

LAW No. 4 of 1996

Establishment of the Environmental Research and Wildlife Development Agency (ERWDA)

This law defines the parameters of ERWDA, its objectives and activities, the authorities and responsibilities of the governing board and the secretary general and the budget

We, KHALIFA BIN ZAYED AL NAHYAN, Deputy Ruler of Abu Dhabi, By virtue of the authorities conferred on us by the Ruler of Abu Dhabi, and after perusal of Law No. 1 of 1974 pertaining to the re-organization of the governmental machinery of the Emirate of Abu Dhabi and the amendments thereof, and after perusal of Law No. 2 of 1971 pertaining to the National Consultative Council and the amendments thereof, and after perusal of Law No. 2 of 1975 pertaining to the Civil retirement pensions and benefits in the emirate of Abu Dhabi, and after perusal of Law No. 4 of 1989 pertaining to the establishment of the National Avian Research Center, and after perusal of Federal Law No. 7 of 1993 pertaining to the establishment of the Federal Environmental Agency, and after perusal of Federal Law No. 22 of 1995 pertaining to the regulations of the auditors profession, and after perusal of the Executive Council decision No. 29/T, session 14/94 pertaining to the establishment of the environment protection committee, and as presented by the Chairman of the Member of the Executive Council and upon the approval of the Council, we have issued the following LAW:

Establishment of the Agency

Article (1)

The Environmental Research and Wildlife Development Agency (the "Agency") is hereby established as an independent juridical entity with full capacity and financial and administrative independence in all aspects.

Head Office and Branches

Article (2)*

The agency shall be based in Abu Dhabi. The Governing Board may establish branches or office inside the State or abroad.

Objectives and Activities

Article (3)*

The main objective of the Agency is to protect the natural environment, wildlife and biological diversity through monitoring and submitting of proposals and recommendations and by carrying out studies and research required for the protection of the environment and wildlife. All Abu Dhabi Government Departments and Agencies are required to coordinate with the Agency in relation to research, studies and programs concerning environmental matters and wildlife. The Agency's approval is required for the issuing of any regulations, policies and decrees related to environmental and wildlife affairs. To fulfill the above objectives, the Agency has the following responsibilities:

- Conduct studies, scientific research and comprehensive surveys of the environment and wildlife in order to prepare strategies and priorities.
- Assess water and land resources in order to propose the most appropriate means for the exploitation and utilisation of these resources in order to protect and develop the environment and wildlife.

- Evaluate the effect of treatment of household sewage water projects, and other industrial liquid wastes on the environment and wildlife, and recommend the establishment of projects to treat and control these liquid wastes.
- Evaluate the effect of oil wastes on the environment and wildlife and offer suggestions and solutions for resolving the related problems.
- Assess the impact of industrial gases and household air pollutants on the environment and wildlife and recommend solutions for air pollution problems and recommend projects to clear and control gas emissions, in co-ordination with the authorities concerned.
- Evaluate the success of existing projects and the operation of recycling programs for household and solid wastes, to assess their impact on the environment and wildlife and to introduce ideas to improve these projects or to establish new ones.
- Recommend the establishment of projects to treat, control and eliminate toxic medical wastes.
- Evaluate the effect of chemicals used in agriculture on the environment and wildlife, to classify materials according to their harmful effect and to propose projects to control their use in Abu Dhabi Emirates.
- Evaluate the effect of existing and future industrial and economic projects and investments in Abu Dhabi Emirate in co-ordination with the Federal Environment Agency and other concerned bodies, to prescribe the studies that should be conducted and the required precautions which should be taken and to forward recommendations and solutions for the environmental problems of these projects to the executive Council.
- Assess the impact of population growth and infrastructure projects of town planning on the environment and wildlife. In coordination with other concerned bodies, the Agency shall plan, recommend and establish suitable projects to minimize the negative impact on the environment and wildlife.
- Recommend projects to treat or eliminate negative effects of industrial and economic schemes on the environment and wildlife.
- Prepare plans required to introduce and develop a balanced environmental strategy and implement it on industrial, agricultural and economic projects within Abu Dhabi emirate. The said plans will be submitted to the Executive Council for approval.
- Evaluate the impact of hunting and fishing in Abu Dhabi Emirate on wildlife and to recommend solutions to prevent extinction of wildlife, to recommend management plans and to establish protected zones.
- Evaluate the effect of recreation and leisure on the environment and wildlife, to introduce proposals and solutions regarding and unfavorable impact and to recommend projects to organize these activities.
- Establish and run parks, reserved and protected areas, and implement rules and regulations to protect these areas.
- Establish and run specialized centers for the breeding and development of endangered species of wildlife.
- Establish veterinary centers to take care of wildlife species and rehabilitate them to live in their natural habitat.
- Establish specialized centers to carry out studies and scientific research related to the environment and wildlife and to develop techniques to collect information about the natural constituents of the environment and wildlife.
- Co-ordinate and co-operate with government bodies, scientific establishments, and research centers within Abu Dhabi Emirate and abroad.
- Recruit and train qualified national staff capable of planning and implementing strategies to protect the environment and wildlife.
- Provide the public and private sector with information related to the environment and wildlife.

- Enhance public awareness of the importance of protecting and restoring the environment and wildlife and to familiarize the general public with the Agency and its objectives throughout educational and cultural programs.
- Inspect and approve any license applications submitted to the appropriate authorities for the establishment of industrial and agricultural projects and to express views regarding their impact on the environment and wildlife.

Governing Board

Article (4)*

1. The Agency has a Governing Board chaired by the Crown Prince. Members shall not exceed eight and shall not be less than four, including the Deputy Chairman, Managing Director and Secretary General.
2. The members are appointed by Emiri Decree.
3. The membership is for a renewable period of five years and the members' remuneration is to be determined by an Executive Council Decree.
4. The Governing Board has full authority over the Agency's affairs, policy implementation, annual work plans and the approval of the means of their execution. The Governing Board takes appropriate decisions to fulfill the objectives of the Agency within the provisions of this Law and without prejudice to the provisions of other laws. The Board is particularly responsible for the following:
 - Preparing the required work plans, determining the priorities to fulfill the Agency's goals and approving the required plans for implementation.
 - Determining policy required to restore, protect and develop the environment and wildlife, as well as approving programs and plans for their implementation.
 - Fixing suitable fees by law or Emiri Decree.
 - Drafting and advising with relation to laws, Emiri Decrees and regulations to protect and develop the environment and wildlife. The said drafts shall forward to the Executive Council.
 - Forming an advisory committee from international experts in the area of environment and wildlife protection in the natural habitat.
 - Forming ad-hoc and standing committees, from its members and elsewhere, to study the specified duties and responsibilities.
 - Approving the Agency's organizational structure, including the limits of authority and responsibilities of departments, sections and administrative units.
 - Adopting and implementing financial and administrative regulations to govern the affairs of the Agency.
 - Adopting and implementing personnel policies related to recruitment, promotion, salaries and allowances, disciplinary and termination of services, as well as other rules related to staff.
 - Reviewing periodical reports relating to the implementation of the work of the Agency. Approving the proposed annual budget and the final annual audited accounts.
 - Reviewing and approving the final annual report at the end of each calendar year. Approving training programs to ensure the presence of sufficiently qualified staff.
 - Looking into all matters referred to the Agency, as well as any other issues arising in the areas of Agency's activities.
 - Determining levels of fees and remuneration applicable for the services rendered by the Agency.

- Investing the assets, money and possessions of the Agency to promote and develop its resources.
- Determining the authority and responsibilities of the Managing Director in co-ordination with the authority and responsibilities of the Secretary General.

Governing Board Meetings

Article (6)

The Governing Board shall regularly meet every six month. The chairman can call other meetings as necessary.

Article (7)

The Governing Board meetings are to be conducted with the attendance of the majority of its members. The Chairman or the Deputy Chairman should be among those attendees. Resolutions of the Governing Board are to be adopted by a simple majority of the attending members. If a tied vote occurs, the Chairman of the meeting shall have a casting vote.

Secretary General

Article (8)

The Secretary General is responsible for the administration and policy implementation of the Agency in accordance with the provisions of this Law, other applicable laws, and the decisions of the Governing Board. The Secretary General shall be particularly responsible for the following:

- Proposing work plans and schemes and prioritising and identifying projects required for their implementation.
- Preparing the proposed annual budget and forwarding it for approval to the Governing Board.
- Representing the Agency before and to government departments, judicial entities, scientific institutions and other concerned bodies.
- Approving programs and symposiums within the annual budget of the Agency.
- Drafting the financial and administrative regulations, personnel policy and training programs required for the progression of the Agency's work and forwarding them for approval to the Governing Board.
- Approving expenditure from the Agency's budget in accordance with the approved financial and administrative regulations of the Agency.
- Guiding and controlling the work of the Agency's in accordance with its approved regulations.
- Preparing reports on implementation of the plans and programs of the Agency and presenting them to the Governing Board.
- Contacting research centers, universities, museums and Local, Regional, Arabian and International
- Organizations concerned with research and studies for cooperation and exchange of information and expertise in respect of various activities.

The Budget

Article (9)*

1. The Agency shall have an independent budget. It shall be empowered to receive funds advanced to it and to utilize its finance resources including investments, opening and

operation of bank accounts, and spending there from in accordance with its budgets and objectives. The Agency shall be funded by:

2. Funds advanced by the Abu Dhabi Government.
3. The money and possessions of the National Avian Research Center "the Center". A committee shall be formed by the Executive Council to audit the Center's existing finance and assets.
4. Revenues generated from the implementation of its activities.
5. Donations, subsidies, grants and legacies accepted by the Governing Board in accordance with the regulations stipulated.
6. Other resources decreed by the Executive Council.

Exemptions

Article (10)*

The Agency, and the establishments, departments, and sections, partially or completely owned by the Agency, are exempted from all types of taxes and duties including customs and import duties on materials, equipment, instruments and spare parts imported for the Agency's activities.

Retirement

Article (11)

The Agency shall follow the civil retirement, benefits laws and regulations implemented by the Abu Dhabi Government for UAE Nationals employed by the Agency.

Auditing

Article (12)

The Governing Board shall appoint one or more Chartered Accountants licensed in the Emirate of Abu Dhabi to audit the Agency's accounts. The Governing Board shall fix the remuneration of such Chartered Accountants.

Final Account

Article (13)

The Secretary General shall submit the final accounts and annual report of the Agency's business within three months, at the most, of the end of each financial year.

National Avian Research Center

Article (14)

The Center is now considered to be one of the Agency's units. The Center's administrative organs shall continue their activity in accordance with the applicable regulations until the approval of the Agency's organisational structure and the establishment of the Agency's regulations.

Article (15)

The staff of the Center are now to be regarded as employed by the Agency. Their employment

conditions remain in force and they shall continue to receive their salaries and other facilities provided to them until such time as the Agency's personnel policies are prepared and approved.

Article (16)

This Law cancels Law No.4 of 1989 for the establishment of the Center. In addition, it cancels the Executive Council Decree No. 29T, section 14/94, regarding the formation of the Environment Protection Committee.

Article (17)

This Law is to be published in the Official Gazette and shall come into effect from the date of its publication.

Khalifa Bin Zayed Al Nahyan

Deputy Ruler of Abu Dhabi

Issued by us in Abu Dhabi

On: 6 Zil Hijja 1416 A.H.

Corresponding to 24th April 1996

** This Article has been amended of Law No, 1 of 1997 by HH Sheikh Khalifa Bin Zayed Al Nahyan Deputy Ruler of Abu Dhabi.*