to time.

**25. Bilateral agreement on migration.**— (1) The Government may conclude memorandum of understanding or an agreement with another country with a view to increase opportunities of migration by the Bangladeshi citizens for overseas employment, improving management of labour migration, repatriation and re-integration of the migrant workers in the home country, and to ensure welfare and the rights of migrant workers including the members of their families.

(2) Any memorandum of understanding or agreement under the Subsection (1) shall be concluded on the basis of, among others, the following principles:—

(a) protection of the rights, safety and human dignity of all migrant workers within the country or while overseas;

(b) protection of labour and other human rights of Bangladeshi migrant workers in the concerned country, and assuring conditions at work are compatible with the international standards; and

(c) assurance of the migrant workers' right to information and the right to redress if their rights are violated in the concerned country.

## **CHAPTER VII**

### **Rights of Migrant Workers**

**26. Right to information.**— Migrant workers shall have the right to be informed about the migration process, employment contract or the terms and conditions of the work overseas, and the right to know about their rights as per the law before his departure.

**27. Legal aid.**— Migrant workers and the persons who have become victims of fraud in the name of migration shall have the right to reasonable legal aid.

**28. Right to file civil suit.**— Without prejudice to the right to seek a criminal prosecution for any offence under this Act, a migrant worker, if affected by violation of any provision of this Act or of the employment contract, may file a civil suit for compensation.

**29. Right to return home.**— (1) A migrant worker, especially a worker detained or stranded, or otherwise is in situation of distress overseas, shall have the right to return to Bangladesh and to receive necessary assistance from the Bangladesh Mission in the concerned foreign country.

(2) If any sum of money is spent for repatriating a migrant worker, the money so spent may be recovered from that person.

(3) If a migrant worker in a situation of distress due to the negligence or illegal activity of a recruitment agent, the Government may direct the concerned recruitment agent to bear the costs of repatriation of that migrant worker.

(4) If a recruitment agent fails to pay the money ordered to be paid under the Subsection (3), the Government may recover the sum of money from the concerned recruitment agent in accordance with the provisions of the Public Demands Recovery Act, 1913 (Bengal Act No. III of 1913).

**30. Financial and other welfare programmes.**— For the purpose of welfare and development of migrant workers and the members of their families, the Government may, if necessary, undertake measures to launch, and make more accessible, bank loans, tax-exemptions, saving schemes, investment opportunities and other facilities.

## **CHAPTER VIII** **Offences, Penalties, and Trial**

**31. Penalties for sending migrant workers overseas in unlawful manner, and for charging unlawful amounts of fees, and such others.**— (1) It shall be considered an offence if a person or a recruitment agent:—

(a) sends or assists to send a person overseas for the purpose of employment or enters into contract on behalf of another person, in violation of provisions of this Act or of the Rules;

(b) receives or attempts to receive any sum of money or a payment in any other form by giving a person a false undertaking to provide overseas employment;

(c) detains, without any valid reason, the passport, visa, and migration-related documents of a migrant worker; and

(d) makes a person fraudulently emigrate or induces a person to enter into a contract for migration by giving a false promise of high wages, benefits and facilities, or engages in fraudulent activities in any way with regard to a migrant worker;

and, for that offence, the concerned person or the recruitment agent shall be punishable with imprisonment of a term which may be up to five years, and with a penalty, which shall not be less than Bangladeshi Taka One Lakh.

**32. Penalty for publishing unauthorised advertisements.**— If a person or a recruitment agent publishes, without prior approval of the Government or the Bureau, an advertisement for the purpose of recruitment for overseas employment or migration, the act shall be deemed to be an offence, and, for that offence, the person or the recruitment agent shall be punishable with imprisonment for a term which may be up to one year, and with penalty, which shall not be less than Bangladeshi Taka Fifty Thousand.

**33. Penalty for using unlawful means for collecting demand note, visa or work-permit for overseas employment, or for trading in such documents.**— If a person or a recruitment agent adopts any unlawful means for collecting demand notes or visa or work permit for overseas employment from the employer or a foreign country, or trades in the said visa or work-permit within Bangladesh, the act shall be deemed to be a

criminal offence for which the offender be punishable with rigorous imprisonment for a term which may be up to seven years, and with a penalty, which shall not be less than Bangladeshi Taka Three Lakh.

**34. Penalty for arranging for departure through places other than the specified place of departure.**— If a person or a recruitment agent arranges for, or assists in departure of a worker from Bangladesh through a place other than the specified place of departure, such an action shall be deemed as an offence, and the offender shall be punished with rigorous imprisonment for a term which may be up to ten years, and with a penalty, which shall not be less than Bangladeshi Taka Five Lakh taka.

**35. Penalty for other offences.**— If a person acts in breach of any provision of this Act for which no specific penalty is provided for in this Act, than that person shall be punished with an imprisonment for a term which may be up to six months, or with a penalty, which may be up to Bangladeshi Taka Fifty Thousand or both together.

**36. Penalty for abetting or instigating an offence, and such others.**— (1) If a person or a recruitment agent directly or indirectly abets or instigates an offence under this Act, and if the act of offence is committed as consequence of that abetment or instigation, the concerned abettor or instigator shall be liable to receive the same punishment as the perpetrator of the crime or the offender.

**37. Offences committed by a company.**— When an offence under this Act is committed by a company, and if its director, executive, manager, secretary or any personnel or employee has a direct involvement with the offence, that person shall be deemed to have committed the offence, unless the person establishes that the offence was committed without their knowledge and that he exercised due diligence to prevent it.

**38. Trial.**— (1) Notwithstanding anything contained in the the Code of Criminal Procedure 1898 (Act No. V of 1898), offences under this Act shall be triable by the Judicial Magistrate of First Class, or, as the case may be, the Metropolitan Magistrate.

(2) The trial under this Act shall be concluded within four months from the date of framing of charge in the concerned case:

Provided that where the trial does not conclude within the said time, the concerned Magistrate may, upon stating the reasons for such delay, extend the said time-frame by not more than another two months, and in that case he shall send a progress report to the Chief Judicial Magistrate’s Court or to the Chief Metropolitan Magistrate’s court, as the case may be.

**39. Cognizability, compoundability, and so on of offences.**— Offences under sections 33 and 34 shall be cognizable, non-bailable and non-compoundable, and offences under sections 31, 32, and 35 shall be non-cognizable, bailable and compoundable.

**40. Act deemed to be included in the schedule of the Mobile Courts Act, 2009.**— This Act shall be deemed to be included in the Schedule of the Mobile Courts Act 2009 (Act No. 59 of 2009).

**41. Complaints to the Government.**— (1) Any person aggrieved may, without forsaking the right to file a criminal case, may file a complaint, including, a complaint for fraud, demand for money related to costs at unapproved rates, or a breach of contract against any person including a recruitment agent, with a relevant government authority.

(2) The Government, or the authorities or a person authorized by the Government shall complete the investigation within not more than thirty (30) working days after the receipt of a complaint under subsection (1).

(3) If the investigation conducted under sub-section (2) finds the complaint true, the Government or the authorities or the person authorized by it may, by an order, dispose of the complaint directly or through arbitration (*salish*) within three months from the date of completion of the investigation.

(4) The procedures for resolving complaints through arbitration under subsection (3) shall be prescribed by Rules.

## **CHAPTER IX Miscellaneous**

**42. Inspection.**— For the purpose of preventing irregular migration, or to protect the interests of a prospective migrant worker, an officer authorised by the Government may inspect a place, or a means of transport departing from or heading towards Bangladesh.

**43. Recovery of money appropriated through illegal charges.**— (1) If a sum of money has been appropriated in violation of provisions of this Act, the Government, following an investigation, as may be necessary, and by order in writing, may recover the said money from the concerned person, or may file a suit for compensation for the purpose of recovery.

(2) The money recovered or collected under subsection (1) may be given to the aggrieved person.

**44. Delegation of power and appointment of agents.**— For the purpose of the protection of the rights of the migrant workers, the Government may, by notification or by executing a contract, delegate some powers or functions conferred by this Act, to an officer or authorities, and if necessary, may appoint an authorised agent or delegated authority in another country.

**45. Power of the Government to remove any difficulty.**— If a difficulty arises in the implementation of any provision of this Act, the Government may, by an order in the official Gazette, adopt necessary measures to remove that difficulty.

**46. Complementary Act.**— The provisions of this Act are intended to complement existing laws relating to passports, immigration, foreign relationship, exchange of foreign currency, control of foreign nationals, money-laundering, human trafficking, and the right to information, and shall not be used in derogation of them.

**47. Power to make Rules.**— For the purposes of this Act, the Government may, by notification in the official Gazette, make Rules:

Provided that until such Rules are made, and if it is necessary so to do, the Government may, by a general or special order, issue directives related to the adoption or execution of activities, which are compatible with this Act.

**48. Authentic English Text.**— (1) Upon this Act coming into force, the Government shall publish an authentic English translation of the original Bangla text of this Act by notification in the official Gazette.

(2) In the event of any conflict between the Bangla and the English text, the Bangla text shall prevail.

**49. Repeal and Savings.**— (1) The Emigration Ordinance, 1982 (Act No. XXIX of 1982), hereafter the 'said Ordinance', is hereby repealed.

(2) Notwithstanding such repeal, any function undertaken or action implemented, any Rule enacted, any order issued, or any notification or circular issued under the said Ordinance shall, subject to not being inconsistent with this Act and until they are repealed or amended, continue to be in force, and shall be deemed to have been undertaken, implemented, enacted or issued under this Act.

(3) A case or a proceeding that remained pending in a court of law under the said Ordinance immediately before the commencement of this Act shall be heard and disposed of by the said court in the manner as if the said Ordinance has not been repealed.