

Federal Law No. 23 of 2006 Concerning the Civil Defense

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

- Having reviewed the Constitution;
- Federal Supreme Council Resolution No. (4) of 1972 concerning the Establishment of a General Directorate for Civil Defense;
- Federal Law No (1) of 1972 concerning the Ministries Competencies and Powers of Ministers and the amendments thereto;
- Federal Law No. (12) of 1976 concerning the Police and Security Forces and the laws amending thereof;
- Federal Law No. (3) of 1979 concerning the Civil Defense and the laws amending thereof;
- Civil Transactions Law promulgated by Federal Law No. (5) of 1985 and the laws amending thereof;
- Penal Code promulgated by Federal Law No. (3) of 1987 and the laws amending thereof, the Penal Procedures Code promulgated by Federal Law No. (35) of 1992 and the laws amending thereof;
- Federal Law No. (21) of 2001 concerning the Civil Service in the Federal Government and the amendments thereto; and
- Federal Law No. (9) of 2004 concerning the Civil Defense Volunteering,
- And upon the submissions made by the Minister of Interior, approved by the Cabinet and endorsed by the Federal Supreme Council,

We promulgate the following law:

First Section: General Provisions

Article (1)

Definitions

For the purpose of this law and unless otherwise required by the text, the following words and expressions shall have the meanings assigned thereto:

- Country** : The United Arab Emirates
- Emirate** : Any of the Country's emirates.
- Area** : A part of an Emirate.
- Ministry** : Ministry of Interior.
- Minister** : Minister of Interior.
- Undersecretary** : Ministry Undersecretary

- Department** : Department of Civil Defense
- Council** : Civil Defense Council
- Chairman** : Chairman of the Council.
- Concerned Authorities** : Any governmental or non governmental authority that takes part in providing support to the civil Defense to face the Dangers and Disasters.
- General Department** : General Department of Civil Defense.
- General Director** : General Director of Civil Defense.
- Subdivisions** : Subdivisions of the civil Defense established in the different areas of the Country.
- Head of Civil Defense Department** : Head of Civil Defense Department at the Emirate or Area.
- Civil Defense Procedures** : The procedures and measures adopted by the Department to safeguard the lives, properties, utilities, public and private projects and national resources.
- Civil Defense** : The procedures and measures adopted by the Department to safeguard the lives, properties, utilities, public and private projects and national resources.
- Disaster** : Any natural or unnatural occurrence that expectedly or unexpectedly takes place and threatens lives, causes losses to properties or environment or hinders the progress of life. Such occurrence can not be faced by normal means of emergency and requires unification of efforts.
- Dangers** : Any severe occurrence that has taken place or that is expected to take place and for facing which, the Department shall be ready.
- Public Alarm** : A public call on the military and civil staff and volunteers working in the Department to be ready to face the Disaster.
- Volunteer** : A civilian who voluntarily participates in the civil Defense operations in times of war and peace and in emergencies and Disasters.

Article (2)

The Department is a regular civil authority in charge of taking all actions and initiating all works that guarantee the protection of lives, properties and national wealth resources in times of war and peace and in emergencies and Disasters. The military staff of the Department shall be subject

to the laws regulating the Police and Security Forces. The civil staff however shall be subject to the laws regulating the civil service in the Federal Government.

The Minister shall head the Department and may have the right to supervise and control the work progress therein.

Second Section: Formation of the Civil Defense Department

Article (3)

The Department shall consist of:

First:	The Council
Second:	General Department and Subdivisions
Third:	Local Committees of Civil Defense
Fourth:	The Volunteers

Article (4)

The Council

1. The Council shall consist of:

- The Minister, Chairman
- The Undersecretary, Member
- Undersecretary of the Ministry of Education, Member
- Undersecretary of the Ministry of Public Works, Member
- Undersecretary of the Ministry of Energy, Electricity & Water Sector, Member
- Undersecretary of the Ministry of Labour, Member
- Undersecretary of the Ministry of Trade and Industry, Member
- Undersecretary of the Ministry of Health, Member
- Undersecretary of the Ministry of Culture, Youth and Community Development, Member
- Undersecretary of the Ministry of Environment and Water, Member
- Undersecretary of the Ministry of Economy, Member
- A representative from the General Commandership of Armed Forces, Member
- A representative from the National Transport Authority, Member
- General Secretary of Municipalities, Member
- General Director of the Federal Environmental Agency, Member
- Chairman of the Red Crescent Society, Member
- The General Director of Civil Defense, Member

2. The Undersecretary shall replace the Chairman in case of his absence.

Article (5)

1. The Council shall meet at least once every six months upon an invitation by the Chairman. The Council may convene a meeting in emergencies upon a request by the Chairman or the majority of members. A meeting shall be valid if the majority of members are present. The Council decisions shall be adopted by majority of present votes. In case of equality of votes, the Chairman of the session shall have a casting vote.
2. The Council may seek the assistance of experts and specialists as it deems fit without that they have countable votes.

Article (6)

The Council shall have a general secretariat to be in charge of organizing the administrative and technical issues. The formation and jurisdictions of such secretariat shall be decided upon a resolution by the Chairman.

Article (7)

The Council shall be in charge of the following:

1. To take part in setting the general policy of civil Defense.
2. To approve and follow up with the plans and projects required for the implementation of the general policy of civil Defense.
3. To determine the duties and responsibilities of Concerned Authorities in relation to the civil Defense.
4. To approve the conditions and specifications of constructing the public and private shelters.
5. To identify the cities and areas where all or some civil Defense procedures are applied and to set the priority of implementation in emergency cases.
6. To approve the draft annual budget of the General Department before submission to the Ministry for approval.
7. To cooperate and coordinate with the departments of free zones in the Country concerning the conditions of safety and security therein.
8. To recommend the declaration of a Disaster to the President of the Country.
9. To adopt the proper decisions in relation to the potential Dangers and the way of facing thereof in view of the results and recommendations submitted by the Local Committees of Civil Defense.
10. Any other duties as assigned by the Cabinet within the jurisdiction of civil Defense.

Article (8)

General Department and Subdivisions

The General Department and Subdivisions shall be responsible to carry out the procedures and works stated herein, to implement the civil Defense procedures, take all necessary precautions and to avoid and mitigate the Dangers in collaboration and coordination with the Concerned Authorities and shall in particular be in charge of the following:

1. To suggest the general policy of civil Defense.
2. To prepare and follow up with the plans and projects required for the implementation of the general policy of civil Defense.
3. To set the conditions and specifications of constructing the public and private shelters.
4. Any other duties as assigned by the Council within the jurisdiction of civil Defense.

Article (9)

Local Committees of Civil Defense

1. A local committee of civil Defense shall be formed in each Emirate or areas as follows:
 - The representative of the Ruler, Chairman
 - General Director of Police, Member
 - General Director of Civil Defense, Member
 - General Director of Municipality, Member
 - Director of the Medical Territory, Member
 - Director of the Educational Territory, Member
 - Director of Labour Office, Member
 - Director of the Territory set in the Ministry of Energy, Electricity & Water Sector, Member
 - Director of the Electricity and Water Authority in the concerned Emirate, Member.
 - Director of the Agricultural Territory, Ministry of Environment and Water, Member
 - Head of the Office of the Ministry of Public Works, Member
 - A representative from the communication companies and corporations, Member
 - Director of Emirates Telecommunications Authority Branch, Member
 - A representative from the General Commandership of Armed Forces, Member
 - Director of the Office of the Ministry of Economy, Member
 - Director of the Red Crescent Branch, Member
2. The Director of Police in the Emirate or Area shall replace the Chairman of the Committee in case of his absence.

Article (10)

1. The Committee shall meet at least once every three months upon an invitation by the Chairman in the venue set by the Chairman or, if possible, in the Disaster place. A meeting

shall be valid if the majority of members are present. The Council decisions shall be adopted by majority of present votes. In case of equality of votes, the Chairman of the session shall have a casting vote. A civil Defense officer shall take the office of secretary general of the Committee.

2. The Committee may seek the assistance of experts and specialists as it deems fit without that they have countable votes.

Article (11)

The Local Committees of Civil Defense shall be in charge of the following:

1. To implement the plans and projects of civil Defense.
2. To regularly study the potential Dangers, suggest ways of facing such Dangers and submit the study results and recommendations to the Council to take necessary decision.
3. To take all necessary actions and measurements to achieve the purposes of civil Defense.
4. To create awareness among the community members and urge them to participate in civil Defense operations as volunteers.
5. To manage the operation rooms and centers to follow up with the progress of Disasters and supervise the measures and actions adopted in such cases.

Article (12)

Civil Defense Procedures

The Civil Defense procedures shall include in particular:

1. To study the possible Dangers and Disasters and set the plans necessary for management of such Dangers and Disasters.
2. To prepare the preventive programs against the possible Dangers and Disasters and their requirements.
3. To prepare the necessary plans for the management of Dangers and Disasters in emergencies.
4. To establish and furnish emergency management rooms and centers.
5. To set a Public Alarm system against possible Dangers.
6. To set evacuation plans in emergencies.
7. To establish public shelters and supervise the establishment of private shelters in the buildings, institutions and refuge places and to provide medical and social care to the afflicted ones.
8. To prepare and procure the equipment, machines and tools necessary for the civil Defense operations.
9. To form the necessary teams who shall carry out the aid and relief works in the afflicted areas.
10. To prepare the training programs and joint imaginary exercise for the civil Defense personnel, volunteers and civilians.

11. To set the awareness programs and keep the Media aware of their duties in emergencies.
12. To monitor the Dangers of radiation, chemical and biological pollution in times of war and peace and to take the necessary actions in coordination with the Concerned Authorities.
13. To coordinate the mutual assistance among the emirates of the Country in relation to the civil Defense.
14. To establish assistance and support centers and identify their duties to enhance the civil Defense services at the national, regional and international level. A resolution by the Cabinet shall be issued in this regard.
15. To contribute in rehabilitating the afflicted areas and provide new public and private utilities in the afflicted areas.

Article (13)

Upon a suggestion by the Council, the Chairman shall adopt the necessary decisions to implement the civil Defense procedures and measures to be taken by the Concerned Authorities.

Article (14)

In cases of emergency, Disasters and danger, the Chairman may issue a resolution to confiscate the properties, assets and vehicles of others to the extent required for the implementation of civil Defense procedures and operations provided that the confiscation is for a temporary period and against a fair compensation.

Article (15)

For the purpose of implementation of the Civil Defense operation, the General Department and Subdivisions shall have the right to use the properties and installations against a fair compensation in case of any damage resulting from such use. The owner, occupant or user of a property or an installation shall not take any action against such right.

Fourth Section: Cooperation and Coordination

Article (16)

The Department may coordinate with the Armed Forces upon a resolution by the Minister in agreement with the Minister of Defense in the following issues:

1. The duties of the Armed Forces in delivering the alarm.
2. The bases of cooperation between the Armed Forces and Civil Defense.
3. To identify the statistical data and information provided by the Armed Forces and the way of providing such data and information in wartimes.
4. To carry out the operations and instructions of civil Defense in the camps and units of Armed Forces.

Article (17)

The General Department and Subdivisions shall cooperate with the concerned departments to prepare and coordinate the medical, social, engineering, administrative, police, armed forces and other services necessary to face the possible Dangers.

Article (18)

The General Department and Subdivisions shall coordinate with the authorities that have interior security and safety departments particularly the oil companies and airports to organize the means of support by the civil Defense to such authorities upon request.

Article (19)

All the Concerned Authorities shall provide the General Department and local committee with all the requested information, data or services to implement the works and procedures of civil Defense.

Article (20)

The authorities identified upon a resolution by the Minister shall appoint or assign experienced personnel to be responsible for all matters related to the implementation of the fire prevention and building safety requirements in their buildings, to set and implement the internal plans of facing the possible Dangers in the installation and to evacuate the occupants in collaboration and coordination with the General Department and Subdivisions.

Article (21)

The authorities in charge of issuing building or installation licenses shall not issue such licenses unless the concerned person submits an official certificate issued by the concerned Department of civil Defense stating that the building or installation meets the safety and security requirements.

Fifth Section: Financial System

Article (22)

The State shall bear the costs of implementing the procedures, plans and projects of civil Defense. A fund shall be assigned for the Civil Defense Department in the general budget of the State. The Minister may disperse from such funds in cases of emergencies or Disasters.

Article (23)

1. The State shall fairly indemnify all those afflicted by the civil Defense experiments or

operations provided that the afflicted persons claim the indemnification within sixty days as of the date of occurrence of the damage unless the failure to claim is beyond their control.

2. Upon a decision by the Chairman, an expert committee shall be formed to consider the indemnification claim. The Committee shall issue its decision in such claims within sixty days as of their submission date.

Without prejudice to the provisions of the civil liability stated in the Civil Transactions Code, the concerned person may submit a grievance against the Committee decision within thirty days as of the date of being notified of such decision.

Article (24)

Upon a suggestion by the Minister, the Cabinet shall issue a table of charges to be collected from the beneficiaries of the civil Defense services and a table of penalties applied in case of breach of the provisions of this law and the resolutions issued in implementation thereof.

Article (25)

The concerned ministries, authorities and public institutions shall, after consultation with the General Department, assign in their annual budget, the necessary funds under the item (civil Defense) to carry out the duties assigned thereto within their duties or services.

Article (26)

In cases of emergencies or Disasters, the requirements of civil Defense may be purchased directly without need of tenders.

Article (27)

The equipment, machines and tools imported for the General Department and Subdivisions shall be exempted from all tax and custom duties.

Article (28)

After the Minister's approval, the General Department may accept donations and contributions for the civil Defense provided that such donations and contributions are not conditioned.

Sixth Section: Penalties

Article (29)

Shall be punished with imprisonment for not more than six months or with the fine set in the table issued by the Cabinet whoever breaches this law or the regulations and resolutions issued in implementation thereof.

In cases of Disasters, the penalty shall be imprisonment for not less than two months and a fine of not less than AED (20000) twenty thousand and not more than AED (250000) two hundred and fifty thousand or either penalty.

Article (30)

Shall be punished with the penalty set in article (29) hereof whoever intentionally commits an act or omission that may hinder or stop the machines and equipment installed for civil Defense purpose.

If the act or omission is intentional, the perpetrator shall be charged the cost of damaged machines and equipment or the cost of reinstallation.

Article (31)

The penalties set out in this law shall not affect any more severe penalties provided by any other law.

Seventh Section: Final Provisions

Article (32)

In cases of Disasters, every citizen shall be liable to provide any possible assistance to the civil Defense to the extent required.

Article (33)

In cases of Disasters, the Minister may oblige certain authorities and those who exercise special professions to stay in their positions to ensure the normal progress of daily life.

Article (34)

The officers, non-commissioned officers and personnel of civil Defense shall have the capacity of judicial officers for the implementation of the provisions of this law.

Article (35)

The Minister shall issue the regulations and resolutions required for the implementation of this law.

Article (36)

Any text in contradiction of the provisions of this law shall be repealed, and the Federal Law No. (3) of 1979 referred to above shall be repealed. The regulations and resolutions issued for the implementation of such law shall remain in force without prejudice to the provisions of this law until the alternative regulations and resolutions are issued.

Article (37)

This law shall be published in the official gazette, and shall come into force three months from the date of publishing thereof.

[Signed]

Khalifa Bin Zayed Al Nahyan

The President of United Arab Emirates

Issued in the Presidential Palace in Abu Dhabi

On 14 Jumada Al-Akhera 1427 AH

Corresponding 9 July 2006