

**Law No. (16) of 2005 pertaining to the Reorganization of  
the Abu Dhabi Environment Agency**

We, KHALIFA BIN ZAYED BIN SULTAN AL NAHYAN, Ruler of Abu Dhabi,

After perusal of Law No (1) of 1974 pertaining to the reorganization 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 amendments thereof;

- And after perusal of Law No (4) of 1996 pertaining to the establishment and development of the Environmental Research and Wildlife Development Agency and the amendments thereof;

- And after perusal of Law No (2) of 1999 pertaining to the protection of the safety of man, environment and agricultural environment against abuse of insecticides and pesticides as well as chemical fertilizers;

- And after perusal of Law No (6) of 2004 pertaining to the reorganization of the financial control department;

- And after perusal of Law No (2) of 2005 pertaining to the establishment of the Abu Dhabi Food Control Agency;

- And after perusal of Federal Law No (35) of 1992 pertaining to the issuing of the penal code procedures law;

- And after perusal of Federal Law No (7) of 1993 pertaining to the setting up the Federal Environment Agency;

- And after perusal of Federal Law No (23) of 1999 pertaining to the utilization, protection and development of live water resources of the UAE;

- And after perusal of Federal Law No (24) of 1999 pertaining to the protection and development of the environment;

And as presented to the Executive Council and upon the approval of the Council.

We hereby issued the following law:

## Section 1

### Establishment of the Agency

#### Article (1)

- A general agency established as an independent juridical entity called Environment Agency – Abu Dhabi, which shall be the agency concerned with environmental affairs in the Emirate of Abu Dhabi.
- Environment Agency – Abu Dhabi shall be fully competent and administratively and financially independent and its funds shall be public ones.
- This agency shall replace the Environmental Research and Wildlife Development Agency.

#### Article (2)

This agency shall be based in the city of Abu Dhabi and the Board of Directors may establish offices for it within the Emirate.

## Section (2)

### Objectives and Activities

#### Article (3)

- This agency is aimed at protecting the environment and wildlife along with its biological diversity in its natural environment, offering suggestions, making recommendations and conducting necessary studies and researches to conserve the environment and develop wildlife. All government departments and agencies are required to coordinate with the Agency in relation to research, studies and programmes relating to environmental and wildlife affairs.
- **To fulfill the above objectives, the Agency has the following responsibilities:**

- 1- Conduct the necessary studies, scientific research and comprehensive surveys of the environment and wildlife in order to identify strategies and priorities.
- 2- Assess ground water resources and propose methods for the optimal use of such resources in order to conserve and develop the environment and wildlife.
- 3- Evaluate the effects 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.
- 4- Evaluate the impact of oil wastes on the environment and wildlife and offer recommendations and solutions concerning the related problems.
- 5- Assess impact of industrial gases and household air pollutants on the environment and wildlife and recommend solutions regarding air pollution and implementing projects to clear and control gas emissions in coordination with the authorities concerned.
- 6- Evaluate the efficiency of existing projects in order to treat solid domestic and industrial waste, assess their effect on environment and wildlife and offer recommendations to improve these projects or carry out new ones.
- 7- Recommend implementing projects to treat poisonous and hazardous and medical waste, dispose of them and prevent their harmful effects.
- 8- Evaluate the effect of chemicals, hazardous materials, pesticides, chemical fertilizers and non-organic manure on the environment, classify such materials according to their degree of harmful effect and propose projects and systems to control their use in the Emirate of Abu Dhabi.
- 9- Evaluate the effect of existing and future industrial and economic projects and investments in the Emirate of Abu Dhabi, in coordination with the Federal Environment Agency and other concerned bodies. Moreover, to prescribe studies that should be conducted and the required precautions which should be taken, and to forward recommendations and solutions for the environmental problems related to these subjects to the Executive Council.
- 10- Evaluate the effect of the population growth and infrastructure projects for implementing projects on the environment and wildlife. In coordination with concerned authorities, the Agency shall contribute to planning these projects and recommend methods that have the minimum effect of environment and wildlife.

- 11- Recommend projects to treat or eliminate the negative effects of industrial and economic projects on the environment and wildlife.
- 12- Prepare the plans required for formulating and developing a balanced environment policy and applying it to the industrial and economic and agricultural projects carried out in the Emirate of Abu Dhabi for protecting environment and wildlife. The said plans will be submitted to the Executive Council for the issuance purposes.
- 13- Evaluate the effect of fishing and hunting activities in the Emirate of Abu Dhabi, offer suggestions and solutions to prevent extinction of wildlife resulting from such activities and recommend implementation of projects for the purpose of managing these activities and establishing protected areas.
- 14- Evaluate the effect of recreation and leisure activities on the environment and wildlife, offer suggestions and solutions regarding the harmful effects resulting from them and recommend implementation of projects for organizing these activities.
- 15- Establish and manage nature reserves and protected areas for wildlife, apply the rules and regulations relating to these areas or reserves.
- 16- Set up and manage centers specialized in the development of endangered species of wildlife.
- 17- Establish and manage veterinary centers to look after wildlife and rehabilitate them to live in their natural habitat.
- 18- Establish specialized centers with the aim of conducting studies and scientific research concerned with the environment and wildlife and develop techniques to collect information on the natural elements affecting environment and wildlife.
- 19- Coordinate and cooperate with government bodies, national establishments, academic institutions and research centers within the Emirate of Abu Dhabi and abroad.
- 20- Prepare national cadres capable of planning and implementing strategies to protect the environment and wildlife.
- 21- Provide the public and private sector with information related to the protection of the environment and wildlife.
- 22- Achieve sustainable development through environmental activities.
- 23- Raise awareness on the importance of the protection of the environment and wildlife through its educational programmes, as well as introduce the Agency and its objectives.

- 24- Inspect any applications for issuance of licenses for the industrial, agricultural and environmental projects submitted to the competent authorities and notify such authorities about their related decisions.
- 25- Combat pollution, protect safety and quality of air, water, soil, natural resources, biological diversification, and ensure the optimal utilization of environment and its resources for the purpose of protecting man and the environment, formulate a constant control system and propose suitable solutions for the various environment problems.
- 26- All relevant government authorities concerned with issuing commercial, agricultural, industrial and economic licenses are required to forward and consider the applications submitted to them and notify such authorities about their relevant decisions.

### **Section (3)**

#### **Management of the Agency (Board of Directors)**

##### **Article (4)**

- The agency shall be headed by the Crown Prince of Abu Dhabi and is managed by a Board of Directors. Members shall not be less than 8 and shall not exceed 10 including chairman of board of directors, vice chairman and managing director. To form this board, an Emiri decree shall be issued. The membership is for a renewable period of 5 years and the members' remuneration shall be determined by a decision of the Executive Council.
- Board of directors shall appoint the Secretary General and determine his remuneration and appropriations or provisions.

##### **Article (5)**

Chairman of Board of Directors or his deputy shall issue the executive regulations, and decisions for the provisions of this law, which shall be binding for all parties.

## Article (6)

The Board of Directors shall be the authority concerned with managing Agency affairs, identifying the annual work plan and adopt the method of implementation and take the necessary decisions to serve its purposes within provisions of this law without prejudice to the provisions of other laws. The Board shall be particularly responsible for the following:

- 1- Devise the required work plan, determine the priorities to fulfill the Agency's goals and approve the required plans for implementation.
- 2-Identify the policies required to conserve, protect and develop the environment and wildlife and approve the necessary plans and programmes for implementation.
- 3-Propose the adequate fees and charges to be levied on the various activities and forward them to the Executive Council and collect the fees for the services provide by the Agency.
- 4-Propose the draft laws, Emiri decrees and regulations necessary for environment and wildlife protection in its natural habitat.
- 5-Form advisory committee consisting of international experts in the area of environment and wildlife protection in its natural habitat.
- 6-Set up permanent and ad hoc committees that would consist of its members and others to study their assignments and duties.
- 7-Approve the organizational structure of the Agency and specify the responsibilities and duties of departments, sections and administrative units included.
- 8-Issue the administrative and financial regulations that would govern the affairs of the Agency.
- 9-Issue regulations for personnel working at the Agency pertaining to staff employment, promotion, determination of their salaries, allowances, rules of discipline, termination of their services and other rules relating to the Agency.
- 10-Consider and look into the regular reports on the conduct of business at the Agency.
- 11-Approve the draft annual budget and the annual closing account of the Agency.
- 12-Review and approve the annual report on the achievements of the Agency by the end of each calendar year.

13-Approve the necessary training programmes to ensure an adequate number of well-qualified cadres and staff.

14-Consider the issues relating to the agency activities referred and study them if necessary.

15- Invest in the assets, funds and properties of the agency for the purpose of increasing and developing resources.

16-Identify the authority and responsibilities of the Secretary General.

17-Identify the banks at which the funds of the Agency shall be deposited and the way they can be spent.

#### **Article (7)**

- The Board of Directors shall regularly meet every six months and the chairman of the board may call for other meetings whenever necessary. Meetings of the Board shall be meeting the required quorum if the majority of its members attended the meeting provided that the chairman or his deputy must be among the majority. The Board decisions shall be issued by the vast majority of the attendant's votes. When they are equal, the side that includes the president of the session shall prevail and win.
- The Board of Directors may invite the Secretary General to attend the board meetings and participate in its discussions without considering his vote in the deliberations.

#### **Section (4)**

#### **Secretary General Responsibilities and Authority**

#### **Article (8)**

- Secretary General of the Agency shall be responsible for its management and policy implementation in accordance with the provisions of this law, other applicable laws and the decisions of the Board of Directors. Moreover, he shall be particularly responsible for the following:

- 1-Propose work plans, programmes and priorities of their implementation as well as necessary programmes for carrying them out.
- 2-Prepare the proposed annual budget and forward it to the Board of Directors for approval.
- 3-Represent the Agency at the government and judiciary authorities and the academic institutions and scientific establishments as well as other competent bodies.
- 4-Approve the programmes and seminars conducted within the limits of the annual budget allocated for the Agency.
- 5-Draft the necessary administrative and financial regulations for organizing personnel affairs and training programmes and forward them to the Board of Directors.
- 6-Spend from the approved budget according to the administrative and financial regulations approved by the Agency.
- 7-Guide and supervise the work of the Agency under the approved regulations.
- 8- Prepare and study the reports on the implementation of the plans and programmes and forward them to the Board of Directors.
- 9-Contact research centers, universities, museums, local, regional, Arab and international organizations concerned with studies and research in order to exchange information and expertise in the area of various activities.
- 10-The Secretary-General shall present the closing account of the Agency and the annual report on its activities to the Board of Directors within the maximum period of 3 months as from the end of the fiscal year.

## **Section (5)**

### **Secretary General Responsibilities and Authority**

#### **Article (9)**

- The Agency shall have an independent budget and the Agency shall be funded by:
  - 1- Appropriations allocated by the Government of Abu Dhabi.
  - 2-Income earned by carrying out its activities.

3-Gifts, donations and grants as well as wills accepted by the Board of Directors in accordance with the regulations stipulated.

**Article (10)**

- The Agency along with its centers, sections and departments, partially or completely owned by the Agency, shall be fully exempted from all type of local taxes and duties.

**Section (6)**

**Concluding Articles**

**Article (11)**

- Civil service regulations and laws, civil retirement and benefits applicable in the Emirate of Abu Dhabi shall govern the Agency UAE national employees and staff unless otherwise specified in the personnel policy of the Agency.

**Article (12)**

The Board of Directors shall appoint one auditor or more to audit and review the Agency accounts, who shall be certified in the Emirate of Abu Dhabi and the Board of Directors shall determine their remunerations.

- **Article (13)**

-The Agency shall be the local competent agency to represent the emirate of Abu Dhabi at the Federal Environment agency and implement all federal and local related legislations.

- In agreement with Chairman of the Board of Directors or his deputy, Minister of Justice shall identify the Agency staff, who have the capacity of judiciary control, in the area of inspecting the establishments, sites and projects. The ultimate purpose of this is to

ensure that they abide by provisions of the federal and local laws, issued decisions and those for whom judiciary capacity is granted and approved and check the breach or violation of the applicable provisions of laws and refer the violator to the judiciary authorities, under the measures applicable in the UAE.

- **Article (14)**

- It shall be prohibited for any establishment or any individual to carry out any activity that could negatively affect the lives of human beings and the safety of the environment before obtaining a license from the Agency.

-The Agency inspectors may stop the activity of any establishment or prevent the use of any material, tool or device if they are used in such a manner that would endanger health and safety of man and environment.

-Anyone causing by his or her action or negligence any damage or harm to man or the safety of the environment shall bear all charges and costs necessary for remedial or removal of such a damage.

- **Article (15)**

-Without prejudice to any stricter penalty specified by another law, anybody violating provisions of this law shall be punished by imprisonment or the minimum amount of AED 15,000/- as a fine or either penalties and confiscate the machines, tools or devices breaching the related provisions specified in paragraph 3 of the 14<sup>th</sup> article of this law.

-Under all circumstances, the violator shall remove the effects of the breach at the time or date set by the Agency; otherwise, the Agency shall do the same at his own expense.

- **Article (16)**

-Without prejudice to provisions of federal laws in respect of the environment, the Agency shall carry out its responsibilities specified herein in coordination with the Federal Environment Agency.

- **Article (17)**

Law No. (4) of 1996 pertaining to the establishment and development of the Environmental Research and Wildlife Development Agency and amendments thereto shall be superseded by Law no. (1) of 1997 and Law No. (2) of 1999 pertaining to the protection of the safety of man and the agricultural environment from abuse of chemical fertilizers and pesticides.

**Article (18)**

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

Khalifa bin Zayed Al Nahyan  
Ruler of Abu Dhabi

Issued by us in Abu Dhabi on 15<sup>th</sup> June, 2005, corresponding to 8 of first Jumada, 1426 Hijri.