

Cabinet Resolution No. (9) of 2021
Concerning the Executive Regulations of Federal Law No. (9) of 2019
Concerning the Rights of Senior Emiratis

The Cabinet,

- 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. (9) of 2019 on the Rights of Senior Emiratis; and
- In consideration of the proposal submitted by the Minister of Community Development and approved by the Cabinet,

Hereby resolves as follows:

Article (1)

Definitions

The definitions described in the Federal Law No. (9) of 2019 shall apply to this Resolution. Other than that, the following words and expressions shall have the meanings assigned thereto respectively, unless the context requires otherwise:

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| Preferential Treatment | : To give preference and priority to Senior Emiratis in terms of providing the services and processing of the transactions. |
| Senior Emiratis | : An organizational unit at the Ministry or the |
| Protection Unit | Competent Authority that is tasked with providing the protection mechanisms and measures for Senior Emiratis. |
| Senior Emiratis | : A licensed person engaged by the Ministry or the |
| Protection Specialist | Competent Authority, as the case may be, to safeguard |

and protect the rights of Senior Emiratis within the scope of his competences described in this Resolution.

The Law

: Federal Law No. (9) of 2019 Concerning the Rights of Senior Emiratis.

Article (2)

The Right to Protection

In coordination with the Relevant Bodies, the Ministry and the Competent Authority shall provide appropriate assistance to Senior Emiratis who have been exposed to any form of violence or abuse as follows:

1. Assign a hotline at the Senior Emiratis Protection Unit at the Ministry or the Competent Authority for receiving reports on confirmed or suspected abuse or violence cases experienced by any Senior Emirati.
2. The report shall be analyzed and assessed by the Senior Emiratis Protection Specialist, and the extent of harm experienced by the Senior Emirati against whom the underlying violence or abuse is exercised shall be determined according to the relevant form, and the underlying key reasons shall be identified.
3. Appropriate solutions and measures shall be proposed as follows:
 - a. Report to the police any of the cases that represent a crime penalized by the applicable legislation of the State.
 - b. Refer the Senior Emirati who is a victim of abuse or violence to a healthcare facility to receive the necessary treatment, if required, so that such a healthcare facility shall draw up a medical report that describes his condition and indicates the type and impacts of the abuse incident, if necessary.
 - c. Refer the Senior Emirati who is a victim of abuse or violence to a specialist rehabilitation center or to any other entity deemed appropriate by the Ministry or the Competent Authority, if necessary.

4. Develop plans and create solutions and suggestions to eliminate the causes and impacts of violation of the rights of any Senior Emirati or any assault against them in coordination with the caregiver of the same.
5. Disseminate the reporting procedures of abuse or violence cases against the Senior Emiratis to all governmental and nongovernmental social institutions and indicate their responsibility for reporting any confirmed or suspected case of abuse against them or any violation of their rights.

Article (3)

Preferential Treatment

Subject to the provisions of Article (10) of the Law, the Ministry and the Competent Authority shall, in coordination with the relevant federal and local government entities, give preference and priority to the interests of Senior Emiratis in respect of the following matters:

1. Assign seats for Senior Emiratis at the most frequented locations.
2. Provide the fit-outs required for Senior Emiratis at the public transportation means.
3. Provide a “Senior Emirati” poster on the vehicles of Senior Emiratis.
4. Any other services or preferential treatments to be added by the Ministry or the Competent Authority.

Article (4)

Obligations of the Senior Emiratis’ Families

The families of Senior Emiratis shall be required to:

1. Provide their food, drink and dress needs in proportion to their health condition.
2. Provide appropriate dwelling for them and equip the same with furniture in line with their needs.
3. Safeguard their physical, psychological and health safety.
4. Visit and communicate with them at their places of residence.

5. Cooperate with Senior Emiratis' establishments and provide them with certified medical reports periodically or whenever needed.
6. Provide adequate protection to, and safeguard their property.
7. Manage their property if they are unable to take care of themselves according to the applicable legislation.
8. Provide their official identification documents and papers upon demand.
9. Have their names registered in the database of the Ministry or of the Competent Authority.
10. Refer any of them to the Ministry or the Competent Authority if they are unable to take care of themselves and the family is not able to provide financial and household care to them, in order to study their case and issue the necessary appropriate recommendation in respect of them.

Article (5)

Controls of Access to Services of Senior Emiratis' Establishments

Any Senior Emirati may reside at the Senior Emiratis' establishments according to the following controls:

1. He shall be unable to take care of himself.
2. There shall be a certified medical report confirming that he is unable to take care of himself.
3. He shall have no caregiver, service provider or a breadwinner.

Article (6)

Standards and Facilities

1. The Ministry shall, in coordination with the relevant entities in the State, determine and apply the Emirates Code for Qualified Environment to the locations allocated for Senior Emiratis.
2. The caregiver shall avail of the following job facilities:

- a. The priority to work on a flextime basis.
 - b. The priority to perform a remote job in case there is an emergency affecting a Senior Emirati that requires the presence of an escort or caregiver.
 - c. The priority to avail of part-time jobs.
 - d. The priority to avail of an annual leave or an escort leave for medical treatment within or outside the State.
 - e. Any other job facilities or privileges determined by the Ministry, the Competent Authority or the Government Entity hiring the caregiver employee.
3. The granting of job facilities described in Clause (2) of this Article shall be in conformity with the applicable legislation in the State, and the Government Entity concerned shall give priority to the interest of Senior Emiratis who are in dire need of care.

Article (7)

Competences of Senior Emiratis Protection Unit

The Senior Emiratis Protection Unit at the Ministry and the Competent Authority shall exercise the following competences:

1. Receive reports on any infringement of the rights of any Senior Emirati that are established according to the applicable legislation in the State.
2. Evaluate the reported case according to the form designed by the Ministry in coordination with the Competent Authority.
3. Take appropriate preventive measures to afford protection to Senior Emiratis on the matter of report, according to the provisions of the Law and this resolution.
4. Develop appropriate intervention plans, provide consultation and support to both families and Senior Emiratis who are vulnerable to abuse or violence and get them familiarized with the legal basis for handling such cases.
5. Coordinate with the entities specializing in providing the psychological, social and health treatment to Senior Emiratis who are vulnerable to abuse or violence.

6. Keep a watchful eye on Senior Emiratis who are vulnerable to abuse or violence, provide their needs, evaluate their situations and conduct periodic visits to them at their places of residence and work, if any, in order to ensure the availability of their appropriate care and support standards, identify the progress of their conditions and provide recommendations thereon in coordination with the relevant entities.
7. Disseminate the Senior Emiratis' rights culture in order to minimize the cases of abuse and infringement that may befall them by all means possible.
8. Get involved in mediation and conciliation efforts between the Senior Emiratis and their families, caregivers or any third party, without prejudice to the Law and this Resolution.
9. Take note of the investigation procedures into the crimes committed against any Senior Emirati, if necessary.
10. Provide advice and guidance to the Senior Emiratis' caregivers on the proper and sound care techniques, potential risks, and the means available to avoid risks.
11. Provide training and qualification for the Senior Emiratis' caregivers.
12. Manage, record, and follow up on the alternative family.
13. Document the complaints relating to the Senior Emiratis and keep the data of each case in confidential records that can only be accessed by Senior Emiratis protection officers.

Article (8)

Requirements to be Satisfied by Senior Emiratis Protection Units' Staff

1. The Senior Emiratis Protection Specialist shall:
 - a. Be a UAE national;
 - b. Be of full legal competence;
 - c. Be of good conduct and attitude and shall have never been convicted on the grounds of a crime involving moral turpitude or breach of trust, even if rehabilitated.

- d. Be holder of a university degree in social, psychological or family sciences or a diploma in the said disciplines, with at least three years of experience in the social or health field.
 - e. Successfully pas the Ministry's training program for qualifying the Senior Emiratis Protection Specialist.
2. The Minister or Head of the Competent Authority may make exceptions to Paragraph (1.D) of this Article.

Article (9)

Reconciliation Conditions and Controls

1. Reconciliation into the criminal cases involving the crimes described in the Law shall take effect in accordance with the following conditions and controls:
 - a. Reconciliation shall take place prior to the issuance of a final judgment on the criminal case.
 - b. Reconciliation shall be accepted by both the victim and the Ministry or the Competent Authority.
 - c. Reconciliation shall take place in the presence of the Senior Emiratis Protection Specialist.
 - d. A party to the reconciliation shall be a Senior Emirati.
 - e. The perpetrator shall fill out the Undertaking Form designated by the Ministry or the Competent Authority.
 - f. The injuries and harm described in the medical report shall not exceed 21-day treatment.
 - g. No reconciliation has ever been made with the perpetrator on a past abuse incident.
2. The Ministry or the Competent Authority keep follow up on the matters of reconciliation with both the perpetrator and the abused Senior Emirati.

Article (10)
Regulatory Resolutions

The Minister shall issue the resolutions required for implementing the provisions of this Resolution.

Article (11)
Repeals

Each provision that goes against or is repugnant to the provisions of this Resolution shall be repealed.

Article (12)
Publication and Entry into Force

This Resolution shall be published in the Official Gazette and shall enter into force of the day following the date of its publication.

Mohammed Bin Rashid Al Maktoum
Prime Minister

Issued by us:

On: 01 Jumada II, 1442 AH

Corresponding to: 14 January 2021