

Cabinet Resolution No. (21) of 2015 Concerning the UAE Control Scheme for Oil Derivatives Products

The Cabinet,

- After reviewing the Constitution;
- Federal Law No. 1 of 1972 concerning the responsibilities of ministries and the powers of the ministers, as amended;
- Federal Law No. 24 of 1999 concerning the protection and development of the environment, as amended;
- Federal Law No. 28 of 2001 on establishing the Emirates Authority for Standardization and Metrology
- Federal Law No. 24 of 2006 concerning consumer protection, as amended;
- Cabinet Resolution No. 31 of 2006 concerning the National Metrology System;
- And based on the approval by the Cabinet,

Has resolved as follows:

Article (1)

Definitions

Upon application of the provisions of this Law, the following terms and expressions shall have the following meanings, unless the context requires otherwise:

State	: Unites Arab Emirates.
Authority	: Emirates Authority for Standardization and Metrology.
Board	: Board of Directors of the Authority.
General Director	: General Director of the Authority.
Competent Entity	: Any federal or local governmental entity competent with the application of the provisions of this Resolution, in accordance with the legislations regulating its activities.
Standard	: Document specifying the qualities of a commodity,

- material or service or everything measurable or its descriptions, specifications, level of quality, dimensions, measurements or the requirements of its safety and security. It also includes such expressions, symbols and means of test, taking samples, packing, labelling and marks cards.
- Approved Standard** : Such Standard approved by the Authority, referred to it as UAE Standard or "UAE.S".
- Certificate of Conformity** : Such certificate issued by the Authority, confirming that the product or any batch thereof is compliant with the requirements of the Approved Standards.
- Logo** : Any drawing, mark, stamp, encryption or picture referring to the Authority or issued by it in connection with the specifications, Standards, quality and conformity or indicates any international entity in connection with specifications, Standards, quality and conformity.
- Emirates Quality Mark** : Such logo adopted by the Authority, given to the product to indicate its conformity with the Approved Standards or the mandatory standards or any standard approved or adopted by the Authority in connection with the food related tools.
- Emirates Conformity Assessment Scheme ("ECAS")** : The scheme issued by the Board to verify the satisfaction of the requirements of the Approved Standards directly or indirectly through specific procedures taken by the Authority or its representatives, such as inspection, examination, test, calibration or granting Certificate of Conformity.
- Oil Derivatives (Products)** : Such substances obtained by refining or treatment of crude oil, including without limitation gasoline,

- kerosene, diesel oil, fuel oil, jet plane fuel, base oils and lubricants of all kinds, as set out in the appendix attached to this Resolution.
- Supplier** : Manufacturer, carrier, filler, compiler, processor, agent or warehouseman of Oil Derivatives and lubricants or any master or secondary distributor whose activity may influence their properties, or any commercial or legal representative in charge of importing products governed by the provisions of this Resolution.
- Consumer** : Such person that may obtain a commodity or service with or without consideration, meeting his own needs or the needs of others.
- Supply Chain** : All processes of a product upon its manufacturing until it reaches the Consumer, including the stages of its export, import, storage, delivery, carriage, whole or retail sale and any other process related to the delivery of the product to the Consumer.
- Offer** : Such process aiming to sell, display, trade or provide the product to the Consumer for the purpose of acquiring it, whether with or without consideration.

Article (2)

Scope of Application

- a. The provisions of this Resolution shall apply to all Oil Derivatives imported, manufactured, offered, stored or carried inside the State.
- b. The following shall be excluded from the application of the provisions of this Resolution:
 1. Oil Derivatives prepared for re-export.
 2. Oil Derivatives prepared for export outside the State, other than lubricants.

Article (3)

Supplier's Obligations

At any stage of the Supply Chain, the Supplier shall comply with the following conditions:

- a. Oil Derivatives related conditions, as follows:
 1. The Oil Derivatives shall meet the requirements as contained in the Approved Standards indicated in the appendix attached to this Resolution.
 2. To take samples and to make tests in accordance with the Approved Standards indicated in the appendix attached to this Resolution, or in any other Standard as approved by the Authority for this purpose.
 3. All tests shall be conducted in laboratories approved by the Authority.
- b. Such conditions in connection with storage in mobile containers and tanks, represented by fulfilling the requirements set out in the Approved Standards UAE.S/ GSO 63 and UAE.S/ GSO OIML R 80-1 as indicated in the appendix attached to this Resolution.
- c. Such conditions in connection with the carriage of Oil Derivatives on roads, represented by fulfilling the requirements in the Approved Standards UAE.S/ GSO 974 and UAE.S/ GSO OIML R 80-1 as set out in the appendix to this Resolution.
- d. Such conditions related to technical and metrological requirements, represented by:
 1. To measure the quantity of Oil Derivatives by the international system units (SI Units) or their multiples or parts, such as cubic meter, liter or kilogram.
 2. To measure the capacity of tanks by cubic meter or liter.
 3. To measure the capacity of tanks by cubic meter or any of its multiples.
 4. The maximum tolerable deficiency in the tanks or containers shall be in accordance with the Approved Standard UAE.S/ GSO OIML R 80-1.
 5. The oil derivative meters shall meet the conditions set out in the Approved Standard UAE.S/ GSO OIML R 117-1.
 6. All types of lubricant containers shall meet the conditions in the Approved Standard UAE.S/ GSO OIML R 87.

Article (4)

Explanatory Statements

The explanatory statements of the products, prepared for the purpose of offer and use thereof inside the State, shall:

1. Be compliant with the technical requirements set out in the Approved Standard UAE.S/GSO 1810, as indicated in the appendix attached to this Resolution, and any additional requirements for each oil derivative as set out in those Standards.
2. Pictures and phrases used on the product containers shall not be in breach of the public order, the morals and the Islamic values prevailing in the State.
3. To include directives for use and warnings and be in a legible handwriting and hardly removable.
4. All information used in the explanatory statements shall be valid and confirmed scientifically and laboratorial.

Article (5)

Verifying Conformity

- a. In order that the Supplier obtains a Certificate of Conformity he shall conduct the following:
 1. Oil Derivatives and their classification are in conformity with the requirements set out in the Approved Standards as indicated in the appendix attached to this Resolution.
 2. All Oil Derivatives manufactured, filled or imported by the Supplier shall be subject to Conformity Form B, whose conditions are set out in the ECAS Scheme, provided that the Authority shall issue a list of the products as the Authority may deem necessary to be registered in accordance with the ECAS Scheme, satisfying the health and safety requirements.
 3. The lubricant products manufactured locally and prepared for export shall be in conformity with the Approved Standards or the international and regional specifications as approved by the Authority.
- b. The Supplier shall provide all certified technical documents, certificates and information, confirming the conformity of the product with the requirements of this Resolution,

including:

1. Documents confirming the conformity of the products with the industrial health and safety conditions, as set out in the Approved Standard UAE.S GSO 63.
 2. Documents confirming that the tanker truck used to carry Oil Derivatives along roads licensed by the Competent Entity for such purpose and in conformity with the conditions for the carriage of hazardous materials (oil substances) along roads, as indicted in the Approved Standard UAE.S GSO 974.
 3. Documents confirming the approval of the Competent Entity permitting the Supplier to trade, carry and store Oil Derivatives, in accordance with the conditions and requirements as provided by this Resolution.
- c. Oil Derivatives granted the Emirates Quality Mark or any other mark approved by the Authority is considered in conformity with the requirements as provided by this Resolution.
- d. The Authority shall be responsible for receiving and studying applications for registration and granting certificates of conformity or the products conformity logo covered by the provisions of this Resolution and the approval thereof. The Authority may delegate any of the competent entities to register and match any of such products.

Article (6)

Responsibility of the Competent Entity

- a. The Competent Entity in every Emirate shall be deemed responsible for the extent of compliance by the Supplier with the provisions of this Resolution and the scope of satisfaction by its products of the requirements as provided herein, including control, inspection, examination and test processes.
- b. The provisions of this Resolution shall not prevent the inspectors of the competent entities from making any other tests to confirm the extent of conformity of the product with the mandatory conditions as provided by the other laws and technical regulations.
- c. All entities governed by the provisions of this Resolution shall provide to the inspectors of the Competent Entity all the information and statements as demanded by them to perform their responsibilities as provided by this Resolution.

Article (7)

Control and Market Survey

- a. The Authority and the Competent Entity may take samples of the Oil Derivatives to make the required tests and to ensure their conformity with the conditions and requirements as provided by this Resolution.
- b. All sale outlets in the State shall be prohibited to offer or sell products governed by the provisions of this Resolution, unless such products are registered in accordance with the ECAS scheme.
- c. If the Authority or the Competent Entity is unable to identify the lack of conformity, the entity reported in breach shall be responsible for such non conformity, unless the entity in breach provides evidence to the contrary during such period as determined by the Authority or the Competent Entity for such purpose.

Article (8)

Violations and Penalties

- a. In the event of reporting any violation of the provisions of this Resolution, the Authority or, as applicable, the Competent Entity shall take all the required procedures to remedy the violation and its effects from the market. For this purpose it may:
 1. Instruct the violating entity responsible for offering the product in violation to withdraw it from the market for the purpose of correcting its position or re-export it to the country of origin or destroy it within such period as determined by the Authority, or as applicable, the Competent Entity.
 2. To withdraw, keep or destroy the products or to take any other procedure to be withdrawn from the market. The Authority or, as applicable, the Competent Entity shall announce the withdrawal of the product from the market, provided that the violating entity shall bear all the consequent costs.
- b. The Authority may take the required procedures in connection with the products not in conformity with the requirements of this Resolution, including the withdrawal or cancellation of the Certificate of Conformity of the violating products, or the removal of the non-conformity products from the market.

- c. Subject to any severer penalty in the applicable legislations, any person that who violates the provisions of this Resolution shall be punished by the penalties as provided by the Federal Law No. 28 of 2001 on establishing Emirates Authority for Standardization and Metrology, or any other legislation in lieu thereof.

Article (9)

Final Provisions

- a. For the purposes of executing the provisions of this Resolution, the Approved Standards as indicated in the appendix attached to this Resolution are considered as mandatory Standards inside the State. The Board may approve any other Standard as necessary to apply the provisions of this Resolution.
- b. The appendix attached to this Resolution, including the terms and expressions contained in the Approved Standards shall form an integral part of the provisions of this Resolution. The Board may amend this appendix as necessary.
- c. The Authority shall prepare the required procedures to execute the provisions of this Resolution. The Authority may delegate control over the products governed by the provisions hereof to the Competent Entity, under the supervision of the Authority.
- d. The provisions of this Resolution shall not prevent the compliance by the Supplier with the legislations regulating environment, security and safety and all the other applicable legislations in connection with trading in, carrying and storing Oil Derivatives.
- e. If any event aroused that cannot be handled in accordance with the provisions of this Resolution or a dispute concerning the application of these provisions arises, it shall be referred to the Director General to issue the appropriate resolution in respect of such event or dispute, as may achieve the public interest.

Article (10)

Accommodating Positions

- a. The Supplier shall accommodate its position in accordance with the provisions of this Resolution, within no later than 180 days from the enforcement date of this Resolution.
- b. Subject to the provision of Paragraph A of this Article, products not satisfying the requirements as provided by this Resolution may be traded for no later than one year from the effective date of this Resolution.

Article (11)

Revocation

Any provision in any other resolution is hereby revoked to the extent of conflict with the provisions of this Resolution.

Article (12)

Publication and Effective Date

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

Mohammed Bin Rashid Al Maktoum

Prime Minister

Issued by us:

On 8 Ramadan 1436 Hijri

Corresponding to 25 June 2015

**Appendix Attached to the Cabinet Resolution No. (21) of 2015 Concerning
the UAE Control Scheme for Oil Derivatives Products**

N.	Description of the Standard	Standard Number
1.	Cars fuel - Unleaded Gasoline	UAE.S 20001
2.	Household Kerosene	UAE.S GSO 478
3.	Specification of Aviation turbine fuel - Kerosene type, (Jet A1)	UAE.S GSO 2194
4.	Diesel (gas oil)	UAE.S 477
5.	Fuel Oil	UAE.S GSO 2195
6.	Petroleum products- Fuels (class f) – specifications of marine fuels	UAE.S GSO ISO 8217
7.	Lubricating Oils for Internal Combustion Engines API Classifications	UAE.S GSO 1785
8.	Road vehicles- specifications of non-petroleum-based brake fluids for hydraulic systems	UAE.S GSO ISO 4925
9.	Automatic movement transfer liquid	UAE.S GSO 1180
10.	Lubricants, industrial oils and related products (class L) Family E (internal combustion engine oils)- specifications of oils for use in four (categories EMA and EMB)	UAE.S GSO ISO 24254
11.	Labelling- Labelling of Chemicals Products	UAE.S GSO 1810
12.	Industrial Safety and Health Regulations- Part 2 (Container and Portable Tank Storage)	UAE.S GSO 63
13.	Transportation Of Dangerous Substances by Road - Part 3: Transportation of Petroleum Liquid	UAE.S GSO 974

14.	Tanker trucks moving on roads and railways Part 1: metrological and technical requirements Road and rail tankers -Part 1: Metrological and technical requirements	UAE.S/ GSO OIMIL R 80- 1
15.	Fixed storage tanks- General requirements	UAE.S GSO OIMIL R 71
16.	Dynamic measuring systems for liquids other than water- Part 1: Metrological and technical requirements	UAE.S GSO OIMIL R 117- 1