

**Federal Law No. (9) of 2019**  
**on the Rights of Senior Emiratis**

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

- Having reviewed the Constitution;
- Federal Law No. (1) of 1972, on the Competences of Ministries and the Powers of Ministers, as amended;
- Federal Law No. (17) of 1972, on the Nationality and Passports, as amended;
- Federal Law No. (8) of 1980, Regulating Labour Relations, as amended;
- Federal Law No. (5) of 1985, Enacting the Civil Transactions Law of UAE, as amended;
- Federal Law No. (3) of 1987, Enacting the Penal Code, as amended;
- Federal Law No. (11) of 1992, Enacting the Civil Procedure Law, as amended;
- Federal Law No. (35) of 1992, Enacting the Criminal Procedure Law, as amended;
- Federal Law No. (7) of 1999, Enacting the Law of Pensions and Social Insurances, as amended;
- Federal Law No. (2) of 2001, on the Social Security;
- Federal Law No. (28) of 2005, on Personal Status;
- Federal Law No. (9) of 2006, on the Regulations of Population Register and Identity Card, as amended;
- Federal Law No. (29) of 2006, concerning the Rights of Persons with Special Needs, as amended;
- Federal Law No. (2) of 2008, on Non-Governmental Organizations and Foundations of

Public Welfare;

- Federal Decree-Law No. (11) of 2008, on Human Resources in the Federal Government, as amended;
- Federal Law No. (10) of 2009, on Sheikh Zayed Housing Programme, as amended;
- Federal Law No. (18) of 2009 Regulating the Registration of Births and Deaths;
- Federal Law No. (4) of 2013, Regulating the Notary Public Profession, as amended;
- Federal Decree-Law No. (2) of 2015, Combating Discrimination and Hatred;
- Federal Decree-Law No. (4) of 2016, on the Medical Liability;
- Federal Decree-Law No. (15) of 2016, Establishing the Emirates Schools Establishment;
- Federal Decree-Law No. (16) of 2016, Establishing the Emirates Health Services Establishment;
- Federal Law No. (13) of 2018, on Voluntary Work;
- Based on the Proposal of the Minister of Community Development, the approval thereof by the Cabinet and the Federal National Council and the ratification of the Federal Supreme Council,

**Hereby enact the following Law:**

## **Article (1)**

### **Definitions**

For the purpose of 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.
- Competent Authority : Any citizen of the State who reaches the age of sixty, whether one or more individuals.
- Senior Emiratis : Any citizen of the State who reaches the age of sixty, whether one or more individuals.
- Senior Emirati who is Unable to Take Care of Himself : Any Senior Emirati who is unable to fully or partially secure his own livelihoods, including basic needs of life, like a fit person, due to his age or the lack of his financial, physical, mental or psychological capabilities.
- Senior Emiratis' Family : Any person having a criminal accountability and is a wife, husband, son, daughter, brother or sister of Senior Emiratis, subject to the absence of a son/daughter who is able to take care of the Senior Citizen.
- Caregiver : A person who is able to take care of a Senior Emirati who is Unable to Take Care of Himself, whose name is recorded at the Ministry or the Competent Authority, or otherwise a person appointed by the court.
- Service Provider : Any person who provides a direct service, whether paid or unpaid, to any Senior Emirati who is Unable to Take Care of Himself.
- Violence : A verbal abuse or deliberate use of force against Senior Emiratis.

**Abuse** : Any form of degrading treatment of Senior Emiratis, such as discrimination, abandonment, negligence, exploitation, blackmail or psychological abuse, as defined by the Executive Regulations of this Law.

**Senior Emiratis' Establishment** : A government or private establishment licensed for caring for or accommodating Senior Emiratis and providing necessary services thereto.

**Alternative Family** : A family entrusted to take care of a Senior Emirati who is Unable to Take Care of Himself and manage his own affairs where necessary, other than his family.

**Relevant Bodies** : Non-governmental associations and organizations of public welfare and the private sector's establishments in charge of Senior Emiratis.

## **Article (2)**

### **Objectives of the Law**

This Law aims at:

1. Ensuring that Senior Emiratis enjoy their fundamental rights and freedoms guaranteed by the Constitution and the legislation in force.
2. Ensuring that Senior Emiratis access to all information and services related to their rights.
3. Enabling Senior Emiratis to actively participate in society and contribute to developing, designing and implementing the policies related thereto.
4. Providing care and psychological, social and health stability for Senior Emiratis, as well as providing all forms of necessary assistance thereto.
5. Supporting the Senior Emiratis to permanently live within their families and that their family and social relationships continue to exist.
6. Enhancing the standing of Senior Emiratis in society and appreciating their social role.

## **Article (3)**

### **Obligations of the Ministry**

The Ministry, in cooperation with the Competent Authority and Relevant Bodies, shall:

1. Develop the general plan for implementing policies necessary for improving, developing and caring for Senior Emiratis.
2. Enhance cooperation with regional and international organizations with regard to Senior Emiratis.
3. Draw up an annual national report on efforts exerted for Senior Emiratis.
4. Create a database of Senior Emiratis and their Caregivers, violations committed against Senior Emiratis, preferential services provided thereto and advanced research and studies related thereto.
5. Provide appropriate methods to quickly receive and process complaints of Senior Emiratis.
6. Provide appropriate rehabilitation preceding the Senior Emiratis life phase.
7. Establish public Senior Emiratis' Establishments, supervise all Senior Emiratis' Establishments, and have private establishments of such a type licensed or approved to be licensed.

## **Article (4)**

### **The Right to Independence and Privacy**

The Ministry and the Competent Authority shall, in coordination with Relevant Bodies and according to the legislation in force in the State, take measures and procedures necessary to enable Senior Emiratis to:

1. Manage their own life affairs with full independence and make their own decisions, including their property, financial affairs, place of residence and matters related to their health and preventative care.
2. Respect their privacy and effective communication with others.
- 2.

## **Article (5)**

### **The Right to Protection**

The Ministry and the Competent Authority, in coordination with Relevant Bodies, shall:

1. Take all measures and procedures necessary for ensuring the protection of Senior Emiratis from exposure to Violence or abuse.
2. Take immediate protection procedures to prevent violence or abuse.
3. Provide appropriate assistance to Senior Emiratis who have been exposed to any form of Violence or abuse, as defined by the Executive Regulations of this Law.

## **Article (6)**

### **The Right to Enabling Environment, House, Education and Employment**

The Ministry and the Competent Authority shall, in coordination with Relevant Bodies and according to the legislation in force in the State, take measures and procedures necessary for enabling Senior Emiratis to:

1. Access to all services through an enabling and safe environment.
2. Obtain an accommodation suitable for their conditions and needs.
3. Engage in the continuing and elderly education programs and volunteering suitable for their interests and capabilities.
4. Obtain proper employment, recruitment or training opportunities.
5. Enhance mechanisms of taking advantage of their capabilities and integrate them into society of all age groups.
6. Provide to them appropriate means of transportation.

## **Article (7)**

### **Social Services**

The Ministry and the Competent Authority shall, in coordination with Relevant Bodies, provide social services to Senior Emiratis, particularly the following:

1. Senior Emiratis' Establishments.

2. Clubs and community centers.
3. Mobile service and care units.

## **Article (8)**

### **Health Care**

1. Health institutions shall ensure preventative and health care for Senior Emiratis according to the legislation in force in the State.
2. The Ministry and the Competent Authority shall coordinate and follow up with health authorities to provide preventative and health services for Senior Emiratis to be easily accessed by various methods.
3. Necessary measures shall be taken to save lives of Senior Emiratis and preserve their health in circumstances where their approval is impossible to be obtained.
4. The Ministry shall, in coordination with relevant federal and local government authorities, provide health insurance to Senior Emiratis, including nursing home care and necessary assistive devices.
5. The Ministry and the Competent Authority shall qualify sitters for Senior Emiratis through training them on methods and skills of dealing with Senior Emiratis to ensure safeguarding their capabilities and health.

## **Article (9)**

### **Confidentiality of Information**

Information and details related to Senior Emiratis shall be strictly confidential and may be accessed only according to the legislation in force in the State.

## **Article (10)**

### **Preferential Treatment**

1. The Ministry and the Competent Authority shall, in coordination with relevant federal and local government authorities, give preference and priority to the interest of Senior Emiratis, whatever the interests of other parties may be, particularly the following:

- a. Urgency for maintenance expenses lawsuits.
  - b. Applications for housing.
  - c. Speedy processing of transactions and services of Senior Emiratis.
  - d. Obtaining social aids and benefits.
  - e. Benefitting from means of transportation and parking.
  - f. Relief, ambulance and emergency.
  - g. Participating in social and cultural activities and events.
  - h. Health services.
  - i. Gardens, parks and public places.
  - j. Any other matters defined by the Executive Regulations of this Law.
2. The Cabinet or local governments may issue a decision exempting or reducing fees of administrative services provided by federal and local government bodies to Senior Emiratis. The aforesaid decision shall define the controls of exemption or reduction.

## **Article (11)**

### **No Prejudice to More Favorable Rights and Protections**

The application of the provisions of this Law shall not prejudice any more favorable rights or protections granted to Senior Emiratis, in accordance with the legislation in force in the State.

## **Article (12)**

### **Proof of Age Document**

Senior Emiratis shall enjoy the rights and benefits prescribed in this Law and resolutions to be issued in implementation hereof, by virtue of any official document that proves the age.

## **Article (13)**

### **Reporting Violence or Abuse**

1. Any person, who is aware of an act of violence or an abuse against Senior Emiratis, shall promptly report the same to the Ministry, the Competent Authority or the nearest police



station.

2. The reporting person's identity may not be disclosed without his / her consent. The identity of all parties to the incident may not be disclosed in reports or lawsuits involving violence or abuse against Senior Emiratis.

## **Article (14)**

### **Obligations of Senior Emiratis' Families**

Subject to the provisions of Federal Law No. (28) of 2005, referred to hereinabove, Senior Emiratis' families, as further detailed by the Executive Regulations of this Law, shall:

1. Take care of the Senior Citizen, particularly a Senior Emirati who is Unable to Take Care of Himself.
2. Provide expenses necessary for covering his needs.
3. Cooperate with Senior Emiratis' Establishments.
4. Take measures deemed necessary for protecting him from Violence or Abuse, as well as providing general safety requirements at the house where he resides.
5. Promptly notify the Ministry, the Competent Authority or the nearest police station in case of the Senior Citizen's death or the absence of the Senior Emirati who is Unable to Take Care of Himself from home.
6. Notify the Ministry or the Competent Authority in case the place of residence of a Senior Emirati who is Unable to Take Care of Himself is changed.

## **Article (15)**

### **Alternative Family**

1. Subject to prior approval of the Ministry or the Competent Authority, an Alternative Family may take care of a Senior Emirati who is Unable to Take Care of Himself if he has no Family taking care of him, or in case his Family is unable or ineligible to provide such a care.
2. In order to take care of Senior Emiratis, an Alternative Family shall be required to:
3. Be a UAE family, unless the Ministry decides otherwise.

4. Provide him a room that secures his privacy.
5. Be able to take care of him and provide his needs.
6. Be located within an environment similar to his social environment as much as possible.
7. Enable his friends and relatives to visit him and to verify his wellbeing.
8. Have a positive social culture and familiarity with the best way to deal with him.
9. Undertake the same obligations set forth in Items (3), (4), (5) and (6) of the preceding Article.
10. Undertake to not deliver Senior Emiratis under their care to any other Family, even if for a temporary period, or abandon the same without the approval of the Ministry or the Competent Authority.
11. Any other conditions or controls set by the Ministry and the Competent Authority.

## **Article (16)**

### **Services of Senior Emiratis' Establishments**

1. Senior Emiratis shall be entitled to access the services of Senior Emiratis' Establishments free of charge, in accordance with the controls defined by the Executive Regulations of this Law.
2. Relevant Bodies may establish Senior Emiratis' Establishments according to the conditions and specifications defined by the Ministry and the Competent Authority, based on a license from the Ministry or the Competent Authority, following the Ministry's approval.

## **Article (17)**

### **Standards and Facilities**

The Executive Regulations of this Law shall define the following:

1. UAE Code of Enabling Environment for Senior Emiratis' needs.
2. Employment facilities and benefits granted to Caregiver to enable the same to properly perform care duties.

## **Article (18)**

### **Obligations of Federal and Local Government Authorities**

All federal and local government authorities shall safeguard Senior Emiratis' rights in the course of performing their respective functions, provide all facilities necessary for them through an enabling and safe environment, and provide the Ministry with necessary actions taken in this respect.

## **Article (19)**

### **Administrative Penalties**

Without prejudice to the legally-prescribed administrative penalties, the Ministry or the Competent Authority may impose any of the following penalties on violating Senior Emiratis' Establishments:

1. Written notification.
2. Written warning.
3. Temporary suspension of license for a period not exceeding six months.
4. License revocation.

## **Article (20)**

### **Senior Emiratis' Protection Units**

Senior Emiratis' protection units shall be established at both the Ministry and the Competent Authority. The Executive Regulations of this Law shall define:

1. Functions of such units and the mechanism of their operation.
2. Conditions to be fulfilled by the staff of such units.

## **Article (21)**

### **Penalties**

The application of the penalties set forth herein shall not prejudice to any severer penalty set

forth in any other law.

### **Article (22)**

Any person who establishes, operates or manages a Senior Emiratis' Establishment in violation of the provisions of this Law, shall be sentenced to imprisonment and/or a fine not less than (AED 100,000) one hundred thousand dirhams and not more than (AED 1,000,000) one million dirhams.

### **Article (23)**

Any person who provides a service to a Senior Emirati who is Unable to Take Care of Himself, or who takes care of the same and commits a violence or an abuse against the Senior Citizen, shall be sentenced to imprisonment and/or a fine not less than (AED 10,000) ten thousand dirhams and not more than (AED 50,000) fifty thousand dirhams.

### **Article (24)**

Any person who commits an act of violence or abuse against a Senior Emirati who is Unable to Take Care of Himself, other than the one mentioned in the preceding Article, shall be sentenced to imprisonment for a period not exceeding two years and/or a fine not less than (AED 10,000) ten thousand dirhams and not more than (AED 50,000) fifty thousand dirhams.

### **Article (25)**

The below persons shall be sentenced to imprisonment for a period not exceeding one year and/or a fine not less than (AED 10,000) ten thousand dirhams and not more than (AED 50,000):

1. A person who becomes aware that any of the crimes referred to in the above two Articles are committed and does not promptly report the same to the Ministry, the Competent Authority or the nearest police station.
2. A person who discloses the identity of a person who reports a crime against a Senior

Emirati who is Unable to Take Care of Himself without the reporter's consent, or discloses the identity of parties to incidents related to such crimes.

### **Article (26)**

#### **Recidivism**

The penalties set forth in this Law shall be doubled in case of recidivism.

### **Article (27)**

#### **Reconciliation**

A criminal action shall lapse in respect of the crimes, under consideration in this Law, by way of reconciliation before a final judgment is rendered thereon. In order to complete the reconciliation, the acceptance of both the victim and the Ministry or the Competent Authority shall be required.

The Executive Regulations of this Law shall define the conditions and controls of reconciliation.

### **Article (28)**

#### **Judicial Officers**

Employees designated by a resolution of the Minister of Justice, in agreement with the Minister or the head of the Competent Authority, shall have the capacity of judicial officers to process the violations committed in breach of this Law and resolutions issued in implementation hereof, within the area of competence of each of them.

### **Article (29)**

#### **Issuance of the Executive Regulations**

The Cabinet shall issue the Executive Regulations of this Law, based on a proposal from the Minister, within six months from the date of its publication.

## **Article (30)**

### **Abrogation of Contradictory or Conflicting Provisions**

Any provisions contradicting or are in conflict with this Law shall be abrogated.

## **Article (31)**

### **Publication and Entry into Force**

This Law shall be published in the Official Gazette, and shall enter into force six months following the date of its publication.

**Khalifah bin Zayed Al Nahyan**

**President of the United Arab Emirates**

Issued by us at the Presidential Palace in Abu Dhabi

Dated: 22nd Rabi' Al-Thani 1441 AH,

Corresponding to: 19th December 2019 AD