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Federal Law No 24

Issued on 17/10/1999

Corresponding to 8 Rajab 1420 H.

On the Protection and Development of the Environment

Amended by

Federal Law No. 11/2006 dated 07/05/2006

We, Zayed Bin Sultan Al Nahyan, President of the United Arab Emirates State,

Pursuant to the perusal of the Constitution; and

Federal Law no. 1 of 1972 pertaining to the Jurisdiction of the Ministries and the Powers of the Ministers and the amending laws thereof; and

Federal Law no. 3 of 1979 pertaining to Civil Defense and the amending laws thereof; and

Federal Law no. 7 of 1979 pertaining to Agricultural Quarantine and the amending laws thereof; and

Federal Law no. 8 of 1980 pertaining to the Regulation of Occupational Relationships and the amending laws thereof; and

Federal Law no. 21 of 1981 pertaining to the Establishment of the Public Authority for Water Resources Management in the United Arab Emirates State; and

Federal Law no. 26 of 1981 pertaining to the Maritime Commercial Law and the amending laws thereof; and

Decree by Law no. 9 of 1983 regulating the Hunting of Birds and Animals; and

The Civil Transactions Law issued by Federal Law no. 5 of 1985 and the amending laws thereof; and

The Criminal Law issued by Federal Law no. 3 of 1987; and

The Criminal Procedures Law issued by Federal Law no. 35 of 1992; and

Federal Law no. 39 of 1992 pertaining to the Production, Import and Handling Fertilizers and Agricultural Additives; and

Federal Law no. 41 of 1992 pertaining to Agricultural Pesticides; and

Federal Law no. 7 of 1993 pertaining to the establishment of the Federal Environmental Agency; and

Federal Law no. 19 of 1993 pertaining to the Determination of the Territorial Waters of the United Arab Emirates State; and

Acting upon the proposal of the Minister of Health, the approval of the Cabinet and the Federal National Council, and the ratification of the Federal Supreme Council;

Have promulgated the following law:

Article 1

Upon the implementation of the provisions hereof, the following terms and phrases shall have the meanings assigned for each of them unless the context requires otherwise:

State: The United Arab Emirates State

Agency: The Federal Environmental Agency¹.

Board of Directors: The board of directors of the Agency.

Chairman: The chairman of the board of directors of the Agency.

Competent Authorities: The local competent authority in each Emirate of the United Arab Emirates State.

Pertinent Parties: All parties concerned with environmental and developmental affairs in the State.

Environment: The biosphere in which different forms of life are manifested. Such biosphere consists of two elements:

A Natural Element: comprises living beings, namely humans, animals and plants, as well as other living beings and natural resources, namely air, water, soil, organic and inorganic substances, in addition to natural systems.

An Artificial Element: comprises whatever humans have introduced to the natural environment, namely moveable and immovable installations, roads, bridges, airports, transportation means, industries, inventions and technologies.

Marine Environment: The marine water along with its natural resources, plants, fish and other marine creatures, the air thereabove as well as moveable or immovable installations or projects established therein. The boundaries thereof extend to the pure economic zone of the State.

Aquatic Environment: The marine environment as well as the inland waters including groundwater, springs and valleys water along with natural resources, plants, fish and other living beings found therein, the air thereabove, and moveable or immovable installations or projects installed therein.

Ecological Systems: The comprehensive system that comprises all components of the environment's natural elements which complement and interact with each other.

Natural Resources: All resources which existence is not caused by humans.

Natural Reserve: Land or waters characterized by a special environmental nature (birds, animals, fish, plants or natural phenomena) of cultural, esthetic or environmental value. Such reserves are determined by virtue of a decision issued by the Cabinet at the proposal of the Agency or in pursuance of a decision issued by the competent authorities.

¹ The Federal Environmental Agency was established by virtue of the Federal Law no. 7 of 1993 dated 4/2/1993 and published prior hereto.

Environmental Degradation: The effects diminishing the value, deforming the nature, depleting the resources or harming living beings or archeological sites of the environment.

Environment Pollution: Pollution caused naturally or unnaturally by the direct or indirect, intentional or unintentional introduction of any polluting materials or factors into natural environmental elements, thus resulting in any danger to the human health, botanical or animal life or harm to the environmental resources and ecosystems.

Polluting Materials and Factors: Any type of materials, whether solids, liquids, gazes, smokes, vapors, odors, noise, radiations, heat, glow or vibrations resulting naturally or from human activities, and causing directly or indirectly the pollution and deterioration of the environment or the harm of human or living beings.

Air Pollution: Any change in the characteristics and properties of the open air, the air in work locations and closed and semi-closed public areas harming the health of human beings and the environment, whether such pollution is caused by natural factors or human activities.

Water Pollution: The introduction of any substances or energy into the aquatic environment, whether intentionally or unintentionally, directly or indirectly, causing damages to the living and non-living resources, jeopardizing the human health or impeding aquatic activities including fishing as well as tourism, damaging its quality of use and the ability to enjoy it or changing the properties of the water.

Pollutants of Water Environment: Any materials which, when discharged directly or indirectly, intentionally or unintentionally into the aquatic environment, change the properties of the water in a manner that harms human and living beings, natural resources, aquatic environment and touristic areas, or interferes with other legal uses of the aquatic environment.

Environmental Monitoring Networks: Work units monitoring the environmental constituents and pollutants and providing data to pertinent parties in a periodic manner.

Assessment of Environmental Impact: Studying and analyzing the environmental feasibility of activities which establishment or exercise may affect the safety of the environment.

Environmental Protection: The preservation of the components, properties and natural balance of the environment, the prevention, minimization or control of pollution, the preservation and rationalization of natural resources, the protection of living beings living in such resources, specially the endangered species, and the endeavor to develop and upgrade such components.

Environmental Development: The policies and procedures satisfying the need for sustainable development in the State on the social, cultural and economic level,

achieving the goals and principles for which the present law is drawn, and most importantly the amelioration of the natural environment components and the preservation of the biological diversity as well as the present and future historical, archeological and natural heritage of the State.

Sustainable Development: Linking the environmental issues with the planning and development policy, thus fulfilling the needs and aspirations of the present without undermining the capacity to satisfy the needs and aspirations of the future.

Environmental Disaster: Accidents caused by natural or human-made factors, and causing serious damage to the environment, and which confrontation requires potentials beyond local capabilities.

Hazardous Substances: Solid, liquid or gaseous substances having properties capable of harming human health, or having an adverse impact on the environment, such as toxic, explosive, inflammable or ionizing radioactive substances.

Harmful Substances: All materials, whether chemical, biological or radioactive, causing direct or indirect harm to the human health or the environment.

Wastes: All types of hazardous and non-hazardous remnants or wastes including nuclear wastes that are disposed of or need to be disposed of in accordance with the provisions of the law, including:

Solid Wastes: such as domestic, industrial, agricultural and medical wastes and remnants, as well as construction and demolition wastes.

Liquid Wastes: emanating from residences as well as commercial, industrial and other establishments.

Gaseous Wastes, Smokes, Vapors, and Dust: Emanating from residences, bakeries, incinerators, factories, crushing plants, stone quarries, power stations as well as transportation and communication means.

Hazardous Wastes: Residues or ashes of different activities and operations containing properties of hazardous substances:

Medical Wastes: Any wastes totally or partially constituted of human or animal tissues, blood or any other body fluid, excretions, drugs or other pharmaceutical products, or bandages, syringes, needles, sharp medical tools or any other contagious, chemical or radioactive wastes resulting from medical or nursing activities, treatment, health care, dentistry, veterinary, pharmaceutical, manufacturing or other practices, research, teaching, sampling or storage.

Waste Management: The collection, storage, transportation, recycling and disposal of wastes including the care of disposal sites.

Waste Handling: All types of operations starting from the generation of wastes until the safe disposal thereof, including the collection, storage, transportation, treatment, recycling or disposal of the wastes.

Waste Disposal: Operations which do not result in the extraction or reuse of substances such as the burial, deep injection, biological or physical/chemical treatment, permanent storage, destruction or any other methods approved by the competence authorities.

Waste Recycling: Operations aiming at extracting or reusing substances from wastes such as the use as fuel, the extraction of minerals and organic substances, soil treatment or oils refining.

Marine Transportation Means: All means operating or destined to operate in the marine environment, regardless of their power, load capacity or purpose of navigation. Such means include vessels, scooter boats, hover crafts, submarines, fixed or floating marine platforms and hydroplanes.

Oil Transportation Means: Means used for loading, transporting, pumping or unloading oil including pipelines.

Installations: Industrial and touristic installations, electricity production and generation installations, installations for oil exploration, extraction, transportation and use, all infrastructure projects and any other installations.

Oil: All types of crude oil and derivatives, including any kind of liquid hydrocarbons, lubricating oil, fuel oil, refined oil, furnace oil, tar and other substances extracted from oil, its derivatives or wastes.

Oil Mixture: Any aqueous mixture containing a quantity of oil that exceeds 15 ppm (parts per million).

Dirty Ballast Water: Dirty ballast water disposed of the ship tank if its oil content exceeds 15 ppm (parts per million).

Discharge: Any leakage, spill, emission or unloading of any type of pollutants or the disposal thereof in the aquatic environment, soil or air.

Dumpin:

a- Any intentional disposal of pollutants or remnants from ships, aircrafts, quays or other means into the marine environment.

b- Any intentional disposal of ships or industrial installations or other into the marine environment.

Transportation Vehicles: Aircrafts, cars, trains, tractors, motorcycles or other road vehicles.

Noise: All sounds, sound vibrations or frequencies causing nuisance or harm to public health.

Public Areas: Places destined to receive the public or a certain group of people for any purpose.

Closed Public Areas: Public areas as complete buildings to which air does not enter unless through especially designed inlets. Public transportation means are considered closed public areas.

Semi-Closed Public Areas: Public areas as incomplete buildings in direct contact with open air and which cannot be completely closed.

Article 2

The present law aims at achieving the following objectives:

1- The protection of the environment and the preservation of the quality and natural balance thereof.

2- The control of all kinds of pollution, and the avoidance of any immediate or long-term damages or adverse effects resulting from the plans and programs of economic, agricultural, industrial or constructional development or other development programs aiming at ameliorating life standards, and the coordination between the Agency and the competent authorities and pertinent bodies for the protection of the environment and the preservation of the quality and natural balance thereof, as well as the consolidation of the environmental awareness and the principles of pollution control.

3- The development of natural resources and the preservation of biological diversity within the State, and their best exploitation for the benefit of present and future generations.

4- The protection of the society, the human health as well as the health of other living beings from all activities and acts which are harmful to the environment or which constitute an impediment to the legal use of the environmental milieu.

5- The protection of the State from the harmful effects of activities undertaken outside the State.

6- The implementation of obligations provided for in international or regional conventions ratified or joined by the State, and regarding the protection of the environment, the control of pollution and the preservation of natural resources.

Title One

Development And The Environment

Chapter One

The Environmental Effect Of Constructions

Article 3

The Assessment of Environmental Effect upon Licensing

The Agency, in consultation and coordination with the competent authorities and pertinent bodies, shall set the standards, specifications, principles and regulations for the environmental assessment of the projects and establishments applying for licenses. It shall specifically undertake the following:

- 1- The identification of the categories of projects which may cause environmental damages due to their nature.
- 2- The identification of environmentally important or sensible areas and locations (historical and archeological locations, wet lands, coral reefs, natural reserves, public parks, etc.).
- 3- The identification of natural reserves and environmental problems of special importance.

Article 4

The Licensing of the Construction or Project.

Without prejudice to the provisions of the article hereinabove, the Agency, in coordination with competent authorities and other pertinent bodies, shall assess the environmental effect of the project or construction applying for a license.

The project or construction may not launch its activities prior to the obtainment of the license aforementioned in the previous article including the environmental effect assessment.

Article 5

The Enclosures of the License Application.

The applicant for the license shall enclose with his application a complete statement of the project or activity intended to be launched, including all data provided for in the implementing regulations² and in accordance with the forms included therein.

Article 6

The Agency, in coordination with competent authorities, shall take decisions regarding the submitted applications, and such within a period not exceeding one month from the date of the submission of the license application. The applicant shall be notified of the result as well as of the reasons behind the rejection of his application in the event thereof.

The period provided for in the previous paragraph may be extended by one month if need so requires.

Article 7

Owners of the projects or constructions having been approved by license shall carry out regular analysis of wastes, monitor the specifications of discharge and pollutants generated from said projects, including degradable substances, keep the monitoring records and send reports of such results to the Agency and the competent authorities.

Article 8

The implementing regulations shall specify the period required for keeping all types of records referred to in article 7 of the present law.

Chapter Two

The Environment And Sustainable Development

Article 9

All pertinent bodies, especially the bodies entrusted with the planning and the economic and constructional development, shall take into account the aspects of protection of the environment, control of pollution, and rational use of natural resources upon setting the plans of economic and social development and upon executing the projects.

² With regards to the implementing regulations, refer to the decision of the Cabinet no. 37/2001 dated 9/12/2001 on the implementing regulations of the Federal Law no. 24/1999 on the protection and development of the environment, published directly subsequent to the present Federal Law.

Article 10

The Agency, in coordination and consultation with the competent authorities and the pertinent bodies, shall undertake the preparation, issuance, revision, development and update of the environment protection standards.

In the determination of such standards, the balance between available technological capacities and necessary economic cost, shall be maintained without undermining the requirements of the environment protection and the control of pollution.

Article 11

In cases of coercive emergencies, not complying with the standards issued under the application of the provisions of the present law is permitted if such was deemed necessary for protecting lives or ensuring the safety of the installation or work area. In such event, the Agency and the competent authorities must be notified thereof.

Article 12

The provisions of Article 12 have been amended by virtue of Article 1 of Federal Law no. 11/2006 dated 7/5/2006, to read as follows:

It is prohibited to hunt, kill or capture wild and marine birds and animals whose species are identified in lists No. 1, 2 and 3 attached to the present Law. It is also prohibited to possess, transport, roam with, sell or offer for sale such birds and animals, whether dead or alive, without obtaining a license from the competent authorities. It is also prohibited to damage the nests of said birds or destroy their eggs. The Implementing Regulation³ shall determine the areas where hunting may be licensed as well as the conditions for such license and the necessary means to supervise the execution of the provisions of the present article.

Chapter Three

Environment Monitoring

Article 13

The Agency, in coordination with the competent authorities and pertinent parties, shall set an environmental monitoring national system, and the competent authorities shall undertake the establishment, operation and supervision of the environment monitoring networks.

³ With regards to the Implementing Regulation, refer to Cabinet Decision no. 37/2001 dated 9/12/2001 on the Implementing Regulation of the Federal Law no. 24/1999 on the protection and development of the environment, published directly after the present Federal Law.

Article 14

The environment monitoring networks shall notify the Agency, the competent authorities and the pertinent bodies of any breach of the permissible limits of environmental pollutants, and shall submit periodical reports of the results of their activities in accordance with the provisions of the implementing regulation.

Chapter Four

Emergency Plans For Facing Environmental Disasters

Article 15

The Agency, in coordination with the competent authorities and in cooperation and consultation with the pertinent bodies in the State, shall set plans to face environmental emergencies and disasters. Such plans and their budgets shall be approved by a decision issued by the Cabinet.

Article 16

All parties and individuals in the State shall offer all needed help and potentials to face environmental disasters.

Title Two

Protection Of Aquatic Environment

Chapter One

Scope Of Environmental Protection

Article 17

The protection of the aquatic environment from pollution aims at achieving the following:

- 1- Protecting the coasts, beaches and ports of the State from all types and forms of pollution.
- 2- Protecting the aquatic environment and the living and non-living natural resources thereof by preventing, reducing and controlling the pollution, regardless of the source thereof.
- 3- Protecting drinking and ground water and working on developing water resources.

Article 18

The parties licensed to explore, extract or exploit onshore and offshore oil and gas fields shall be prohibited from discharging any polluting substance resulting from digs, explorations or examinations on wells, or the production in the aquatic environment or land areas in the vicinity of the activities referred to herein, unless safety measures preventing damages to the land and aquatic life are adopted, and discharged waste and polluting substances are treated by available up-to-date technical systems in accordance with the conditions provided for in approved regional and international conventions and protocols.

Article 19

The Agency, in coordination with the competent authorities and in cooperation and coordination with the parties licensed to explore, extract or exploit oil and gas fields, shall prepare the guidelines of the conditions of environmental safety and waste management resulting from the production, transportation and exploitation of oil and gas.

Article 20

The Agency, in cooperation with competent authorities and in coordination and cooperation with the parties provided for in articles 18 and 19 herein, shall periodically monitor the environmental effects resulting from the exploration, extraction and exploitation of oil and gas undertaken in production fields and land and marine transportation routes.

Chapter Two

Protection Of The Marine Environment⁴

Section One

Pollution Caused By Marine Transportation Means

Article 21

All marine transportation means, regardless of their nationality or whether or not they are registered in the State, are prohibited from discharging or disposing of oil or oil mixtures in the marine environment.

⁴ With regards to the implementing regulations, refer to the decision of the Cabinet no. 37/2001 dated 9/12/2001 on the implementing regulations of the Federal Law no. 24/1999 on the protection and development of the environment, published directly subsequent to the present Federal Law.

Article 22

The captain or officer of the marine transportation means⁵ shall take sufficient measures for the protection against the effects of pollution in the event of an accident occurring to one of the means carrying oil which results or is likely to result in the pollution of the marine environment of the State. He shall also implement the orders of the inspectors of the administrative bodies or judicial control officers in such case.

Article 23

In the event of a collision of oil carriers, marine transportation means, installations or carriers of hazardous substances, whether by intentional action taken by the officer of the marine transportation means or as a result of his mistake or negligence, or that of an assistant, the captain shall be the person responsible for the operations carried out to stop the leakage. The owner and the transporter shall jointly bear all expenses of the damages, compensations and control measures carried out as a result of the spillage into the marine environment, coasts and beaches.

Article 24

1- The owner, captain or any officer of the marine transportation means, the officers of oil carriers located within the ports or the marine environment of the State as well as the officers in bodies involved in the extraction of oil, shall immediately and in accordance with the procedures provided for in the implementing regulations notify the ports authorities, coast guards and other competent authorities of any oil leakage upon its occurrence, the circumstances of the accident, the type of leaked substance and the measures taken to stop or control such leakage⁶.

2- In all cases, the ports authorities and the coast guards must notify the Agency and the pertinent authorities of all information related to the said accident upon its occurrence.

Article 25

The owner or captain of a marine transportation means, whether national or foreign, transporting oil and entering the marine environment of the State, shall keep in the said

⁵ With regards to the obligations of the captain or officer of a marine transportation means, refer to article 4 of the marine environment protection regulations in the decision of the cabinet no. 37/2001 dated 9/12/2001 on the implementing regulations of the Federal Law no. 24/1999 on the protection and development of the environment, published directly subsequent to the present Federal Law.

⁶ With regards to the notification regarding leakage, refer to article 5 of the marine environment protection regulations in the decision of the cabinet no. 37/2001 dated 9/12/2001 on the implementing regulations of the Federal Law no. 24/1999 on the protection and development of the environment, published directly subsequent to the present Federal Law

means an oil record containing all operations related to oil. The implementing regulations shall determine the data to be included in the said record⁷.

Article 26

All marine oil carriers entering the marine environment of the State must be equipped with necessary equipments to undertake control operations during the occurrence of pollution emanating from the same marine transportation means in accordance with the provisions of the implementing regulations⁸.

Article 27

Marine means transporting hazardous substances are prohibited from discharging or disposing of any harmful substances or wastes in the marine environment whether directly or indirectly.

Marine means carrying harmful substances transported in containers, mobile tankers, land or railway tanker vehicles are also prohibited from disposing of such substances by discharging them in the marine environment of the State.

Article 28

Marine means carrying hazardous substances shall be provided with a logbook in which the captain or officer of the marine transportation means notes all operations related to the cargo.

The implementing regulations shall determine the rules governing the said logbook⁹

Article 29

The captain of every marine means entering the ports of the State shall report any hazardous substances¹⁰ on board the marine means, their types, quantities, locations in the marine means, origins of shipment and destinations

⁷ With regards to the data of the oil record, refer to article 6 of the marine environment protection regulations in the decision of the cabinet no. 37/2001 dated 9/12/2001 on the implementing regulations of the Federal Law no. 24/1999 on the protection and development of the environment, published directly subsequent to the present Federal Law.

⁸ With regards to the necessary equipments for controlling pollution, refer to article 7 of the marine environment protection regulations in the decision of the cabinet no. 37/2001 dated 9/12/2001 on the implementing regulations of the Federal Law no. 24/1999 on the protection and development of the environment, published directly subsequent to the present Federal Law.

⁹ With regards to the rules of the said logbook, refer to article 8 of the marine environment protection regulations in the decision of the cabinet no. 37/2001 dated 9/12/2001 on the implementing regulations of the Federal Law no. 24/1999 on the protection and development of the environment, published directly subsequent to the present Federal Law.

¹⁰ With regards to the reporting of hazardous substances, refer to article 9 of the marine environment protection regulations in the decision of the cabinet no. 37/2001 dated 9/12/2001 on the implementing regulations of the

Article 30

The captain or officer of the marine means shall take the necessary measures for the protection against the effects of pollution in the event of an accident occurring to a marine means carrying harmful or hazardous substances which may pollute the marine environment. He shall implement the orders of the inspectors of administrative bodies or judicial officers in the present case.

Article 31

Marine means carrying harmful substances are prohibited from dumping hazardous wastes and pollutants into the marine environment.

The pertinent parties, in coordination with the Agency, shall issue lists of hazardous wastes and pollutants referred to in the previous paragraph.

Article 32

Marine means and establishments determined by the implementing regulations are prohibited from discharging sewage water in the marine environment¹¹ Such water shall be disposed of in accordance with the standards and procedures set by the implementing regulations.

Marine means are also prohibited from discharging wastes in the marine environment.

Article 33

Every marine means transporting oil and entering the marine zone shall be in possession of a valid International Oil Pollution Prevention Certificate (IOPPC) along with a statement mentioning the last location where the sludge and quantities are unloaded, as well as the date thereof.

Article 34

All marine means and constructions exploring and exploiting natural and mineral resources in the marine environment, as well as the marine means using the ports of the State are prohibited from throwing garbage or wastes in the marine environment. They must deliver garbage in the manner and at the locations specified by the competent authorities. The competent ports authorities, in cooperation with the coast guards, shall

Federal Law no. 24/1999 on the protection and development of the environment, published directly subsequent to the present Federal Law.

¹¹ With regards to the determination of the marine means and establishments prohibited from discharging sewage water, refer to article 11 of the marine environment protection regulations in the decision of the cabinet no. 37/2001 dated 9/12/2001 on the implementing regulations of the Federal Law no. 24/1999 on the protection and development of the environment, published directly subsequent to the present Federal Law.

undertake the preparation and implementation of plans for handling garbage or wastes and ensure the abidance of all said means using the ports of the State by the procedures provided for in the present law and the implementing regulations pertaining thereto.

Section Two

Pollution Caused By Land Sources

Article 35

All establishments, including public premises, commercial, industrial, agricultural, touristic, service and other establishments are prohibited from discharging or dumping any untreated substances, wastes or liquids which may directly or indirectly cause the pollution of the aquatic environment.

Article 36

The license to establish any installation or premises on or near the coastline discharging pollutants and breaching the provisions of the present law and the implementing decisions thereof shall require from the applicant the carrying out of studies on environmental effects, the provision of waste treatment units and the commitment to start the operations of said installations immediately.

Article 37

The implementing regulations shall determine the specifications and standards observed by the industrial establishments authorized to discharge degradable pollutants after treating them¹².

The implementing regulations shall also determine the non-degradable pollutants that industrial establishments are prohibited to discharge into the marine environment.

Article 38

The Agency and the competent authorities shall be entitled to take specimens from the treated liquid wastes in accordance with the procedures determined by the implementing regulations in view of ensuring the conformity of the examination results with the approved standards.

¹² With regards to the obligations of the industrial establishments regarding the discharge of pollutants, refer to articles 21 and 22 of the marine environment protection regulations in the decision of the cabinet no. 37/2001 dated 9/12/2001 on the implementing regulations of the Federal Law no. 24/1999 on the protection and development of the environment, published directly subsequent to the present Federal Law.

Chapter Three

Protection Of Drinking And Ground Water

Article 39

The pertinent bodies shall consult and coordinate with the Agency and the competent authorities in all matters related to ground and drinking water, including the preservation and development of water resources.

Article 40

The competent authorities, in coordination with the Agency, shall determine the safety rules for drinking water tanks and fittings, and suitability for human consumption in accordance with the standards set by the implementing regulations and which are to be observed by the owners of buildings and installations.

Article 41

The competent authorities, in coordination with the Agency, shall carry out annual periodical examinations on the drinking water tanks and fittings to ensure their safety and suitability, and shall inform the owner of the procedures to be followed in order to ensure the reach of safe water to the residents.

In the event that the owner does not follow said instructions, the said parties may carry out necessary repairs at the expense of the owner.

The results of the periodic examination shall be noted in special records kept by said bodies.

Title Three

Protection Of The Soil

Article 42

The competent authorities shall take into account the environmental factors and standards set by the Agency in coordination with the competent authorities and the pertinent bodies upon the preparation and implementation of the plans for land use determining the construction, agricultural and industrial areas, reserves, and others.

Article 43

It is prohibited to carry out any activity contributing directly or indirectly to damaging and affecting the natural properties or polluting the soil in a way that affects its productivity and such in accordance with the implementing regulations.

Article 44

The competent authorities, in cooperation and coordination with the Agency and the pertinent bodies, shall exert efforts to develop and enhance the resources of the desert environment, attend to the biological diversity and increase the green areas by using modern methods and techniques and benefiting from the advanced technology protecting and developing agricultural areas.

It is prohibited to undertake any activity damaging the quantity or quality of the flora in any region which leads to the desertification or deformation of the natural environment. It is also prohibited to cut, deracinate or harm any tree, bush or grass without authorization from the competent authority in coordination with the Agency.

Article 45

The Ministry of Agriculture and Fisheries, in coordination with the competent authorities, the Agency and the other pertinent bodies in the State, shall establish the regulations governing the following matters:

- 1- Types of pesticides, fertilizers and agricultural additives that may be produced, manufactured, imported, handled or used in the State.
- 2- The conditions and specifications of the production, manufacture, import, handling or use of said substances.
- 3- The procedures of registration and renewal of registration of said substances.
- 4- The conditions and specifications of sampling, methods of analysis and assessment of the analysis results of said substances.
- 5- Methods of monitoring, assessing and treating pollution caused by the unsafe or incorrect handling or use of said substances.

Article 46

The Agency, in coordination with the competent authorities and the pertinent bodies in the State, shall set permissible restrictions and limits of pesticide residues in locally produced or imported foods.

Article 47

The Agency, in coordination with the Ministry of Agriculture and Fisheries, the competent authorities and the other pertinent bodies, shall set restrictions and conditions to be observed in view of disposing of pesticide wastes or chemical compounds used in their manufacture or those which expiry date has elapsed.

Title Four

Protection Of Air From Pollution

Article 48

The establishments, in the exercise of their activities, shall ensure that pollutants leaking into the air do not exceed the maximum permissible limits specified by the implementing regulations¹³.

Article 49

The use of machines, engines or vehicles producing exhaust residues exceeding the limits provided for in the implementing regulations shall not be allowed.

Article 50

It is prohibited to throw, treat or burn solid garbage and wastes except in places designated for such purpose, located far from residential, industrial and agricultural areas as well as aquatic environment. The implementing regulations shall determine the specifications, restrictions and minimum distance between the places designated for such purpose and said areas.

Article 51

It is prohibited to spray or use pesticides or any other chemical compounds for agricultural purposes, public health requirements or any other purpose except by abiding by the conditions, restrictions and guarantees set by the implementing regulations¹⁴ which guarantee that human beings, animals, plants, water courses or any other environmental components are not exposed to the adverse effects of such pesticides or chemical compounds whether directly or indirectly, presently or in the future.

¹³ With regards to the implementing regulations, refer to the decision of the Cabinet no. 37/2001 dated 9/12/2001 on the implementing regulations of the Federal Law no. 24/1999 on the protection and development of the environment, **published directly subsequent to the present Federal Law.**

¹⁴ With regards to the implementing regulations, refer to the decision of the Cabinet no. 37/2001 dated 9/12/2001 on the implementing regulations of the Federal Law no. 24/1999 on the protection and development of the environment, **published directly subsequent to the present Federal Law.**

Article 52

All parties and individuals, when carrying out excavation, digging, construction or demolition works or the transportation of the produced wastes or dirt, shall take necessary precautions in addition to the precautions required for the storage or safe transportation of such wastes in order to prevent the dispersion thereof, as specified in the implementing regulations¹⁵.

Article 53

Upon the burning of any type of fuel or other substances, whether in the search, exploration, digging, extraction and production of crude oil or for industrial purposes, energy generation, installations or any other commercial purpose, the emanating smoke, gases and vapors shall be within the permissible limits. The person in charge of such activity shall take all precautions to reduce the quantity of pollutants in combustion emissions, keep a record in which he notes the measurements of the amounts of pollutants in combustion emissions, and take all precautions to reduce such quantities.

The implementing regulations shall determine the precautions and permissible limits for chimneys and other means of control of smoke, gases and vapors emanating from combustion, the permissible limits for measuring pollutants amounts in combustion emissions and the parties authorized to audit recorded measurements.

Article 54

When undertaking production, service or other activities, and especially when operating machines, equipments, warning devices¹⁶ and loudspeakers, all parties and individuals shall not exceed the permissible limits for noise.

The implementing regulations shall indicate the permissible limits for the intensity and exposure time of noise.

Article 55

The institutions and establishments shall guarantee sufficient ventilation in work locations and take necessary precautions and measures to prevent the leakage or emission of air pollutants unless within permissible limits specified by the implementing regulations whether the emission of said pollutants is resulting from the practices of the activities of said establishments or from malfunction in the equipments. They shall also

¹⁵ With regards to the implementing regulations, refer to the decision of the Cabinet no. 37/2001 dated 9/12/2001 on the implementing regulations of the Federal Law no. 24/1999 on the protection and development of the environment, **published directly subsequent to the present Federal Law.**

¹⁶ The spelling of the word “warning” mentioned in the original Arabic text in the Official Gazette is wrong. Therefore, a mention is in order.

provide necessary protection means to the workers in execution of professional health and safety conditions including choice of machines, equipments, materials and suitable types of fuel, taking into account the exposure time to such pollutants.

Article 56

Closed and semi-closed public places shall be equipped with sufficient ventilation means proportionate to the size and capacity of the place and type of activity to ensure the circulation, cleanliness and adequate temperature of the air.

Article 57

Public and touristic establishments shall take necessary measures to prohibit smoking in closed public areas except within the permissible limits provided for in the license issued to such establishments. In such event, a special smoking zone shall be allocated in a way not affecting the air in other locations.

Smoking shall also be prohibited in public transportation means or elevators.

Title Five

Handling Of Hazardous Substances And Hazardous And Medical Wastes

Article 58

It is prohibited to handle or deal with hazardous substances and hazardous and medical wastes without a license from the competent authorities. The implementing regulations shall determine the conditions and procedures for the issuance of the license¹⁷.

Article 59

Hazardous and medical wastes shall be disposed of in accordance with the conditions and standards determined by the implementing regulations. It is prohibited to establish any installation for the treatment of hazardous wastes without a license issued by the competent authorities.

¹⁷ With regards to the conditions and procedures of the issuance of licenses, refer to article 4 of the Regulations for Handling Hazardous Substances, Hazardous and Medical Wastes mentioned in the decision of the Cabinet no. 37/2001 dated 9/12/2001 on the implementing regulations of the Federal Law no. 24/1999 on the protection and development of the environment, **published directly subsequent to the present Federal Law.**

Article 60

The transportation and disposal of hazardous wastes across land, marine and air boundaries of the State shall be inspected in accordance with the restrictions provided for in the implementing regulations.

Article 61

Persons in charge of the production or handling of hazardous substances, whether in gas, liquid, or solid states, shall take all necessary precautions to ensure that no damages occur to the environment. The implementing resolutions shall mention such precautions.

The owner of the establishment which activities produce hazardous wastes shall keep a record of such wastes and the means of the disposal and the contracting sides for the receipt thereof, and such in accordance herewith. The implementing regulations shall indicate the data to be mentioned in the said record as well as the competent authority for the review of the record in order to ensure the conformity of the data with the real situation.

Article 62

1- Any public or private body, any natural or juridical person shall be prohibited from importing, bringing, burying, drowning, storing or disposing of hazardous wastes in any way in the environment of the State.

2- Such bodies and persons shall also be prohibited from importing, bringing, burying, drowning, storing or disposing of nuclear substances and wastes in any way in the environment of the State.

3- It is also prohibited to allow the passing of marine, air or land transportation means carrying hazardous or nuclear wastes through the marine, air or land environment without a written authorization from the Agency.

Title Six

Natural Reserves

Article 63

Reserves in the State and the boundaries thereof shall be determined by a decision issued by the Cabinet or the competent authorities. Certain areas may be considered reserves in accordance with the proposal of the Agency.

Article 64

In accordance with a decision issued by the competent authorities, and in coordination with the Agency, works, activities and acts prohibited in the reserve areas, which may cause the deterioration or damage of the natural environment, harm to the wild or marine life, or affect their esthetic value, shall be determined. Shall be particularly prohibited:

1- Hunting, transporting, killing or harming wild or marine beings, or carry out actions leading to their eradication.

2- Damaging or destroying geological or geographical formations, or areas deemed as natural habitats or a breeding land to certain animal or plant species.

3- Introducing foreign species into the reserve.

4- Polluting the soil, water or air of the reserve.

5- Military maneuvers and shooting practices.

6- Cutting trees or baring the soil.

7- Amusement and recreational activities, or sports that can kill, harm or adversely affect the natural life.

8- All matters disturbing the natural balance of such reserves.

It is also prohibited to erect facilities or buildings, construct roads, drive vehicles or carry out any agricultural, industrial or commercial activities in the reserve areas without a permit issued by the competent authorities.

Article 65

Wild and marine animals and birds using the reserve as a resting, hatching or habitation location shall be protected in accordance with the provisions hereof.

Article 66

No activities, acts or works shall be allowed in the areas surrounding the reserve area if such practices affect the environment of the reserve or the natural life thereof without a license issued by the competent authority and after having consulted the Agency. The implementing regulations shall determine the grounds for the determination of surrounding areas.

Article 67

The Agency, in coordination with the competent authorities, shall supervise the necessary activities carried out for the maintenance of the reserve areas in the State, and shall carry out in particular:

1- Contributing in setting necessary programs and studies for the development of the reserves.

2- Setting the standards and restrictions related to the monitoring of the environmental phenomena and confining and registering the wild and marine beings in the reserves.

3- Coordinating the activities related to the management and development of the reserves.

4- Informing and educating the citizens about the objectives and purposes of the establishment of natural reserves.

5- Exchanging information and expertise with other countries, international organizations and pertinent bodies in the State.

Article 68

Research centers, scientific institutions, universities and other specialized bodies, in coordination with the Agency, shall take interest in the issues of biological diversity and the preservation of the origin of species, conduct studies and researches, suggest restrictions and methods to be followed to preserve and invest in said species in order to prevent their depletion and protect the moral, social and economic lawful rights of the State.

Title Seven

Liability And Compensation For Environmental Damages

Chapter One

Judicial Control Authorities

Article 69

The Minister of Justice, Islamic Affairs and Awkaf, in agreement with the Minister of Health, shall issue a decision determining the employees of the Agency and the competent authorities who shall enjoy the capacity of Judicial Control Officers for the inspection of establishments, locations and other areas to ensure their compliance with the implementation of the provisions hereof as well as the implementing decisions hereof.

The employees of the Agency and the competent authorities having the capacity of judicial control officers shall control any breach of the provisions hereof, and refer the breaching party to the competent judicial authorities in accordance with the procedures adopted by the State.

Article 70

Upon the occurrence of a breach, and in the event that the captain or officer of the marine means wishes to leave the port in an expedite manner, the judicial control officers shall collect a temporary immediate sums for the account of the enforcement of the fine or compensation sanction levied within the limits provided for hereof, provided that such sum does not amount to less than the minimum specified sanction, in addition to all expenses and compensations determined by the competent authorities in agreement with the Agency in order to remove the effects of the breach.

A bank guarantee for the above mentioned sums may be submitted to and accepted by the competent authorities.

Chapter Two

Liability And Compensation For Environmental Damages

Article 71

Any person intentionally or by way of negligence causing damages to the environment or to others as a result of the breach of the provisions mentioned herein as well as the regulations or decisions issued for the enforcement thereof, shall be responsible for all the costs of treatment or removal of such damages. He shall also be held responsible for any compensation incurred as a result.

Article 72

The compensation for the environmental damage mentioned in article 71 herein shall include the damages occurring to the environment itself, prohibiting or reducing the legal use thereof whether temporarily or permanently, or damaging its economic and esthetic value as well as the cost of rehabilitation of the environment.

Title Eight

Sanctions

Article 73

Whoever breaches the provisions of article 21, 27, 31, 62/1 and 62/3 hereof shall be sentenced to imprisonment and to a fine amounting to one hundred and fifty thousand Dirhams (Dh. 150.000) at least and one million Dirhams (Dh. 1.000.000) at most.

Death penalty, or life imprisonment, and a fine amounting to one million Dirhams (Dh. 1.000.000) at least and ten million Dirhams (Dh. 10.000.000) at most shall be inflicted on whoever breaches the provisions of article 62/2 hereof.

Whoever breaches the provisions of article 62/1-2 shall re-export the hazardous and nuclear wastes, subject of the crime, at his own expense.

Whoever breaches the provisions of articles 18 and 58 hereof shall be sentenced to imprisonment for a period of two years at least and five years at most, and to a fine amounting to two hundred thousand Dirhams (Dh. 200,000) at least and five hundred thousand Dirhams (Dh. 500,000) at most, or to either sanctions.

The sanction by imprisonment and a fine or either sanctions shall be inflicted in case the crimes referred to in article 21 are perpetrated by fishing boats which length does not exceed seventy feet.

Article 74

Whoever breaches the provisions of articles 24 and 26 hereof shall be sentenced to imprisonment for a period of one year at least and to a fine amounting to one hundred thousand Dirhams (Dh. 100,000) at least and five hundred thousand Dirhams (Dh. 500.000) at most.

Article 75

Whoever breaches the provisions of articles 25, 28, 32, 33 and 34 hereof shall be sentenced to imprisonment for a period of one year at least and two years at most, and to a fine amounting to ten thousand Dirhams (Dh. 10,000) at least and two hundred thousand Dirhams (Dh. 200.000) at most, or to either sanctions.

Article 76

Whoever breaches the provisions of articles 22 and 30 hereof shall be sentenced to imprisonment for a period of six months at least and one year at most, and to a fine

amounting to two thousand Dirhams (Dh. 2,000) at least and ten thousand Dirhams (Dh. 10.000) at most, or to either sanctions.

Article 77

Whoever causes the pollution of drinking or ground water shall be sentenced to imprisonment for a period of one year at least, and to a fine amounting to five thousand Dirhams (Dh. 5,000) at least and one hundred thousand Dirhams (Dh. 100.000) at most.

Article 78

Whoever breaches the provisions of articles 59, 60 and 61 hereof shall be sentenced to imprisonment for a period of one year at least, and to a fine amounting to ten thousand Dirhams (Dh. 10,000) at least and twenty thousand Dirhams (Dh. 20.000) at most, or to either sanctions.

Article 79

Whoever¹⁸ breaches the provisions of article 49 hereof shall be sentenced to a fine amounting to one thousand Dirhams (Dh. 1,000) at least.

Article 80

Whoever breaches the provisions of article 51 hereof shall be sentenced to a fine amounting to ten thousand Dirhams (Dh. 10,000) at least and fifty thousand Dirhams (Dh. 50.000) at most.

Article 81

Whoever breaches the provisions of article 35 hereof shall be sentenced to a fine amounting to ten thousand Dirhams (Dh. 10,000) at least and one hundred thousand Dirhams (Dh. 100.000) at most.

Article 82

Whoever breaches the provisions of articles 48, 50, 53, 54 and 55 hereof shall be sentenced to a fine amounting to two thousand Dirhams (Dh. 2,000) at least and twenty thousand Dirhams (Dh. 20.000) at most.

¹⁸ The spelling of the word "whoever" mentioned in the original Arabic text in the Official Gazette is wrong. Therefore, a mention is in order.

Article 83

The provisions of Article 83 have been amended by virtue of Article 1 of Federal Law no. 11/2006 dated 7/5/2006, to read as follows:

Whoever violates the provisions of Articles 12 and 64/1 hereof shall be sentenced, in addition to the confiscation of birds and animals caught, to the following sanctions:

1- Imprisonment for a period of no less than six months, and a fine amounting to no less than twenty thousand Dirhams (AED 20.000), in case the offence is perpetrated against any specie mentioned in the List A attached hereto.

2- Imprisonment for a period of three months at least and a fine amounting to no less than ten thousand Dirhams (AED 10.000), or either one of the aforementioned two sanctions, in case the offence is perpetrated against any specie mentioned in the List B attached to the present Law.

3- Imprisonment for a period of one month at least and to a fine amounting to no less than five thousand Dirhams (AED. 5.000), or to either one of the aforementioned two sanctions, in case the offence is perpetrated against any specie mentioned in the List C attached to the present Law.

Article 84

Whoever breaches the provisions of article 43 hereof shall be sentenced to a fine amounting to one thousand Dirhams (Dh. 1,000) at least and twenty thousand Dirhams (Dh. 20.000) at most.

Article 85

Whoever breaches the provisions of articles 66 hereof shall be sentenced to a fine amounting to five thousand Dirhams (Dh. 5,000) at least and twenty thousand Dirhams (Dh. 20.000) at most.

Article 86

The perpetrator of any other breach to the provisions hereof shall be sentenced to a fine amounting to five hundred Dirhams (Dh. 500) at least and ten thousand Dirhams (Dh. 10.000) at most.

Article 87

The application of the sanctions provided for herein shall not contravene any more severe sanctions stipulated by another law.

Article 88

In the event of the repetition of the crimes provided for herein, the sanctions for such crimes shall be doubled.

Article 89

The sanctions provided for herein shall not be applied in the event of pollution resulting from:

1- Ensure the safety of the marine means or the safety of the lives on board of the said means.

2- Unloading caused by a damage to the marine means, or to one of its equipments, provided that such damage did not occur with the knowledge of the captain or officer in order to destroy it or as a result of negligence, and provided in all cases that the captain or officer of the marine means takes before and after the occurrence of the damage all sufficient precautions to prevent or reduce the effects of pollution, and notifies immediately the ports authorities.

3- A sudden break in the pipelines carrying oil or oil mixtures during the operation, excavation, exploration or examination of wells, without negligence in monitoring or maintaining the pipelines, and provided that sufficient precautions are taken to monitor the operation of the pipelines and control the pollution and its sources upon the occurrence thereof.

Article 90

The court in which jurisdiction the crime occurs shall decide on all crimes provided for herein, if the crime occurred in any marine means regardless of its nationality and kind within the marine environment of the State. The court shall settle the case in an expedite manner.

Criminal courts in the capital shall have the jurisdiction to settle crimes perpetrated by the marine means raising the flag of the State outside the marine environment of the State.

Title Nine

Final Provisions

Article 91

The level of radioactivity or concentration of radioactive materials in the air, water, food and soil shall not exceed the permissible limits determined by the pertinent bodies,

in consultation and coordination with the Agency and as stated in the implementing regulations¹⁹.

Article 92

The Agency may request the assistance of ports authorities, armed forces, the Ministry of Interior, the Ministry of Petroleum and Mineral Resources or any other body in order to implement the provisions of the present law. Said bodies shall provide support in an expedite manner whenever requested.

Article 93

The Agency shall provide other parties all with available information and data regarding the most recent and important environmental restrictions related to the activities of such parties and in accordance with the priorities determined by the Board of Directors.

Article 94

The provisions of articles 4, 6, 7, 38 and 58 hereof shall not be applied to the activities carried out by the parties applying integrated systems and programs to protect and develop the environment, and sufficient to achieve the objectives hereof.

Such parties shall be exempt from referring to the Agency whenever licenses are to be issued to the establishments and activities under its authority or supervision.

The Board of Directors shall issue a decision determining the body and the adequacy of the system or program.

Article 95

The Cabinet, in accordance with the approval of the Board of Directors reached in coordination with the competent authorities, shall issue a decision setting the fees required for activities, procedures and licenses issued in accordance with the provisions hereof.

Article 96

The Agency, in coordination with the competent authorities, shall establish an incentives system awarded to organizations, agencies, establishments and individuals

¹⁹ With regards to the implementing regulations, refer to the decision of the Cabinet no. 37/2001 dated 9/12/2001 on the implementing regulations of the Federal Law no. 24/1999 on the protection and development of the environment, published directly subsequent to the present Federal Law

carrying out jobs or projects to protect and develop the environment of the State. Such System shall be issued by a decision from the Board of Directors.

Article 97

The owners of projects and establishments existing on the date of entry into force hereof and determined by the implementing regulations²⁰ shall submit to the Agency within a maximum period of one year from the date of entry into force of the implementing regulations a complete statement of their activities. Such statement shall contain their suggestions regarding the measures and procedures to be taken in order that the operations of the project or establishment meet the required environmental standards.

The Agency shall determine, within a period not exceeding six months, the measures and procedures to be taken by the owner of the project or establishment.

Article 98

Projects and establishments existing on the date of the entry into force hereof shall amend their situations in accordance with the provisions hereof as well as the provisions of the implementing regulations, and such within a period not exceeding one year from the date of the coming into force of the implementing regulations.

The Board of Directors may extend such period for another period not exceeding one year if need so requires or if the extension is acceptably justified to the Board.

Any expansions or renovations to the existing establishments shall be subject to the provisions provided for herein.

Article 99

The Cabinet, in consultation and coordination with the competent authorities, shall issue the implementing regulations hereof²¹.

Article 100

Every provision conflicting or contradicting with the provisions hereof shall be cancelled.

²⁰ With regards to the implementing regulations, refer to the decision of the Cabinet no. 37/2001 dated 9/12/2001 on the implementing regulations of the Federal Law no. 24/1999 on the protection and development of the environment, published directly subsequent to the present Federal Law.

²¹ With regards to the implementing regulations, refer to the decision of the Cabinet no. 37/2001 dated 9/12/2001 on the implementing regulations of the Federal Law no. 24/1999 on the protection and development of the environment, published directly subsequent to the present Federal Law

Article 101

This Law shall be published in the Official Gazette, and shall come into force three months subsequent to the date of its publication.

Promulgated in the Presidential

Palace in Abu Dhabi

On 8 Rajab 1420 H.

Corresponding to 17/10/1999

Zayed Bin Sultan Al Nahyan

President of the United Arab Emirates State

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