

Federal Law by Decree No. (20) of 2020
Concerning Specifications and Standards

We, Khalifa bin Zayed Al Nahyan,

President of the UAE

- After perusal of the Constitution,
- Federal Law No. (1) of 1972 concerning the Competencies of Ministries and the Powers of Ministers, as amended ;
- Federal Law No. (3) of 1987 issuing the Penal Code, as amended;
- Federal Law No. (24) of 2006 Concerning Consumer Protection, as amended;
- Federal Law No. (5) of 2009 Concerning Organic Inputs and Products, as amended;
- Federal Law No. (15) of 2009 Concerning Tobacco Control;
- And Federal Law No. (8) of 2015 Concerning the Federal Customs Authority ;
- Federal Law No. (11) of 2015 Concerning the Control of Trade in Valuable Stones and Precious Minerals and their Stamping;
- Federal Law No. (14) of 2016 Concerning Violations and Administrative Penalties in the Federal Government;
- Federal Law No. (19) of 2016 Concerning Combating Commercial Fraud;
- Federal Law No. (14) of 2017 Concerning Trade of Petroleum Products;
- Federal Law No. (9) of 2017 Concerning Veterinary Preparations;
- Federal Law No. (10) of 2018 Concerning Product Safety;
- Federal Law No. (8) of 2019 Concerning Medical Products, the Pharmacy Profession and Pharmaceutical Establishments; and
- Pursuant to the proposal of the Minister of Industry and Advanced Technology, and the approval of the Cabinet,

We have issued the following Law by Decree:

Article (1)

Definitions

In applying the provisions of this Law by Decree, the following terms and expressions shall have the meanings indicated opposite each of them, unless the context otherwise requires:

State	: UAE
Ministry	: Ministry of Industry and Advanced Technology (MOIAT)
Minister	: Minister of Industry and Advanced Technology
Concerned Authorities	: Federal or local government agencies concerned with standards, metrology and calibration affairs accreditation and compliance
Measuring Instruments	: The machines, tools, and devices intended for measurement purposes, including direct measures such as scales measurements, measures, lengths, standard units, etc. It also includes indirect measures such as thermometers, pressure meters, water and electricity meters, and others
Laboratory	: The body that performs testing and calibration.
Calibration	: Operations conducted to determine and control the efficiency and accuracy of measuring instruments and devices.
Standard specification	: A document specifying the characteristics or descriptions of a commodity, product, material, service, or everything that is subject to measurement, its characteristics, level of quality, dimensions, standards, or safety and security requirements, as well includes terminology, symbols, test methods, sampling, packaging, labels and labels.
Approved Standard	: Specifications approved by the Ministry, referred to as Standard Specifications for the UAE and symbolised by (SS/UAE)

Specifications:

Technical Regulations:	: A Resolution of the Cabinet specifying technical requirements, either directly or by reference or implication, for the contents of a standard, technical specification or practice, which have an enforceable nature.
Mark	: Any drawing, mark, symbol, stamp, inscription, or picture indicating the Ministry or what is issued In terms of specifications, standards, quality and conformity, or indicates any international body Related to specifications, standards, quality and conformity.
Conformity Assessment	: Any activity used directly or indirectly to verify the conformity of a commodity or product or material or service for the relevant technical requirements
Conformity Assessment Bodies	: The entity registered, accredited or accepted by the Ministry to carry out conformity assessment procedures Testing and calibration laboratories, inspection bodies, merit testing bodies, and certificate awarding bodies for systems, individuals or products, with the exception of medical laboratories and research laboratories Development and laboratories that are used for personal, training or educational purposes

Article (2)

Ministry Competencies

The Ministry shall be responsible for the following:

1. Preparing, approving, publishing, reviewing and amending Standard Specifications, in coordination with the Concerned Authorities, and a Resolution is issued. The Minister shall apply the approved Standard Specifications, except for human and veterinary medicines, serums and the like;
2. Proposing and preparing a national system for measurement and calibration in coordination with the Concerned Authorities, and its approval by the Cabinet'
3. Proposing and preparing a national system for conformity, in coordination with the Concerned Authorities, and its approval by the Cabinet;
4. Proposing and preparing national systems for monitoring the application of technical regulations to ensure the safety of products, goods and materials in coordination with the Concerned Authorities, and its approval by the Cabinet;

5. Proposing and preparing a national system for registering products, commodities, and materials, specifying the specifications and standards that make them up, and its approval by the Minister after coordination with the Concerned Authorities;
6. Proposing and preparing a national system for registering, accrediting and appointing conformity assessment bodies, in coordination with the Concerned Authorities, and its approval by the Cabinet;
7. Proposing and preparing a national system for local added value, in coordination with the Concerned Authorities, and its approval by the Cabinet;
8. Developing and unifying means and methods of measurement, calibrating, controlling and monitoring them;
9. Harmonising Standard Specifications with international, regional or Gulf standards, and a Resolution is issued by the Minister after coordination with the Concerned Authorities;
10. Adopting international, regional or Gulf specifications as approved Standard Specifications and issuing them in one of the two languages, Arabic or any other language, or both, and a Resolution is issued by the Minister after coordination with the Concerned Authorities;
11. Coordinating with the Concerned Authorities to maintain, preserve and maintain approved basic measurement references for use in monitoring, auditing and calibration of measurement devices and instruments and organising the issuance of calibration certificates;
12. Operating laboratories and institutes necessary to conduct examinations, tests, analyses and research related to specifications and standards, examining and testing materials and products, calibrating measurement devices and equipment, and contracting with accredited local or external laboratories;
13. Granting or recognising certificates of conformity to the approved standards and marks, identifying them and regulating their issuance and controls for their use;
14. Issuing, publishing, distributing and selling publications related to approved Standard Specifications and publications related to standardisation;
15. Agreement with Gulf, regional and international organisations and bodies concerning mutual recognition of Standard Specifications, marks and certificates of conformity in

accordance with the procedures and legislation in force after coordination with the Concerned Authorities.

16. Preparing and issuing examination and testing requirements and technical standards for innovative products, including advanced technological products, and procedures for their harmonisation with international standards, in coordination with the Concerned Authorities.
17. Forming specialised technical councils and committees in the field of standards, metrology, calibration, accreditation and conformity activities and local added value.

Article (3)

Standard Specifications (SS)

1. The Ministry, in its capacity as the sole reference in the State, shall issue the Standard Specifications of the UAE, and no other party may set or issue any Standard Specifications, or use, place or draw any sign that contains the words (Standards of the UAE) or (Standards Specifications of the UAE) or something similar to this phrase or its symbol in Arabic or in another language, or gives the same meaning, except with a licence from the Ministry.
2. The Minister may approve optional Standard Specifications, provided that, when approving them, the optional application shall be taken into account without prejudice to the following considerations:
 - a. Preserve safety, public health, and the environment.
 - b. Consumer protection;
 - c. Guarantee the public interest; and
 - d. Support the national economy and the policies and strategies of the industrial and commercial sector.
3. Appy approved standards shall be mandatory by a Resolution of the Cabinet based on a proposal from the Minister. They are referred to as (Technical Regulations).

Article (4)

Mark Registration

The Ministry is the only entity concerned with regulating the use of marks. The Ministry registers marks and all of this is known as (the Ministry marks). The Ministry has the right to grant, renew, suspend and cancel the use of its marks and its registration outside the State in accordance with the rules issued by a Resolution of the Minister. In all cases, marks shall be published after their issuance or Approval in the Official Gazette.

Article (5)

Offenses and Penalties

The penalties stipulated in this Law by Decree shall not preclude the imposition of any harsher penalty stipulated in any other law.

Article (6)

He shall be punished by imprisonment for a period of no less than one year and a fine of no less than (AED 30,000) thirty thousand dirhams, or one of these two.

The two penalties are for anyone who commits one of the following acts:

1. Impersonating one of the Ministry employees who is authorised to have the capacity of judicial police; and
2. Issuing or using any mark without a licence from the Ministry.

Article (7)

Whoever prevents or obstructs or evades inspection, or refrained from giving statements, or made statements contrary to the truth.

Article (8)

Whoever violates the technical regulations issued in accordance with this Decree Law shall be punished with imprisonment and a fine of no less than (AED 30,000)

Thirty thousand dirhams, or one of these two penalties, with confiscation of the materials and products subject of the violation.

Article (9)

Whoever declares, offers or sells a material or product that it bears the characteristic of approved Standard Specifications, contrary to the truth. In this case, all materials subject to the violation shall be confiscated.

Article (10)

In the event of recurrence, the Court may, in addition to doubling the prescribed penalty, rule to permanently withdraw the establishment licence.

Article (11)

Whoever violates any of the provisions of the Resolutions issued in implementation of this Law by Decree shall be punished with imprisonment and a fine of no less than (AED 25,000) twenty-five thousand dirhams, or one of these two penalties.

Final provisions

Article (12)

Authorisation of the Concerned Authorities

The Cabinet, based on the Minister proposal, may delegate government or private agencies to undertake the implementation of some of the Ministry competencies contained in this Law by Decree in accordance with the controls it decides in this regard.

Article (13)

Judicial Police

The Ministry employees who are determined by a Resolution of the Minister of Justice in coordination with the Minister shall have the capacity of Judicial Police officers for crimes that fall within their jurisdiction and are related to their job duties.

Article (14)

Executive Resolutions

Subject to the competencies entrusted to the Cabinet, the Minister shall issue the necessary Resolutions to implement the provisions of this Law by Decree.

Article (15)

Cancellations

1. Any provision that contravenes or contradicts the provisions of this Law by Decree shall be repealed.
2. The Regulations, Laws and Resolutions in force concerning specifications, metrology, calibration, accreditation and conformity shall continue to be enforced until a replacement is issued in accordance with this Law by Decree.

Article (16)

Publication of the Law by Decree and its enforcement

This Law by Decree shall be published in the Official Gazette, and shall come into effect from the date of its issuance.

Khalifa bin Zayed Al Nahyan
President of the United Arab Emirates

Issued by us at the Presidential Palace in Abu Dhabi:

On: 10 / Safar / 1442 H

Corresponding to September 27, 2020