

Federal Law No (2) of 2001
on The Social Security

We, Zayed bin Sultan Al-Nahyan **president of United Arab Emirates,**

- After reviewing constitution,
- Federal law No. (1) of 1981 on reviewing the competences of ministry and powers of ministers and laws in amendment thereof,
- Federal law No. (12) for the year 1981 on reviewing the social security and laws in amendment thereof,
- On basis of proposal made by Minister of Labor and Social Affairs, approval of Council of Ministers and federal national council and sanction of Supreme Federal Council,

The following law has been enacted:

Part One
Definitions
Article (1)

"Upon applying the provisions of this Law, the following words and expressions shall have the meanings assigned thereto respectively, unless the context requires otherwise:

- State** : The United Arab Emirates.
- Ministry** : The Ministry of Community Development.
- Minister** : The Minister of Community Development.
- Department** : The Department of Social Security.
- Committee** : The Social Assistance Committee.
- Family** : A group of people consisting of a husband and one or more wife and their children or some members of such group if they live together. The family also includes:
1. Son up to the age of eighteen, however, a son is deemed a family member above this age if it is proved that he is

enrolled in education until he completes it or is employed.

2. Daughter up to the age of eighteen, however, a daughter is deemed a family member above this age if it is proved that she is enrolled in education until she completes it, unless she marries or is employed.

- Breadwinner** : Any financially-capable person obligated, based on Sharia principles, to support his entitled family members, falling under the categories set forth in the provisions of this Law; provided that the breadwinner's income must be more than double the value of the assumed assistance.
- Widow** : Any woman below sixty years of age whose husband died and her "Iddah" expired, and she has not married again and has no source of income or a financially-capable Breadwinner.
- Divorcee** :
a. Any woman below thirty five years of age who is divorced and her "Iddah" is expired, and she has not married again and has no source of income or a financially-capable Breadwinner.
b. Any woman above thirty five years of age who is divorced and her "Iddah" is expired, and she has not married again and has no source of income.
- Deserted Wife** : Any woman proved to be deserted by her husband, based on Sharia principals, and has no source of income or a financially-capable Breadwinner.
- Disabled** : Any individual who suffers from a mental or physical disability or a psychological functions disorder reducing his ability to perform his natural role in the community, in comparison to his counterparts of the same age and gender in the societal and cultural framework in which he lives, and has no source of income.

- Elderly** : Any person at the age of sixty and has no source of income.
- Orphan** : Any person whose father died before reaching the age of majority and has no source of income or a financially-capable Breadwinner.
- Person of Unknown-Parentage** : A person below the age of majority who is born of unknown parents and has no source of income, is not in the care of a financially-capable person and no entity is supporting him.
- Unmarried Girl** : a. Any girl above the age of eighteen and below the age of thirty five and has not married or worked and has no source of income or a financially-capable breadwinner.
b. Any girl above the age of thirty five and below the age of sixty and has not married or worked and has no source of income.
- Disabled Patient** : Any person below the age of sixty who suffers from a total or partial disability preventing him from earning his living or supporting his family and has no source of income.
- Married Student** : Any married male student enrolled in an educational institution and has no source of income.
- Prisoner's Family** : Any family whose breadwinner is sentenced to imprisonment or arrested by a competent authority for a period of at least two months and has no source of income, or otherwise if the family's income is less than the amount entitled to its Breadwinner if he would have received a social assistance, pursuant to the provisions of this Law. The prisoner shall not be counted as a family member when the assistance is provided.
- Financially-Incapable Person** : Any person whose income from his work is less than the amount entitled thereto had he received a social assistance, pursuant to the provisions of this Law; provided that it must be proved that he is incapable of performing any other work to increase his income.

Part Two

Validation Extent of This Law Provisions

Article (2)

This law provisions shall apply to citizens who reside within the state from persons who fulfill the conditions stipulated in this law.

Article (3)

With the exception of holding the nationality of the state mentioned in the preceding article:

1. female citizen who marries foreigner shall deserve the social assistance for herself and her children in the following cases:
 1. the husband was stricken by the morbid disability that prevents him from working.
 2. Imprisoning or arresting the husband by competent authority for period not less than two months or deporting him.

The committee, that examines the demand of the woman who marries foreigner, may grant her assistance for herself only in the two following cases:

1. if the husband has no income because of reason beyond control.
2. If the income of the husband is less that what the family might deserve if he received the social assistance in the two mentioned cases. The husband shall be excluded from the family members who enjoy with the social assistance.
3. The widow citizen whose foreign husband died shall deserve the social assistance for herself and her children.
4. The divorced and foreign widow who married citizen and procreated children from him that she undertakes their guardianship within the state and didn't marry shall deserve the social assistance for herself , in case of divorcing her or death of her husband provided that she shall has no income source or capable supporter.

Article (4)

1. The following categories shall deserve the social assistances according to this law

provisions: the widow, the divorced, the disabled, the aged, the orphan, The person whose parents are unknown, the unmarried girl, who is stricken by the morbid disability, the married student, the family of the prisoner, The disabled materially and the abandoned woman.

2. by resolution from the council of ministers according to proposal from the Minister other categories may be added to categories stipulated in term (1) of this article when required.

Article (5)

The amount of the social assistance shall be determined by resolution from the council of ministers according to the proposal of the minister.

If the family consists of one person who lives lonely in separated housing and depends totally on the social assistance, he shall be granted allowance amounts (375) three hundred and seventy five dirham monthly in addition to the social assistance that he deserves that for categories of old person, widowhood, healthy disability, orphan and the disabled.

These amounts may be increased by resolution from the council of ministers according to proposal from the minister.

Part Three

Linking The Social Assistance

Article (6)

If the person who deserves the social assistance has no income, the assistance shall be paid totally. If he has income , the assistance shall be decreased according to the amount of the income provided that the assistance amount in this case shall not be less than (625) six hundred and twenty five dirham monthly for every person. The social assistance of the materially disabled persons shall be determined and rules relate to such shall be organized by resolution from the council of ministers.

The following shall not be considered income in implementing this law provisions:

1. income resulted from earning work from the house and environmental products.

2. Assistance presented by the non-relatives or by relatives who aren't obligated with the expense legally.
3. Compensation that the assistance deserved or members of their families received during training or rehabilitating them vocationally.
4. What is paid for who deserves the assistance or their families' members from kind or cash assistance from the medicinal and social establishments for remedy.
5. Compensations determined for students in the different education phases.
6. Compensations that are due regularly.

Article (7)

1. The committee may disburse exceptional social assistances for who has no work because of reason out of his will and has no income source. The period of disbursing the assistance shall be six months that may be extended to similar periods by resolution from the minister.
2. For whom this assistance was determined shall search for work within the period specified in the preceding paragraph , with the assistance of the competent authorities. In case he refuses to join the work provided to him, his right in the assistance that determined to him shall be lapsed.

Part Four

Article (8)

Procedures and conditions of demanding the assistance:

1. The assistance demander shall submit to the department where the demander resides in its jurisdiction and the documents that determined by resolution from the minister shall be attached thereto.
2. The department shall perform the social research of the status of the assistance requester. Then it shall refer the request with its attachments with the result of the social research to the committee within thirty days from the date of submitting the request.
3. The committee shall examine the requests submitted to it by the priority that is revealed

by the social research of the status. The committee shall issue its decisions by accepting or refusing the demand within thirty days from its submitting date to it provided that the issued decision by refusing the demand that shall be joined by reasons and shall be informed to the involved person.

Article (9)

The assistance shall be disbursed to its deserved as of the beginning of the month that follows the date of issuing the committee decision by accepting the demand. If it was proved that the deserved misuses it for any reason, the committee may disburse it to the legal guardian, custodian or any of the other members of the family who have competence. The delegation in receiving the assistance is allowed by approved proxy.

Article (10)

The assistance deserved, legal guardian or the custodian, according to case, shall present annual statement of the deserved of the financial or social assistance after passing year from receiving the assistance according to conditions determined by resolution from the minister and he shall inform the department immediately by any change of his residence place or his financial or social status that may lapse the right of assistance or amend its amount.

Article (11)

The department shall observe the status of the assistance deserved twice at least every year . it shall undertake these procedures if the assistance deserved defaulted to receive it fro two successive payments.

The observation shall be performed by social research executed by the department to determine the legal position of the assistance deserved and the financial and social change that has happened to his social or financial status. The committee in the light of the results of the social research mentioned in the preceding paragraph and subject to this law provisions or regulations issued upon such may issue decision joined by reasons to increase, decrease or cancel the assistance.

Article (12)

If the assistance deserved didn't demand what he deserves after passing three months from date when he knew its maturity, his right in the deserved amount shall be lapsed . and his right in the assistance shall be lapsed totally, if its owner didn't demand such within six months from date of linking it or disbursing the amount to him unless he presented excuse accepted by the committee. Whoever whose right in the assistance or compensation was lapsed may not be superseded by another in the maturity.

Article (13)

Whoever that decision was issued by refusing his request, decreasing his deserved assistance or lapsing his right therein may grieve from this decision to the minister within sixty days from day when he was informed by this decision.

Article (14)

The grievance mentioned in article (13) of this law shall be decided by committee of grievances formed by resolution of the minister. the committee shall submit its recommendation of the complaint within period doesn't exceed thirty days from the date of receiving the grieve and the decision of the minister shall be irrevocable.

Article (15)

If the social assistance deserved died, the amounts that he deserves before his death shall be disbursed to his family. If the deceased is the husband, the assistance deserved for him before his death shall be continued to be disbursed to his widow and till terminating its legal period of waiting.

Article (16)

The assistance may not be assigned or seized unless to fulfill expense judged for any of the family members who profit from this law provisions by what doesn't exceed the half of the deserved assistance and within amounts determined for every person.

Part Five

Article (17)

The ministry may lapse the assistance and recover what was disbursed from such unlawfully, if the person to whom the assistance was determined has committed any of the following acts, without breaching the criminal liability:

1. presenting incorrect data that caused granting or increasing the assistance or continuing to disburse it unlawfully.
2. Forged a document or used a forged document that caused granting or increasing the assistance or continuing to disburse it unlawfully.

Part Six

Final Provisions

Article (18)

The committee shall be formed by resolution from the minister and this resolution shall determine the rules related to the system of working therein.

Article (19)

Urgent relief aid shall be granted to families and individuals to face the public and private calamities and disasters by resolution from the minister according to the resolution of the council of ministers that organizes the amount of these assistances and rules relate to disbursing it.

Article (20)

The procedures of the medical examination shall be organized by decision from the minister according to systems of ministry of health in cases that requires performing such examination.

Article (21)

The minister shall issue the required regulations and resolutions to enforce this law.

Article (22)

The federal law No. (13) for the year 1981 shall be repealed.

Article (23)

Every provision breaches or conflicts with this law provisions shall be repealed.

Article (24)

This law shall be promulgated in the official gazette and shall be enforced from its promulgation date.

Zayed Bin Sultan Al-Nahyan

President of United Arab Emirates