

Cabinet Resolution No. (119) of 2023
Concerning the Administrative Violations and Penalties Imposed on
Violators of Provisions of Cabinet Resolution No. (118) of 2023 Concerning
the Controls of the Policy of Pricing Waste for Industrial Use

The Cabinet,

- Having reviewed the Constitution; and
- Federal Law No. (1) of 1972, Concerning the Competences of Ministries and Capacities of Ministers, and its amendments thereof; and
- Cabinet Resolution No. (118) of 2023, Concerning the Controls of the Policy of Pricing Waste for Industrial Use; and
- Based upon the proposal submitted by the Minister of Economy, and the Cabinet’s approval,

Has resolved as follows:

Article (1)

Definitions

In application of the provisions herein, the following words and expressions shall have the meanings ascribed thereto, unless the context requires otherwise:

State	: United Arab Emirates (UAE).
Minister	: Minister of Economy.
Ministry	: Ministry of Economy.
Exporting	: The legal person that exports industrial waste according to
Establishment	the licence issued thereto.
Committee	: Committee for the valuation of industrial waste.
Competent Authority	: The local authority that is concerned with environmental
	affairs in each Emirate of the UAE.

Article (2)

Scope of Application

Provisions of this Resolution shall apply to establishments exporting industrial waste stipulated in the Table annexed to Cabinet Resolution No. (118) of 2023 Concerning the Controls of the Policy of Pricing Waste for Industrial Use, including those located and licensed in the free zones.

Article (3)

Administrative Penalties

1. The Ministry or the competent authority, according to their respective jurisdictions, may impose one or more administrative penalties on the exporting establishment upon committing any of the actions that contravene any provision of the Cabinet Resolution No. (14) of 2023 regarding the controls of the policy for evaluating waste for industrial use stipulated in the Table attached to this Resolution, while considering the gradation of penalties, as follows:
 - a. Warning.
 - b. Administrative fine according to the table attached hereto, and the penalty shall be doubled in case of repetition.
 - c. Temporary administrative closure for a period of no less than (24) twenty-four hours and no more than (90) ninety days.
 - d. Suspension of practising the activity in whole or in part for a period of no less than (24) twenty-four hours and no more than (90) ninety days.
 - e. Cancellation of the licence and striking off from the commercial register.
2. The decision issued to impose an administrative penalty shall determine the period for the violator to remedy the violation under the applicable administrative penalty in case the violator abstains to remedy the violation. This is provided that gradation in penalties stipulated in Clause (1) of this Article shall be considered.

Article (4)

Amendment of Administrative Fines

The Cabinet has the power to make or amend the administrative fines mentioned in this Resolution, whether by addition, deletion or amendment. This shall be based on a presentation from the Minister of Finance based on a proposal of the Minister, upon coordination with the competent authorities and recommendations of the Committee.

Article (5)

Collection of Administrative Fines

1. The Ministry shall collect the administrative fines imposed subject to this Resolution through the means determined by the Ministry of Finance and such fines shall be transferred to the unified treasury account in the federal government.
2. The competent authority shall collect the administrative fines imposed by the same authority subject to this Resolution to the treasury of the local government according to the mechanism applicable at every Emirate.

Article (6)

Appeal

The exporting establishment may submit in writing a grievance to the Minister or the Head of the Competent Authority, as the case may be, within fifteen (15) working days as of the date of being notified of the decision or procedure grieved against, provided that it is accompanied by all supporting documents and instruments. The grievance shall be decided on within thirty (30) days as of the date on which it is submitted, and the decision issued thereon shall be final. Not replying to the grievance within said period shall be deemed a rejection to the request.

Article (7)

Publication and Entry into Force

This Resolution shall be published in the Official Gazette and shall be enforced after (30) thirty days as of the date of its publication.

Mohammed Bin Rashid Al Maktoum

Prime Minister

Issued by us:

On: 13 Jumada I 1445 A.H.

Corresponding to: 27 November 2023 AD

**Table Annexed to Cabinet Resolution No. (119) of 2023
concerning the Administrative Violations and Penalties Imposed on
Violators of Provisions of Cabinet Resolution No. (118) of 2023 Concerning
the Controls of the Policy of Pricing Waste for Industrial Use**

No.	Violation	Administrative Penalty
1	Procedures to Pay Export Fees of Industrial Waste	AED 100,000
2	The exporting establishment mixes more than one category of the industrial waste in the same container or shipment.	AED 100,000
3	The exporting establishment failure to keep a register of industrial waste.	AED 30,000
4	Failure of the exporting establishment to pay the due amount for the difference between the export fee paid and the export fee imposed on the final weight of the exported shipment of industrial waste.	The percentage of the unpaid fee from the amount that is supposed to be paid, as specified in the penalty for complete non-payment stated in Clause No. (1) of this Table.
5	The exporting establishment provided incorrect statements and information regarding the type of commodity being exported.	AED 25,000