

Cabinet Resolution No. (9) of 2016
Regarding the Establishment of the Emirates Health Services (EHS)

The Cabinet:

- Having reviewed the Constitution,
- Federal Law No. (1) of 1972 Regarding the Competences of Ministries and Powers of Ministers, as amended,
- Federal Law No. (7) of 1999 Promulgating the Pensions and Social Security Law, as amended,
- Federal Decree by Law No. (11) of 2008 Regarding Human Resources in the Federal Government, as amended,
- Federal Law No. (1) of 2011 Regarding the Public Revenues of the State,
- Federal Law No. (8) of 2011 Regarding the Reorganization of the Supreme Audit Institution,
- Federal Decree by Law No. (5) of 2011 Regarding the Regulation of Boards of Directors, Trustees, and Committees in the Federal Government,
- Federal Decree by Law No. (8) of 2011 Regarding the Rules for the Preparation of the General Budget and the Final Account, and
- Upon the approval of the Cabinet,

Hereby resolves as follows:

Article (1)

Definitions

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

State : The United Arab Emirates.

Ministry : The Minister of Finance.

- Governmental Entities** : All federal and local governmental entities in the State.
- Establishment** : The Emirates Health Services (EHS) established pursuant to the provisions of this Resolution.
- Board of Directors** : The Establishment's Board of Directors.
- Chairman** : The Chairman of the Board of Directors.
- Director** : The Director General of the Establishment.

Article (2)

Establishment of the Establishment

Pursuant to the provisions of this Resolution, a federal public establishment named "Emirates Health Services" shall be established, which shall have legal personality, financial and administrative independence, and the full legal capacity to conduct all actions and dispositions that ensure the achievement of its competences, and it shall be affiliated with the Cabinet.

Article (3)

Headquarters of the Establishment

The main headquarters of the Establishment shall be in the Emirate of Dubai, and by a decision of the Board of Directors, other branches or offices thereof may be established within the State.

Article (4)

Competences of the Establishment

The Establishment shall undertake the following competences:

1. Enhance the efficiency of the federal health sector in the State by providing health and therapeutic care services, taking preventive measures, combating epidemics and diseases, and achieving sustainable development for healthcare;

2. Apply the policies, strategies, and standards related to the public health, healthcare, and preventive care sector, as established by the Ministry;
3. Propose legislation related to the development of the public health sector in the State, in coordination with the Ministry;
4. Prepare preventive health programs and maintain patient safety in its affiliated facilities;
5. Manage primary healthcare and preventive medicine, and raise public health awareness in light of the policies and controls set by the Ministry;
6. Implement national health and preventive programs and campaigns.
7. Establish hospitals, health centers, and affiliated healthcare facilities, and operate, manage, supervise, and ensure the sustainability thereof and submit recommendations regarding them to the Cabinet;
8. Set the conditions, standards, and controls to enhance the performance quality of its affiliated hospitals, health centers, and health facilities, and to obtain accreditation;
9. Qualify governmental hospitals to become accredited teaching hospitals;
10. Provide medical and health services through its affiliated hospitals, health centers, and health facilities, within the framework of the State's general policy;
11. Manage unified medical records for patients in its affiliated hospitals, clinics, and health centers;
12. Provide technical support and training to the medical personnel working at the Establishment, in accordance with the international best practices in this regard.
13. Encourage and support medical studies and research submitted for the purpose of developing the health sector and health facilities;
14. Establish health and preventive units and departments, maternity and childhood care centers, vaccination centers, school and cultural health centers, isolation facilities, ambulance services, blood banks, and health training centers;
15. Coordinate with the relevant Governmental Entities for the purpose of implementing the Establishment's competences;
16. Hold conferences, seminars, and workshops related to the Establishment's field of work, in coordination with the concerned authorities in the State;
17. Conclude agreements and contracts with entities within and outside the State in a manner

that serves to enhance the efficiency and development of the federal health sector;
18. Any other tasks or competences assigned thereto by the Cabinet.

Article (5)

Board of Directors

The Establishment shall have a Board of Directors formed by a resolution of the Cabinet. The formation resolution shall specify the Chairman of the Board of Directors, the remuneration of its members, and the mechanism for holding its meetings and adopting its decisions.

Article (6)

Competences of the Board of Directors

- a. The Board of Directors shall be the supreme authority vested with the Establishment's affairs and shall be accountable to the Cabinet for achieving the Establishment's objectives through the policies it sets for this purpose. In pursuit thereof, it shall exercise the following competences:
 1. Propose the general policy for the Establishment and supervise its implementation after its approval by the Cabinet;
 2. Adopt the necessary systems, regulations, and work plans for the proper functioning of the Establishment;
 3. Approve the draft annual budget and final accounts of the Establishment and submit them to the Ministry of Finance for inclusion in the general budget and unified final accounts law;
 4. Approve the draft organizational structure of the Establishment and submit it to the Cabinet for approval;
 5. Issue the schedule of financial powers, expenditure, and expenditure thresholds, and authorized bank signatories;
 6. Appoint one or more external auditors, if the need arises, and determine their remuneration;
 7. Issue the regulations, policies, controls, and standards that regulate the work of the

- Establishment and its affiliated facilities;
8. Propose the financial and human resources regulations for the Establishment and submit them to the Cabinet for approval;
 9. Any other competences assigned thereto by the Cabinet.
- b. The Board of Directors may delegate some of its competences to the Chairman, provided that such delegation is in writing and specific.

Article (7)

The Director General

The Establishment shall have a Director General, appointed by a resolution of the Cabinet.

Article (8)

Competences of the Director General

- a. The Director General shall be responsible before the Board of Directors for the implementation of the approved general policy of the Establishment and for the proper conduct of its technical, administrative, and financial affairs, in accordance with the regulations in force. In furtherance thereof, the Director General shall exercise the following competences:
 1. Propose the necessary systems, regulations, and work plans for the proper functioning of the Establishment and present them to the Board of Directors for approval;
 2. Follow up on the implementation of the plans, programs, projects, and activities that the Establishment supervises, manages, or implements;
 3. Approve qualification and training plans and programs for the administrative staff of the Establishment.
 4. Supervise the administrative activities of the Establishment and all its employees;
 5. Prepare the draft annual budget and final accounts and present them to the Board of Directors for approval;
 6. Propose the organizational structure and the general policy for the Establishment and present them to the Board of Directors for approval;

7. Supervise the workflow in the Establishment and submit periodic reports on its work to the Chairman;
 8. Form permanent or temporary committees and work teams to enable the Establishment to perform its duties, and determine the competences of such committees and work teams and their rules of procedure;
 9. Represent the Establishment before the judiciary and third parties, and conclude the necessary contracts and agreements to achieve the Establishment's objectives;
 10. Prepare the agenda for the Board of Directors' meetings in coordination with the Chairman, and maintain the records and registers related to the Board of Directors' meetings.
 11. Any other tasks or powers assigned thereto by the Board of Directors or the Chairman.
- b. The Director General may delegate some of their powers to any of the senior management employees of the Establishment, provided that this delegation is in writing and specific.

Article (9)

Administrative Apparatus

The Establishment shall have an administrative apparatus that assists the Director General in exercising the competences vested therein.

Article (10)

Fiscal Year

The fiscal year of the Establishment shall commence on the first day of January and end on the thirty-first day of December of each year, provided that the first fiscal year of the Establishment shall commence from the date of entry into force of this Resolution and shall end on the thirty-first day of December of the following year.

Article (11)

Management of the Establishment's Funds

The funds of the Establishment shall be managed in accordance with the rules prescribed in

Cabinet Resolution No. (9) of 2014 Regarding the Unified List of Financial and Accounting Policies for Independent Federal Entities, until the issuance of the Establishment's own financial regulation.

Article (12)

Financial Resources

The financial resources of the Establishment shall consist of:

- a. The annual financial appropriations allocated thereto in the State's general budget;
- b. The annual revenues and returns generated by the Establishment from the activities it undertakes and the fees for the services it provides;
- c. Grants, donations, gifts, and aid that do not conflict with the objectives of the Establishment and are accepted by the Board of Directors.

Article (13)

Fees for the Establishment's Services

The Establishment may collect fees in exchange for the services it provides, provided that the fees and the list of services are approved by a resolution of the Cabinet.

Article (14)

Audit of Accounts

- a. The Establishment shall be subject to the supervision of the Supreme Audit Institution, and it shall provide the Institution with all the data or information it requests concerning its work.
- b. The Board of Directors may appoint one or more external auditors, if the need arises, and determine their remuneration, provided that they undertake the supervision and audit of the Establishment's accounts in accordance with the applicable laws and regulations and International Public Sector Accounting Standards (IPSASB), and shall submit their periodic and annual reports to the Board of Directors regularly and on the specified timelines. They may not combine their work with membership of the Board of Directors or any other

position in the Establishment.

Article (15)

Human Resources

The employees of the Establishment shall be subject to Cabinet Resolution No. (15) of 2013 Regarding the Human Resources Regulation for Independent Federal Entities, until the issuance of the Establishment's own human resources regulation.

Article (16)

Transitional Provisions

1. All assets, buildings, and facilities decided to be transferred from the Ministry of Health to the Establishment shall be transferred after coordination between the Ministry, the Establishment, and the Ministry of Finance.
2. The rights and obligations decided to be transferred from the Ministry of Health to the Establishment shall be transferred after coordination between the Ministry, the Establishment, and the Ministry of Finance.
3. The necessary financial appropriations shall be transferred from the budget of the Ministry of Health to the budget of the Establishment after coordination between the Ministry, the Establishment, and the Ministry of Finance.
4. The employees who are decided to be transferred from the Ministry of Health to the Establishment shall be transferred, after coordination between the Ministry, the Establishment, and the Federal Authority for Government Human Resources.
5. The Ministry shall be entrusted with exercising the competences of the Establishment as stipulated in this Resolution, until the Establishment assumes all its operational activities.

Article (17)

Executive Resolutions

The Cabinet shall issue the necessary resolutions for the implementation of the provisions of this Resolution.

Article (18)

Repeals

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

Article (19)

Publication and Entry into Force

This Resolution shall enter into force from the date of its issuance and shall be published in the Official Gazette.

Mohammed bin Rashid Al Maktoum

Prime Minister

Issued by Us:

On: 27 Jumada al-Awwal 1437 A.H.

Corresponding to: 7 March 2016 A.D.