

Federal Law No. (12) of 2018
on Integrated Waste Management

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

- Upon review of the Constitution;
- Federal Law No. (1) of 1972 Concerning the Competences of Ministries and Powers of Ministers, and any amendments thereof;
- Federal Law No. (26) of 1981 on Maritime Trade Law, and any amendments thereof;
- Federal Law No. (5) of 1985 Promulgating the Civil Transactions Law, and any amendments thereof;
- Federal Law No. (3) of 1987 on the Issuance of Penal Code, and any amendments thereof;
- Federal Law No. (11) of 1992 Promulgating the Civil Procedure Law, and any amendments thereof;
- Federal Law No. (35) of 1992 on the Issuance of Criminal Procedures Code, and any amendments thereof;
- Federal Law No. (18) of 1993 on the issuance of Commercial Transaction Act, and any amendments thereof;
- Federal Law No. (23) of 1999 concerning the Exploitation, Protection, and Development of Living Aquatic Resources in the United Arab Emirates, and any amendments thereof;
- Federal Law No. (24) of 1999 on the Environment Protection and Development, and any amendments thereof;
- Federal Law No. (9) of 2011 AD concerning Land Transport;
- Federal Law No. (2) of 2015 on Commercial Companies, and any amendments thereof;
- Federal Law No. (14) of 2016 concerning the Administrative Violations and Penalties in the Federal Government;

And pursuant to the proposal presented by the Minister of Climate Change and Environment, and approval of the Cabinet and the Federal National Council, and ratification of the Supreme Federal Council;

Have promulgated the following Law:

Article (1)

Definitions

In application of the provisions of this Law, the following words and expressions shall have the meanings ascribed thereto unless the context requires otherwise:

State	:	The United Arab Emirates.
The Ministry	:	Ministry of Climate Change and Environment.
the Minister	:	Minister of Climate Change and Environment.
Competent	:	relevant department in the Ministry.
Department		
Competent Authority	:	Local Competent Authority in each Emirate in the State.
Relevant Authorities	:	Companies, Institutions and Authorities competent with waste management which are licensed by the Competent Authorities.
Person	:	Natural or legal person
Entity	:	Industrial, tourism and commercial entities, entities of electricity production and generation and desalination, entities operating in the oil business, its derivatives, extraction, transportation, use and all infrastructure projects, and any other entity according to provisions of this Law and its Executive Regulation.
Supplier	:	The entity supplying the products, whatever its type, to the State.
Environment	:	The biosphere where aspects of life in its various forms are reflecting.
Hazardous Materials	:	Solid, liquid, or gas materials with properties harmful to the human health or adversely affect on the environment, such as

toxic, explosive or flammable material.

- Wastes** : All types of hazardous and non-hazardous residues or debris which are disposed or required to be disposed including: solid municipal wastes, sewage wastes, hazardous wastes, construction and demolition wastes, industrial wastes, organic waste, marine wastes and oil wastes.
- Municipal Solid Wastes** : Wastes of individuals that come from residential, commercial, vocational and industrial sources or other.
- Sewage Wastes** : Waste water and solid debris resulting from the treatment processes (sludge).
- Hazardous Wastes** : Wastes of the various activities and operations, and used devices and equipment, and medical wastes or other wastes maintaining the properties of the hazardous material.
- Construction and Demolition Wastes** : All non-hazardous wastes resulting during the buildings construction, restoration or demolition, which include the residential and non-residential buildings, roads, bridges and others.
- Industrial Wastes** : Wastes resulting from all industrial and processing activities in the industrial enterprises whether hazardous or non-hazardous; they are being specified according to the manufacturing process or the laboratory tests.
- Agricultural Wastes** : Wastes resulting from the agricultural activities including, wastes of the agricultural crop and gardens, plant wastes, animal waste and fertilisers.
- Marine Wastes** : Wastes resulting from the marine means, such as vessels and oil tankers or others, marine operations and land operations close to coastal areas.
- Oil Wastes** : All oils required to be disposed from the commercial, industrial and service entities including, oils of transportation vehicles,

industrial equipment, machineries and cooking oils.

- Waste Management** : Waste segregation, collection, transportation, storage, reuse or recycling, treatment and disposal, including the after-attention at its disposal sites.
- Waste Segregation** : Segregation of wastes generated from its primary source in order to be reused, recycled, treated or properly disposed.
- Waste Producer** : Any entity which the activity thereof resulting in the generation of wastes.
- Waste Management Facility** : The legal person operating whether by or on behalf of the waste producer in the waste management.
- Waste Depository Sites** : Sites for disposing the wastes which are specified by the Competent Authority.
- Wastes Reuse** : Reuse of the wastes without being exposed to any operation.
- Waste Recycling** : The operations made on the wastes in order to extract the raw material therefrom to be used in the commercial and industrial operations again.

Article (2)

Objectives of the Law

This Law aims at regulating the waste management operation and unifying the mechanisms and ways of its proper disposal through applying the best available practices and technologies, in order to protect the environment and reduce the damage caused to the human health.

Article (3)

Scope of Application and Enforcement

Provisions of this Law shall apply to the waste starting from its production, segregation, collection, storage, reuse, recycling, treatment and disposal inside State including the free zones, excluding the nuclear and radioactive waste from applying the provisions of this Law.

Article (4)

Waste Management Liability

Competent authority shall undertake the responsibility of the waste management within its place competence. For such purpose, it shall:

1. Provide the waste management services; it may assign such tasks to the relevant authorities.
2. Develop the plans, programmes and measures required to the waste management in order to improve the environmental-proper practices.
3. Notify the Ministry annually about its plan for the waste management.

Article (5)

Liability of the Waste Producer, Supplier and Entity

Both of the waste producer and supplier shall be responsible for accepting the returned products and remaining wastes after use, as well as the financial costs resulted therefrom, as determined by the Executive Regulation of this Law.

Article (6)

Prohibition of Some Types of the Material Producing the Wastes

Upon coordination with the competent authority, the Ministry may undertake the following:

1. To prohibit the issuance or import of the single-use or the short-term use products in the markets, which cause environmental damage.
2. To prohibit the use or import of the material that are difficult to be disposed or which the disposal thereof represents a risk to the environment.
3. To oblige the producing companies and institutions to avoid using or importing the material from which the wastes that there are no environmental-proper operations to dispose them result.

Article (7)

Wastes Reuse or Recycling

1. Upon coordination with the competent authority, the Ministry may undertake the following:
 - A. To oblige the entity to reuse certain types of the wastes generated therein if so is causing less damage to environment than disposing them.
 - B. To oblige the entity to reuse some types of reuse-proper wastes or to treat some types of the wastes that need special treatment separately, upon disposing them.
2. The competent authority shall encourage the establishment of the recycling factories to recover the maximum recyclable wastes.

Article (8)

Waste Disposal

1. Any person shall be prohibited to litter, bury or burn the wastes or dispose them in the open areas, roads and waterways, public gardens and any other area not specified for this purpose.
2. It is not permissible to dispose the wastes except in the waste depository sites licensed by the competent authority.
3. The competent authority shall take the procedures required to dispose the wastes remaining from the treatment of the municipal solid wastes that are resulting from the plants of turning the wastes into energy resources in the waste depository sites with the authorised engineering and environmental standards.

Article (9)

Terms of the Waste Depository Sites

The Executive Regulation of this Law shall specify the technical and regulating requirements of the waste depository sites.

Article (10)

Reuse the By-Products

The secondary raw materials that are resulting from the industrial operations shall not be deemed wastes if they are usable as by-products for the same industry or other industries as specified by the Executive Regulation of this Law.

Article (11)

Municipal Solid Wastes

The competent authority shall take the measures and procedures required to reduce the generation of the municipal solid wastes and its segregation at the source through providing containers with different and unified colours, and establishment of waste collection centres. The Executive Regulation of this Law shall specify the details and colours of the containers and its use.

Article (12)

Sewage Wastes

The competent authority or whoever it authorises shall undertake the establishment of facilities of treatment and operation of the sewage wastes; such wastes shall be treated according to the authorised treatment standards specified by the Executive Regulation.

Article (13)

Hazardous Wastes

The competent authority shall undertake the management of the hazardous wastes within the standards of protection of environment and health and safety, and shall develop and implement a periodical programme monitoring the residues of the hazardous waste, their occurrence or the occurrence of their effects in the elements of the environmental system in sites and facilities of treatment and disposal of the hazardous wastes and its surroundings as specified by the Executive Regulation of this Law.

The competent authority shall be responsible for guaranteeing the collection of the hazardous solid municipal wastes separately from other wastes.

Article (14)

Construction and Demolition Wastes

The competent authorities shall undertake the management of the construction and demolition wastes according to the standards followed for the segregation from the source, shall not mix them with the other wastes and transport them to the nearest waste management facility to recycle them.

Article (15)

Industrial Wastes

The entity shall undertake the management of its industrial wastes by reuse, recycling or the proper disposal of them, however, the entity shall be committed to the procedures specified by the competent authority.

Moreover, the competent authority shall be responsible for the waste of the industrial vehicle and machinery and the equipment through treating, recycling, finally disposing or exporting them.

Article (16)

Agricultural Wastes

The competent authority shall undertake the segregation of the agricultural wastes in order to facilitate and support the production of high-quality organic fertilisers and production of the biogas and energy. It shall take the measures of preventing the burning of the agricultural waste.

Article (17)

Marine Wastes

Subject to provisions of the federal law No. (24) of 1999 above or any other applicable legislation replacing it, it shall be coordinated between the competent authority and port authorities regarding the establishment of proper facilities in the marine ports of the state, in order to receive the waste from the cargo vessels and operators of other marine entities. The competent authority shall transport the wastes collected from such facilities and deal with them as per each class.

Article (18)

Oil Wastes

1. The competent authority shall undertake the follow-up of procedures of collecting, treating and recycling the oil waste, guaranteeing its non-mixing with each other or with any other material or wastes.
2. The competent authority shall send periodical reports to the Ministry on the type and quantities of the oil waste and the way to treat them.

Article (19)

Shared-Management of Waste

The competent authorities may coordinate among themselves to establish shared facilities for treating and disposing the wastes and to allow the transportation of the waste from an emirate to another, subject to the highest levels of the environmental protection and the best available technologies and practices, provided that the Ministry shall be previously notified of such coordination and the results resulted therefrom.

Article (20)

Waste Transportation

Upon coordination with the competent authority, the Ministry may allow the relevant authorities that manage and supervise the waste management facilities to transport the wastes among the state areas on which such facilities are located, according to the terms and disciplines specified by the Executive Regulation of this Law.

Article (21)

Rehabilitation of Non-Health Waste Depository Sites

The competent authority or whoever it authorises shall undertake the treatment and rehabilitation of non-health waste depository sites located within its geographical scope.

Article (22)

Education and Awareness-Raising

Upon coordination with the competent authorities, the Ministry shall develop and apply programmes for educating and raising the awareness of the society members and owners of the entities on reducing the waste generation and promoting its recycling.

Article (23)

National Database for the Wastes

The competent department shall undertake the creation of a national database for the wastes, provided that the competent authority shall provide all the data relevant to the waste management periodically.

Article (24)

Gate Fees

The minimum fees of disposing the wastes in the waste depository sites shall be specified by a resolution from the Cabinet. The outcome of the fees shall be referred to the competent

authority.

Article (25)

Liability for the Environmental Damage

Whoever causing a damage to the environment by committing an act or through negligence that resulted in a violation to provision of this Law, or the regulations or the resolutions applying it, shall be responsible for all the costs required to treat or repair such damage, in addition to any compensations that may result therefrom.

Article (26)

Administrative Sanctions

Without prejudice to the penalties prescribed in this Law or any other laws, the Competent Authority may impose the following administrative sanctions on the violating entities:

1. License suspension
2. Temporary closure.
3. Final closure.

The Executive Regulation of this Law shall specify the procedures of complaining from the administrative sanctions, periods of license suspensions and temporary closure.

Article (27)

Punishments

Punishments stipulated in this Law shall not prejudice to any more severe punishment stipulated by any other law.

Article (28)

Each private entity that litters, buries or burns the wastes or disposes them in the open areas, roads and waterways, public gardens and any other area not specified for this purpose shall be punished of a penalty not exceeding (AED 1,000,000) one million Dirham.

Article (29)

Every natural person who litters, buries or burns a quantity of wastes or disposes them in the open areas, roads and waterways, public gardens and any other area not specified for this purpose shall be punished of a penalty not exceeding (AED 30,000) thirty thousand Dirhams.

Article (30)

Whoever violates the other provisions prescribed under the provisions of this Law, and regulations and provisions applying it, shall be punished of a penalty of no more than (AED 20,000) twenty thousand Dirhams.

Article (31)

Reconciliation

1. The Cabinet may issue a resolution to determine the crimes that may be reconciled.
2. No criminal case shall be filed for the crimes stipulated in Clause (1) of this Article unless under a written request from the Ministry or the Competent Authority after coordinating with the Ministry.
3. Reconciliation for the crimes stipulated in Clause (1) of this Article shall be made before referring the case to the competent court in return of an amount equal to the half of the prescribed penalty. The criminal case shall be terminated upon settling the reconciliation amount.
4. If the violator rejects the reconciliation, the matter shall be referred to the Public Prosecution.

Article (32)

Law Enforcement

Employees, who are determined by a resolution by the Minister of Justice in agreement with the Minister or Head of the competent authority, shall be granted the status of law enforcement in establishing the violations committed within their competence to the

provisions of this Law, its Executive Regulation and the applying resolutions thereof.

Article (33)

Executive Regulation

The Cabinet shall issue the Executive Regulation of this Law within six months as of the date of its publication.

Article (34)

Repealing Contrary and Inconsistent Provisions

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

Article (35)

Publication and Enforcement of the Law

This Law shall be published in the official Gazette and shall come into force three months after the date its publication.

Khalifa Bin Zayed Al Nahyan

President of The United Arab Emirates

Issued by Us at the Presidential Palace in Abu Dhabi:

Dated: Rabi' II 10, 1440 AH

Corresponding to: December 18, 2018