

Cabinet Resolution No. (95) of 2021
Regarding the National System for Tracking Trucks and Shipments in the
State

The Cabinet:

- Having Reviewed the Constitution;
- Federal Law No. (1) of 1972 Regarding the Competences of Ministries and the Powers of Ministers, as amended;
- Federal Law No. (9) of 2011 Regarding Land Transport, as amended;
- Federal Law No. (14) of 2016 Regarding the Administrative Violations and Penalties in the Federal Government;
- Federal Decree by Law No. (17) of 2019 Regarding Weapons, Ammunition, Explosives, Military Equipment and Hazardous Substances;
- Federal Decree by Law No. (20) of 2019 Regarding the Establishment of the Monitoring and Control Centre;
- Federal Decree by Law No. (26) of 2019 Regarding Public Finance;
- Federal Law No. (10) of 2020 Regarding Pesticides;
- Federal Decree by Law No. (14) of 2021 Regarding the Establishment of the Federal Authority for Identity, Citizenship, Customs and Port Security;
- Federal Decree No. (85) of 2007 Regarding the GCC Unified Customs Law;
- Federal Decree No. (10) of 2007 Regarding the GCC Pesticides Law “Regulations”; and
- Upon Based on the proposal of the Minister of Finance and the approval of the Cabinet,

Hereby resolves as follows:

Article (1)

Definitions

For the purposes of the provisions of this Resolution, the following terms and expressions shall have the meanings assigned to each of them, unless the context requires otherwise:

State	: The United Arab Emirates.
Authority	: The Federal Authority for Identity, Citizenship, Customs and Port Security.
Chairman	: Chairman of the Authority.
Government Entities	: The federal or local ministries, authorities, public institutions, and companies wholly or partially owned by the federal or local government.
Local Customs Departments	: The customs authorities of the local governments within the State.
Operating Company	: The entity assigned by the Authority to finance, install, operate, and maintain the electronic system for tracking trucks and shipments for the benefit of the Authority.
Truck	: Any means of transport designed for the carriage of goods or other materials.
Shipments/Cargoes	: Every natural substance, agricultural, animal, industrial, or intellectual product.
Truck Owner	: Any natural or legal person who owns the truck.
The National System for Tracking Trucks and Shipments/System	: A system for electronically tracking and monitoring cargo and trucks transporting such cargo by identifying their route from the first point of entry into the State to their final destination (within the State), in a real-time and continuous manner. The system operates through control rooms that provide live monitoring and generate instant reports to track the truck's location on the State's map. Tracking is carried out using a satellite tracking device or telecommunications networks, on a 24/7 basis.

Article (2)

Scope of Application

The provisions of this Resolution shall apply to all transported shipments and transport trucks operating within the territorial boundaries of the State, as well as those transiting through the State, as determined by the Authority.

Article (3)

Registration on the System

It is prohibited to carry out land freight transport within the State, through its customs ports, or in transit across the State's ports without registration on the system and the installation of electronic tracking device on the truck or shipment, as specified under the provisions of this Resolution.

Article (4)

Establishment of the System

An electronic system shall be established within the Authority under the name "National System for Tracking Trucks and Shipments." The system aims to monitor and track the movement of both empty and loaded trucks within the State, and shall be used for the following purposes:

1. Supporting the security of the supply chain by providing data and information related to trucks and shipments and monitoring their movement through tracking the truck.
2. Gradually establishing an integrated system in accordance with the requirements of the entities involved in the project, and linking the system with other relevant systems, such as traffic and vehicle licensing systems, maritime port and airport systems, transport systems, and other relevant systems.
3. Enhancing the customs security system by tracking the movement of hazardous, sensitive, and high-risk cargo and shipments, and those subject to suspended customs duties, and ensuring their arrival at the final destination.

4. Exchanging information and data related to restricted shipments between customs and regulatory authorities in the State.
5. Preserving public road safety by enabling prompt response to emergency situations.
6. Detecting customs and non-customs violations committed by trucks during their transit through the State, in coordination with the competent authorities, by determining the location and route of the vehicles wherever they may be.
7. Any other purposes determined by the Chairman within the scope of the Authority's competences.

Article (5)

Competences of the Authority

For the purposes of this Resolution, the Authority shall be responsible for establishing, implementing, monitoring, and supervising the System in accordance with the provisions of this Resolution, in coordination with the relevant Government Entities, Local Customs Departments in the State, and the Operating Company. To that end, the Authority shall undertake the following:

1. Develop unified legislation and policies for the implementation of the Project in compliance with governance standards and the State's obligations under regional and international agreements.
2. Restructure procedures among the Government Entities concerned with the System to ensure the smooth transfer of oversight powers related to the carrier's/cargo's journey, based on the functional and territorial jurisdiction of the competent Entities.
3. Propose administrative penalties and violations related to the System.
4. Establish an integrated federal central operations room linked to the Government Entities concerned with the System.
5. Determine the specifications of the electronic tracking devices in accordance with the provisions of this Resolution.
6. Sign memoranda of understanding with the competent Government Entities in the state.

Article (6)

System Data

The System shall include the following data:

1. Truck Route Tracking Data (for tractor and trailer). In cases where two containers are transported on the same truck, tracking devices shall be installed on each container individually upon applying customs seals, with the device affixed to the container.
2. Driver and Truck Data.
3. Customs Declaration.
4. Any other relevant data as determined by the Authority.

Article (7)

Procedures for Registration on the System and Required Documents

Registration on the system and the installation of tracking devices shall be carried out in accordance with the following procedures:

1. The truck owner, or their representative, shall submit a registration application to the System.
2. All required documents, as determined by the Authority, shall be uploaded to complete the registration process.
3. The submitted data and documents shall be verified and reviewed, and the Authority shall respond either by approving or rejecting the application.
4. An appointment shall be scheduled for the installation of tracking devices on the truck.
5. The tracking devices shall be installed on the truck, and the truck shall be integrated into the System.
6. Any other procedures as determined by the Authority.

Article (8)

Federal Central Operations Room

The System shall be managed through the Federal Central Operations Room, which shall be responsible for the following:

1. Real-time and continuous tracking and monitoring of cargo and trucks transporting them, through direct electronic surveillance along their route, from their point of departure, as determined by the Authority, to their final destination.
2. Issuing instant reports to track the location of the truck on the map of the State using satellite systems or the telecommunications network, on a 24/7 basis, and measuring the time intervals taken for the trucks to reach their destinations, for the purpose of recording them in the operational risk register.
3. Coordinating and exchanging information with Local Customs Departments and competent Government Entities regarding intelligence, data, and information related to trucks and/or shipments, in order to take the necessary actions.
4. Maintaining public road safety through prompt response to emergency situations and ensuring real-time linkage with the concerned authorities in the State.
5. Any other relevant data required by the Authority or other Government Entities in the State.

Article (9)

Obligations of Truck Owner

1. All truck owners shall comply with the following, in accordance with the mechanism and timeframe specified by the Authority:
 - a. Registration on the system.
 - b. Installation of electronic tracking devices on the truck.
 - c. Periodic updating of their information.
2. If the truck owner ceases trucking operations, whether permanently or temporarily and for any reason, they shall notify the Authority.
3. The data submitted for registration or renewal on the system must be accurate and not misleading.

4. Any other obligations as determined by the Authority.

Article (10)

Partnership with the Private Sector

1. The Authority may enter into a partnership agreement with the private sector for the operation of the System and the provision of services to the public, in a manner that ensures service efficiency and quality.
2. The revenue-sharing mechanism shall be determined in coordination with the Minister of Finance.

Article (11)

Administrative Penalties

The Cabinet may, based on a recommendation by the Chairman and upon a proposal by the Minister of Finance, issue a resolution specifying the administrative violations and penalties applicable to any person who violates the provisions of this Resolution, or the instructions or decisions issued in implementation thereof.

Article (12)

Executive Regulations

The Chairman shall issue the resolutions and instructions necessary for the implementation of this Resolution.

Article (13)

Repeals

Any provision that contradicts or conflicts with the provisions of this Resolution shall hereby be repealed.

Article (14)

Publication and Entry into Force

This Resolution shall be published in the Official Gazette and shall enter into force three (3) months following the date of its publication.

Mohammed bin Rashid Al Maktoum

Prime Minister

Issued by Us:

Dated: 20 Rabi' al-Awwal 1443 A.H.

Corresponding to: 27 October 2021 A.D.