

Cabinet Resolution No. (103) of 2022
Concerning the Administrative Penalties for Acts that Violate the Provisions of
Federal Decree-Law No. (17) of 2022 Regulating the Connection of Distributed
Renewable Energy Production Units to the Electrical Grid

The Cabinet,

- Upon reviewing the Constitution; and
- Federal Decree-Law No. (1) of 1972 Concerning the Competences of Ministries and the Powers of Ministers and any amendments thereto; and
- Federal Decree-Law No. (14) of 2016 Concerning Administrative Violations and Sanctions in the Federal Government; and
- Federal Decree-Law No. (17) of 2022 Concerning the Connection of Distributed Renewable Energy Production Units to the Electrical Grid; and
- Based on the proposal of the Minister of Energy and Infrastructure and the approval of the Cabinet.

Hereby resolves:

Article (1)

Definitions

In applying the provisions of this Resolution, the following words and phrases shall have the meanings assigned thereto, unless the context otherwise requires:

- State** : United Arab Emirates.
- Ministry** : Ministry of Energy and Infrastructure.
- Emirate** : Any emirate of the State.
- Competent Authority** : The Ministry or local authority competent to regulate the production, distribution and supply of electricity, as the case may be.

- Service Provider** : Federal or local government agencies, or one of the licensed private sector establishments, concerned with the distribution and supplying of electricity to consumers.
- Person** : Natural or legal person.
- Producer** : Any person who produces electricity using the distributed production unit in accordance with the provisions of this Decree-Law and the legislation in force in the Emirate. This shall not include the service provider.

Article (2)

Administrative Violations and Sanctions

1. Without prejudice to any penal or administrative penalty stipulated in any other legislation, whoever commits the administrative violations stipulated in the table attached to this Resolution shall be subject to the fines specified for each of them if he does not remove the committed violation as stated in the violation notification addressed to him. In accordance with the provisions of Article (3) of this Resolution.
2. The value of the administrative fine shall be doubled according to the value of the fine imposed on the perpetrator of the violation when he repeats the same violation within one year as of the date of committing the previous violation, and not exceeding (AED 150,000) one hundred and fifty thousand dirhams.
3. In addition to the fines referred to in Clauses (1) and (2) of this Article, any of the following penalties may be imposed:
 - a. Suspension of the linkage agreement for a period not exceeding (3) three months.
 - b. Cancellation of the linking agreement.
 - c. Any of the other administrative penalties prescribed for the competent authority in accordance with its legislation.
4. The competent authority shall impose the penalties referred to in this Article.

Article (3)

Notice of Violation

In the event that the producer commits any of the violations indicated in the table attached to this Resolution, the competent authority shall notify him of the violation according to the means approved hereby, provided that the notification includes the following:

1. Statement of the committed violation.
2. Determine the time limit for removing the committed violation.
3. Determine the penalties and procedures that will be taken in the event that the violation is not corrected within the specified time limit.
4. Any other data specified by the competent authority.

Article (4)

Grievance

Each person with a capacity and interest may submit a grievance to the competent authority against any administrative penalties imposed against him in accordance with the provisions of this resolution within (10) ten working days as of the date of being notified of the contested resolution, provided that the grievance is reasoned and attached by all supporting documents. The grievance shall be decided within (10) ten working days as of the date of its submission and in accordance with the procedures in force at the competent authority.

Article (5)

General Provisions

1. The application of the administrative penalties stipulated in this resolution shall not prejudice the criminal or civil liability of persons who commit administrative violations or those responsible for them, and the service provider has the right to demand compensation from the violator for damages to the distribution network as a penalty for the committed violation.
2. Fines shall be collected by the procedures and means approved by the competent authority, and the values of administrative fines collected under this decision shall be transferred to the competent authority, as the case may be.

Article (6)

Publication and Entry into Force

This Resolution shall be published in the Official Gazette and shall be enforced after (90) ninety days as of the date of its publication.

Mohammed Bin Rashid Al Maktoum

Prime Minister

Issued by Us,

On: 22 / Rabi' Al-Akhar / 1444H

Corresponding to: 17 November 2022 AD

Table of Violations and Administrative Sanctions attached to the Cabinet Resolution No. (103) of 2022 Concerning Administrative Penalties for Acts that violate the provisions of Federal Decree-Law No. (17) of 2022 Concerning the Connection of Distributed Renewable Energy Production Units to the Electrical Grid

S	Description of Violation	Fine amount (in dirhams)	Fine amount (in dirhams)
		Maximum	Minimum:
1	Non-compliance with the requirements approved by the Competent Authority or with the specifications, standards, terms or provisions of the agreement to link the distributed production units.	AED 30,000	AED 3000
2	Exceeding the electrical energy that the producer may produce and export to the distribution network.	AED 60,000	AED 6000
3	Carrying out any action that affects the safety and efficiency of the distribution network.	AED 75,000	AED 7500
4	Not cooperating with the employees of the competent authority or the service provider or causing obstruction to their work.	AED 15,000	AED 1500