



**Decree of the Crown Prince, Chairman of the Executive Council  
No. (42 ) of 2009 Concerning  
The Environment, Health and Safety Management System  
in Abu Dhabi Emirate**

**We Mohammed Bin Zayed Al Nahyan, Crown Prince, Chairman of the Executive Council,**

- After having perused Decree No. (1) of 1974 concerning the reorganization of the governmental body in Abu Dhabi Emirate and its amendments, and
- Law No. (16) of 2005 concerning Reorganization of Environment Agency - Abu Dhabi, as amended by Decree No. (5) of 2009, and
- Law No. (21) of 2005 concerning Waste Management in Abu Dhabi Emirate, and
- Law No. (17) of 2008 concerning the Establishment of Abu Dhabi Waste Management Center.
- Federal Law No. (8) of 1980 concerning Organization of Working Relations, as amended, and
- Federal Law No. (27) of 1981 concerning Control of Communicable Diseases.
- Federal Law No. (7) of 1993 concerning the Establishment of Federal Environmental Agency as amended, and
- Federal Law no. (24) of 1999 concerning Protection and Development of the Environment as amended, and
- Federal Law No (1) of 2002 concerning Regulation and Control of the Use of Radioactive Sources and Protection against its Hazards as amended, and
- Executive Council Decree No. 2 - S 31/2006 concerning approval of the Environment, Health and Safety (EHS) Policy, and
- Executive Council Decree No. 10 – S 19/2007 concerning establishment of the Higher Committee for the Implementation of the Environment, Health and Safety Management System in Abu Dhabi Emirate, and
- In accordance with the proposal submitted to the Executive Council and its approval,
- We hereby issued the following Decree:



## ARTICLE 1

In implementing the provisions of this Decree, the following words and phrases shall bear the meanings given opposite each, unless the context otherwise requires:

- Emirate** : Abu Dhabi Emirate.
- Executive Council** : The Executive Council of the Emirate
- Higher Committee** : The Committee established by Executive Council for the purpose of implementing the Environment, Health and Safety Management System in the Emirate.
- Competent Authority** : Environment Agency-Abu Dhabi
- Relevant Authority** : Government authorities or semi-government corporate bodies responsible for regulating the relevant sectors, which include:
- **Department of Municipal Affairs:** for Building and Construction Sector.
  - **Higher Corporation for Specialized Economic Zones:** for Industrial Sector
  - **Department of Transport:** for Transport Sector
  - **Abu Dhabi Health Authority:** for Health Sector
  - **Abu Dhabi Tourism Authority:** for Tourism Sector
  - **Abu Dhabi Water and Electricity Authority:** for Energy Sector
  - **Abu Dhabi Waste Management Center:** for Waste Sector
  - Any other authority / body the EHS Higher Committee recommends to include as responsible for other sectors and is so decreed by the Executive Council.
- Concerned Sectors** : Sectors that will implement the EHSMS in the Emirate and include:
- Building and Construction sector
  - Industrial Sector
  - Transport Sector
  - Health Sector
  - Tourism Sector
  - Energy Sector
  - Waste Sector
  - Any other sector the EHS Higher Committee decides to include.



- Entity** : Juristic person (project / facility / establishment / company, or group) undertaking an activity that potentially impacts the environment and/or the workforce and community in the Emirate.
- Environment, Health and Safety Management System (EHSMS)** : An integrated system developed and implemented to include all factors related to the Environment, Health and Safety for the purpose of protecting the environment and human health and ensuring safety of workers in workplaces.
- Environment** : The biosphere in which different forms of life are manifested and consists of two elements:
- Natural Element: comprises living creatures to include man, animal, plant, and other living creatures, natural resources to include water, soil, organic and inorganic substances and natural systems.
- Unnatural Element: comprises all that man introduced into the natural environment, to include fixed and movable installations, roads, bridges, airports, means of transportation and innovative industries, inventions and technologies.
- Employee** : Natural persons working for the employer, or for contracted independent contractors.

### ARTICLE (2)

This Decree aims to implement the Environment, Health and Safety Management System in the Emirate through provision of a unified tool at Emirate level to facilitate implementation of legislations relevant to environment, health and safety and for protection of human health and safety and the environment and conservation of natural resources.

### ARTICLE (3)

The Higher Committee shall supervise the implementation of the EHSMS in the Emirate in coordination with the Competent Authority and the Relevant Authorities, and shall specifically set and approve the following:

- Abu Dhabi EHSMS framework, its implementation mechanisms, and reports related to performance of the EHSMS at Emirate level prior to submission to the Executive Council by the Competent Authority



- Mechanism for Approval of EHSMS developed by Sectors and Entities.
- Mechanism for Registration of auditors concerned with auditing the EHSMS.
- Codes of Practice and other Technical Guidelines needed to implement this Decree.
- List of targeted entities specified by the Relevant Authorities to implement the system.
- Any other Standards not included in applicable legislations at the Emirate level, which are to be decreed by the Executive Council.

#### **ARTICLE (4)**

The Competent Authority is responsible for:

1. Review and approval of the sectors' EHSMS according to the requirements of the Emirate EHSMS.
2. Monitoring the EHSMS implementation by sectors and their constituent entities in the Emirate through inspection, and auditing if the need arises.
3. Updating the EHSMS Regulatory framework, if the need arises.
4. Submit periodical reports to the Executive Council on the performance of the EHSMS at Emirate level according to the Mechanism of Reporting approved by the Higher Committee and after Committee's approval of the reports.

#### **ARTICLE (5)**

The Competent Authority, in cooperation and coordination with the Relevant Authorities, shall do the following:

1. Set the additional standards related to the EHSMS, which are not already incorporated in applicable laws and regulations in the Emirate, and submit these standards to the Executive Council for issuance after approval by the Higher Committee.
2. Set the appropriate mechanisms to ensure implementation of the EHSMS at Emirate level and approve and issue these mechanisms by the Higher Committee.
3. Provide all available information and official statements related to EHSMS to all concerned parties and entities.



### **ARTICLE (6)**

The Competent Authority in cooperation and coordination with the Relevant Authorities and other parties shall undertake the following activities:

1. Promoting the importance of implementing the EHSMS.
2. Developing an incentive system to provide assistance and support to entities that will develop an EHSMS in accordance with Abu Dhabi EHSMS.

### **ARTICLE (7)**

The Relevant Authority shall supervise the implementation of the EHSMS in its concerned sector and is specifically responsible for the following:

1. Developing its EHSMS in accordance with the provisions of this Decree.
2. Identifying entities within its sector that are required to implement an EHSMS.
3. Review and approval of the EHSMS developed by all entities within its sector, in accordance with the requirements of Abu Dhabi EHSMS and the requirements of the Relevant Authority.
4. Monitoring the implementation of the system by its entities through periodical inspection, and auditing of their systems if the need arises.
5. Reporting to the Competent Authority on the performance of the EHSMS at its sector level according to the reporting mechanism approved by the Higher Committee.

### **ARTICLE (8)**

Entities shall do the following:

1. Develop and implement an EHSMS within their scope of work to protect workers, society and the environment from any adverse impacts that may result from their activities, in accordance with the requirements of Abu Dhabi EHSMS and any additional requirements specified by Relevant Authority of the Sector.
2. Conduct annual audit on their EHSMS to ensure compliance with Abu Dhabi EHSMS.
3. Prepare and submit periodical reports on the performance of their EHSMS to the Relevant Authority of their sector, in accordance with the reporting mechanism approved by the higher committee.

**ARTICLE (9)**

Entities referred to in the preceding article of this decree shall develop and implement an EHSMS within a period not exceeding two years from the date of notification by the Relevant Authority of their Sector.

**ARTICLE (10)**

Each Relevant Authority shall establish an EHS Unit to supervise the implementation of stipulations of this decree.

**ARTICLE (11)**

This Decree shall be published in the official gazette and shall come into force after three months of its publication.

**Mohammed Bin Zayed Al Nahyan**  
**Crown Prince**  
**Chairman of the Executive Council**

*Issued in Abu Dhabi*  
*Date: 16 June 2009*

**IMPORTANT NOTE**

**THIS IS AN ENGLISH TRANSLATION  
OF THE ORIGINAL ARABIC TEXT OF THE DECREE.  
IN CASE OF ANY DISCREPANCY, THE ARABIC VERSION SHALL PREVAIL**