

Law No. (20) of 2023
concerning The Establishment of Abu Dhabi
Hazardous Materials Management Centre

We, Mohamed bin Zayed Al Nahyan, Ruler of Abu Dhabi,

Having reviewed:

- Law No. (1) of 1974 concerning the reorganisation of the Governmental body in the Emirate of Abu Dhabi and its amendments;
- Law No. (2) of 2000 concerning the Civil Retirement Pensions and Benefits in the Emirate of Abu Dhabi and its amendments;
- Law No. (6) of 2016 concerning the Human Resources in the Emirate of Abu Dhabi, and its amendments;
- Law No. (1) of 2017 concerning the Financial System of Abu Dhabi Government, and its amendments;
- Law No. (7) of 2018 concerning the reorganisation of Department of Economic Development;
- Law No. (1) of 2020 concerning Abu Dhabi Police General Headquarters and its amendments;
- Federal Law no. (24) of 1999 concerning the Protection and Development of the Environment and its amendments;
- Federal Law by Decree No. (17) of 2019 concerning Weapons, Ammunition, Explosives, Military Material, and Hazardous Substances; and
- Based on what was presented to and approved by the Executive Council;

Issued the following Law:

Article (1)

In the implementation of the provisions of this Law, the following words and phrases shall have the meanings corresponding thereto unless the context requires otherwise:

Emirate	: Emirate of Abu Dhabi.
Executive Council	: The Executive Council of the Emirate.
Centre	Abu Dhabi Hazardous Materials Management Centre.
General Headquarters	: Abu Dhabi Police General Headquarters.
Commander-in-Chief	: The Commander-in-Chief of Abu Dhabi Police.
Office	: The Weapons and Hazardous Substances Office established under the aforesaid Federal Law by Decree no. (17) of 2019.
Director-General	: The Director-General of the Centre.
Competent Entities	: Any federal or local entity specialised in Handling hazardous substances.
Hazardous Substances	: The elements, compounds or mixtures with properties that are harmful to humans or having a harmful effect on the environment or properties, whether they are in a liquid, solid or gaseous state, as specified by a resolution from the Office.
Sectors	: All Sectors dealing with Hazardous Substances at any stage of their Handling.
Establishments	: Industrial, commercial, or tourism establishments, or any craft, professional, service, health, educational, or research establishments, and other establishments that deal with Hazardous Substances at any stage of their Handling.
Warehouses and Storehouses	: The places or areas designated for preserving, storing, seizing or keeping Hazardous Substances in accordance with the standards and requirements Specified by the applicable legislations.
Handling	: All processes related to Hazardous Substances, including their import, export, re-export, transportation, storage, sale, offering for sale, purchase, manufacturing, processing and disposal.

Article (2)

- A centre shall be established pursuant to the provisions of this Law under the name “Abu Dhabi Hazardous Materials Management Centre”, having an independent legal personality and enjoying full legal capacity, and affiliated to the General Headquarters.
- The Executive Council may change the affiliation of the Centre to any other entity specified thereby.

Article (3)

The Centre’s main office shall be located in Abu Dhabi city, and may, upon a resolution issued by the Commander-in-Chief, establish branches or offices inside or outside the Emirate, following the approval of the Executive Council.

Article (4)

- The provisions of this Law shall apply to Hazardous Substances handled in the Emirate, including free zones.
- The following substances shall be excluded from the application of the provisions of this Law:
 1. Radioactive, nuclear and explosive materials.
 2. Hazardous Substances that are Handled for the benefit of the Armed Forces, the General Headquarters, and any other entity determined by the Executive Council.
- Subject to Clause (1) of the second Paragraph of this Article, the Centre shall coordinate with the entities responsible for radioactive, nuclear and explosive materials for the purpose of exchanging information and data related to their Handling.

Article (5)

- The Centre shall:
 1. Lay down the general policy and strategic plans of the Centre and submit them to the Executive Council for approval, and follow up on their implementation.

2. Lay down the necessary plans to ensure that Sectors, Establishments, Warehouses and Storehouses implement the regulations, requirements and standards related to the Handling of Hazardous Substances.
3. Coordinate with the competent local entities to list the unregistered activities related to the Handling of Hazardous Substances, propose an entity to register such activity and submit it for approval in accordance with the legislations in force.
4. Propose a system to classify the Establishments Handling Hazardous Substances and submit it to the Commander-in-Chief for approval in accordance with the legislations in force.
5. Propose local lists of any Hazardous Substances other than those listed on national lists and tables and submit them to the Commander-in-Chief for approval.
6. Supervise and control the Handling of any substances that the Centre deems dangerous to the environment, properties, or humans, in accordance with the applicable legislations.
7. Supervise and control the competent local entities, Sectors, Establishments, Warehouses, Storehouses, and various means of transportation for Hazardous Substances and persons, and follow up on their compliance with all legislations in force.
8. Lay down and develop a mechanism to deal with seized, preserved or confiscated Hazardous Substances in coordination with the Competent Entities to ensure their security and preservation until their final disposal.
9. Establish and develop a central operations room to carry out the tasks of tracking and controlling the Handling of Hazardous Substances and link it to with Competent Entities.
10. Establish and develop an electronic system for disclosure and self-reporting of all data and information related to the Handling of Hazardous Substances.
11. Establish and develop a comprehensive database that includes all data and information related to the Handling of Hazardous Substances.
12. Lay down the necessary requirements and standards for developing

training curricula and programmes for Hazardous Substances in coordination with the Competent Entities.

13. Conduct scientific studies and research related to Hazardous Substances in coordination with the relevant entities.
14. Any other competencies or tasks assigned thereto by the Executive Council.
 - The Executive Council may amend the competencies of the Centre stated in this Law or any other legislation by deletion, addition or transfer.
 - The Centre may delegate some of its competencies to any other governmental entity or outsource some of them to the private sector after obtaining the approval of the Executive Council.

Article (6)

- The Centre shall have a Director-General appointed by a resolution of the Executive Council, and in charge of managing and supervising the Centre's functions, and shall in particular:
 1. Suggest the strategic and executive plans and programmes of the Centre and submit them for approval in accordance with the legislations in force.
 2. Follow up on the implementation of the Centre's strategic and executive plans and programmes, as well as the programmes, projects and activities managed or executed by the Center.
 3. Manage, develop and implement all the strategic and executive plans and tasks entrusted to the Centre, either directly or through the work teams he appoints or entrusts with tasks, in a way that does not contradict the legislations in force.
 4. Suggest initiatives, programmes, studies and recommendations related to the Centre's functions and activities and submit them for approval according to the legislations in force.
 5. Suggest the annual draft budget of the Centre and submit it for approval in accordance with the legislations in force.
 6. Suggest the organisational structure of the Centre and submit it for

approval in accordance with the legislations in force.

7. Propose the legislations and regulatory and executive by laws as well as the regulations, policies, resolutions and circulars including violations and administrative fines related to the Centre's competencies and submit them for approval in accordance with the legislations in force.
 8. Propose the fees, tariffs and prices related to the Centre's competencies and submit them to the Commander-in-Chief for approval in accordance with the legislations in force.
 9. Appoint experts, consultants and technicians on a temporary basis, specify their remuneration and seek the assistance of any experts, institutions and consulting offices he finds appropriate.
 10. Open bank accounts in the name of the Centre in accordance with the legislations in force.
 11. Form internal committees and work teams either from among the Centre's employees or outside, specify their tasks and the procedures of their work.
 12. Represent the Centre before the Courts and third parties.
 13. Any other competencies or tasks assigned to him by the Executive Council.
- The Director-General may delegate some of his competencies to any of the senior staff of the Centre, provided that the delegation is in writing.
 - The Executive Council may delegate any of the competencies of the Director-General to any committees or work teams that he appoints either from among the Centre's employees or outside.

Article (7)

The Centre shall submit to the General Headquarters, every three months or whenever requested, a report on its functions, achievements, budget and financial and administrative affairs as well as the stages of progress achieved in the implementation of the competencies and tasks assigned thereto.

Article (8)

The Centre's financial resources shall consist of:

- The annual appropriations allocated to it within the general Budget of the Emirate.
- Any other revenues approved by the Executive Council.

Article (9)

The fiscal year of the Centre shall start on the first of January and end on the last day of December of each year, except for the first fiscal year which shall start from the effective date of this Law and end on the last day of December of the following year.

Article (10)

The Centre shall have one or more accredited auditors to verify its accounts and financial statements, who shall be appointed by virtue of a resolution issued by the Commander-in-Chief in accordance with the legislations in force, specifying as well as the remuneration thereof.

Article (11)

- All persons, entities, Sectors, Establishments, Warehouses and Storehouses shall provide the Centre with the documents and information it requests to exercise or implement its competencies.
- All Sectors, Establishments, Warehouses and Storehouses Handling Hazardous Substances shall register their workers in the register prepared for this purpose at the Centre and in accordance with the rules in force at the Centre.

Article (12)

Any natural or corporate person shall be prohibited from:

1. Handling any Hazardous Substances in violation of the provisions of this Law and the regulations, rules, resolutions and circulars issued in implementation thereof.

2. Non-Disclosing or self-reporting of all data and information related to the Handling of Hazardous Substances in accordance with the disclosure and reporting mechanism approved by the Centre.
3. Providing false or misleading information or documents containing forged or incorrect data.

Article (13)

- Without prejudice to any more severe penalty provided for by any other law, whoever violates the provisions of Article (12) hereof shall be punished by imprisonment for a period of not less than one year and/or a fine not less than (1,000,000) one million Dirhams.
- The sanction shall be doubled in case of recidivism.

Article (14)

- Without prejudice to any more severe penalty stipulated in another law, whoever violates the provisions of this Law, its regulatory and executive regulations and the rules, policies, resolutions and circulars issued in implementation thereof shall be punished by an administrative fine not exceeding (10,000,000) ten million Dirhams.
- The Centre shall collect the administrative fines and the Commander-in-Chief shall, after obtaining the approval of the Executive Council, issue a table specifying the violations and administrative fines prescribed for each, without exceeding the fine limit set forth in this Article.
- The Centre may offer reconciliation to the violator, provided that this is recorded in the minutes of the proceedings. The violator who accepts reconciliation shall pay a fine equivalent to (75%) of the total administrative fine specified for the violation, within a period not exceeding sixty days from the date of offering reconciliation to him.
- In all events, if the violator does not remove the effects of the violation in a timely manner, the Centre shall remove them at the violator's expense.
- The regulatory and executive regulations of this Law shall specify the reconciliation procedures stated above including their time limits.

Article (15)

- The Centre may impose any of the following administrative sanctions:
 1. Warning.
 2. Notice.
 3. Temporary suspension of activity in coordination with the Concerned Entity and in accordance with the legislations in force.
 4. Closure of the Establishment permanently or temporarily in coordination with the Concerned Entity and in accordance with the legislation in force.
- Grievances may be filed against the administrative sanctions before the Centre within sixty days from the date they are notified to the grievant. Failure to decide upon the grievance within ninety days from the date of its filing shall be regarded as rejection of the grievance.
- The regulatory and execution regulations of this Law shall specify the procedures and controls for applying the aforesaid administrative sanctions.

Article (16)

The Chairman of the Judicial Department – Abu Dhabi shall issue, in agreement with the Commander-in-Chief, a resolution designating the Centre's employees who have the law enforcement capacity for crimes that fall within their jurisdiction and who have the right to inspect and monitor as well as verify the commitment of all persons, entities, Sectors, Establishments, Warehouses and Storehouses to implement the provisions of the relevant legislations related to the Centre's competencies.

Article (17)

- The Centre shall be subject to the financial laws and rules in force in the Emirate.
- The Centre's employees shall be subject to the human resources laws and rules in force in the Emirate.
- The nationals among them shall be subject to the Law of Civil Retirement Pensions and Benefits in the Emirate.

Article (18)

- The Commander-in-Chief shall, after obtaining the approval of the Executive Council, shall issue the regulatory and executive regulations of this Law.
- The Commander-in-Chief shall issue the executive and operating policies, rules, resolutions and circulars necessary for the implementation of the provisions of this Law.

Article (19)

Any provision contrary to the provisions of this Law shall be repealed.

Article (20)

This Law shall be published in the Official Gazette, and become effective from the date of its publication.

Mohamed bin Zayed Al Nahyan
Ruler of Abu Dhabi

Issued by us in Abu Dhabi
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