



Encyclopedia of Health Legislation

Book 5: Births & Deaths Systems / Regulation of
Cemeteries & Burial Procedures Legislations



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دائرة الصحة
DEPARTMENT OF HEALTH





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Department of Health Abu Dhabi



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Third Issue - February 2023

Book 5:

**Births & Deaths Systems /
Regulation of Cemeteries &
Burial Procedures Legislations**



صاحب السمو الشيخ محمد بن زايد آل نهيان

رئيس دولة الإمارات العربية المتحدة

HIS HIGHNESS SHEIKH MOHAMED BIN ZAYED AL NAHYAN

PRESIDENT OF THE UNITED ARAB EMIRATES



المغفور له بإذن الله الشيخ زايد بن سلطان آل نهيان
تغمده الله بواسع رحمته

SHEIKH ZAYED BIN SULTAN AL NAHYAN



المغفور له بإذن الله الشيخ خليفة بن زايد آل نهيان

تغمده الله بواسع رحمته

SHEIKH KHALIFA BIN ZAYED AL NAHYAN



Introduction

The release of the third issue of the Encyclopedia of Health Legislation by the Department of Health - Abu Dhabi reflects the aspirations of the Government of Abu Dhabi to deliver the best services to customers and provide an organizational and legislative knowledge, and is the Department's first step towards legislative digitization in the health field to achieve its vision of "a healthier Abu Dhabi" and hence promote the wellbeing and happiness of community.

In this fifth book of the Encyclopedia, **"Births & Deaths Systems / Regulation of Cemeteries & Burial Procedures Legislations"** is released to enable the decision-makers to get population growth indicators' data, and identify the growth rate and health indicators.

Births & Deaths Systems Legislation includes federal laws and resolutions of the Executive Council on birth registration provisions and death registration procedures. The legislation established systems, controls, procedures and associated documentation within and outside the State, and identified the relevant bodies for birth and death registration systems to be linked electronically, with the objective of the governance and availability of data and in line with the State's orientation towards modernizing and developing electronic systems, taking into account WHO standards in this area.

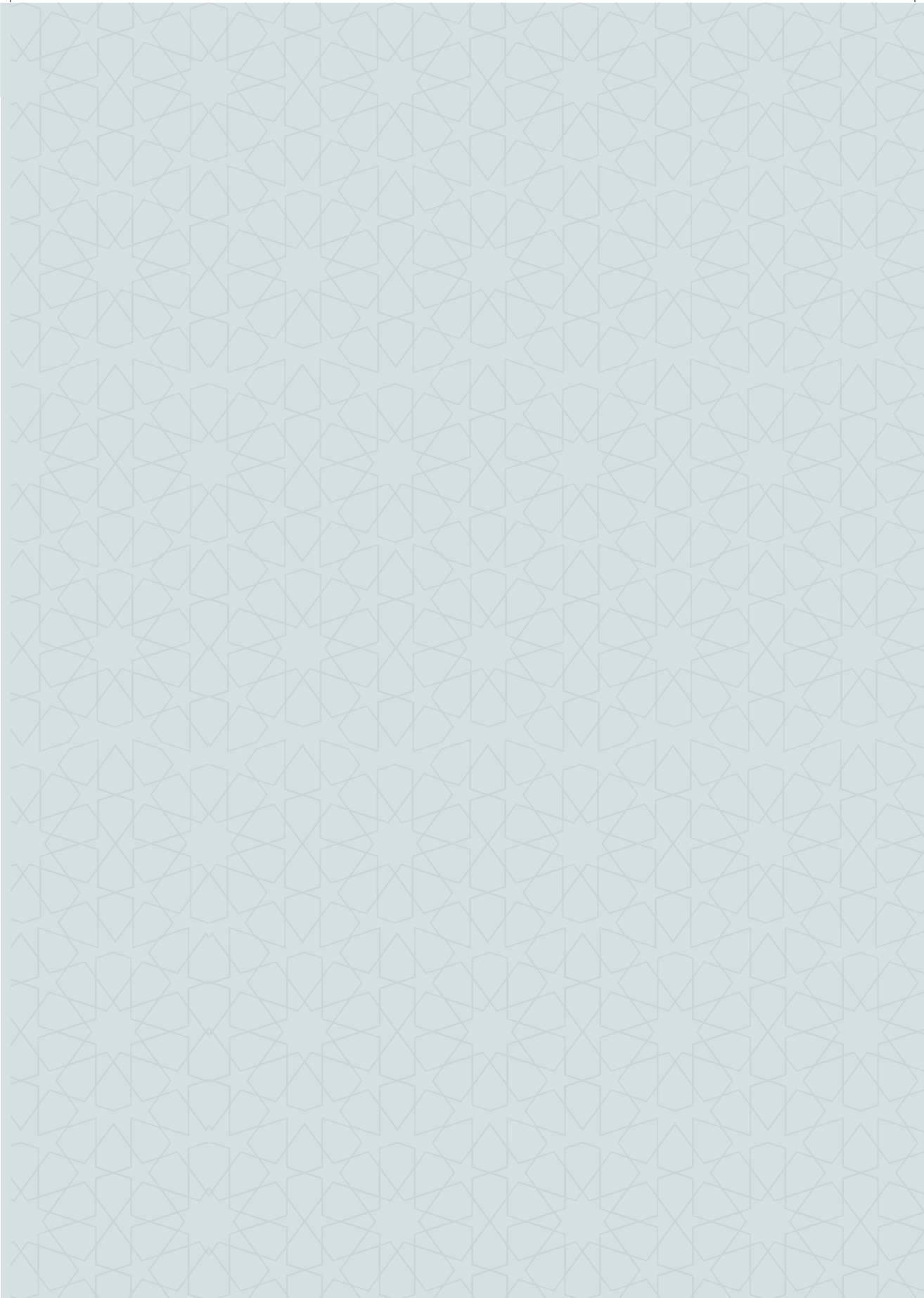
DOH will seek to strengthen the body of legislation on births and deaths systems with further contributions and initiatives, to support the role of the Emirate of Abu Dhabi in the State's advancement towards the sustainable modernization of its health policies, and its careful planning in responding to the needs of the population through the data and indicators of birth and death systems that reflect the nature of population growth.

Finally, we would like to express our profound gratitude for the guidance and trust of H.E. the Chairman of the Department of Health and for the follow-up, support and attention of H.E. the Undersecretary. We would also like to extend our thanks and appreciation to DOH partners, all the Encyclopedia team, and the officials of DOH organizational units for their efforts and active participation in completion of this book, looking forward to working together towards further development and modernization to strengthen the body of the health legislation in the Emirate of Abu Dhabi.

Saqr Al Marzooqi

Manager, Legal Affairs Office

Abu Dhabi - February 2023





Federal Decree-Law No. (10) of 2022 on the Regulation of Registration of Births and Deaths*

We, Mohamed bin Zayed Al Nahyan, President of the United Arab Emirate,

- Having regard to the Constitution;
- Federal Law No. (1) of 1972 on the Mandates of Ministries and Powers of Ministers, as amended;
- Federal Law No. (17) of 1972 concerning Nationality and Passports, as amended;
- Federal Law No. (5) of 1985 Promulgating the Civil Code of the UAE, as amended;
- Federal Law No. (35) of 1992 Promulgating the Criminal Procedure Code, as amended;
- Federal Law No. (1) of 1992 Promulgating the Civil Procedure Code, as amended;
- Federal Law No. (28) of 2005 on Personal Status, as amended;
- Federal Law No. (11) of 2008 on the Regulation of Ministry of Foreign Affairs and International Cooperation, as amended;
- Federal Law No. (18) of 2009 on the Regulation of Registration of Births and Deaths;
- Federal Law No. (1) of 2012 concerning the Custody of Children of Unknown Parentage;
- Federal Law No. (3) of 2016 concerning Child Rights “Wadeema’s Law”, as amended;
- Federal Decree-Law No. (4) of 2016 on Medical Liability;
- Federal Law No. (2) of 2019 on the Use of Information and Communication Technology in Health Fields;
- Federal Law No. (13) of 2020 concerning Public Health;
- Federal Law No. (10) of 2021 on the Regulation of Cemeteries and Burial Procedures;

* This translation from Arabic to English is provided for your convenience only. In case of any discrepancy, the Arabic version prevails.

- Federal Decree-Law No. (31) of 2021 Promulgating the Crimes and Penalties Law; and
- Upon the proposal of the Minister of Health and Prevention, and the approval of the Cabinet,
- **Promulgate the following Law:**

Article (1)

Definitions

In application of the provisions of this Decree-Law, the following words and expressions shall have the meanings ascribed to them, unless the context otherwise requires:

State	: The United Arab Emirates.
Ministry	: The Ministry of Health and Prevention.
Minister	: The Minister of Health and Prevention.
UAE Citizen	: Whoever has the citizenship of the State in accordance with the legislation in force in the State.
Health Authority	: The federal or local government Health Authority, as the case may be, that is in charge of the regulation of health affairs.
Concerned Department	: The organizational unit concerned with the registration of births and deaths and the issuance of birth and Death certificates in the Health Authority or in any other authority determined by resolution of the Cabinet.
Committee	: Births and Deaths Committee in each Health Authority, which is formed by virtue of Article (20) of this Decree-Law.
Health Facility	: Every place designated for, and licensed to conduct medical examination on patients, provide medical advice to them or assist in their diagnosis, treatment, nursing or stay for treatment, or to perform any work related to prevention, treatment

	or rehabilitation, whether the person who owns or manages the facility is a natural or legal person.
Competent Court	: The court in whose jurisdiction the event of birth or Death has taken place, or the court in whose jurisdiction the headquarters of the Health Authority that undertakes the birth or death-related procedures, or the legally competent court in other cases in accordance with the legislation in force in this regard.
Compound Name	: The name composed of two appellations, where one appellation alone may not be used as a name for a person.
Double Name	: The name composed of two appellations, where one appellation alone or both appellations may be used as a name for a person.
Liveborn Child	: A newborn who shows symptoms of life after being extracted or expelled from his mother, irrespective of the duration of pregnancy.
Stillborn Child	: A newborn who does not show symptoms of life after being extracted or expelled from his mother, provided that the pregnancy period is not less than one hundred eighty (180) days.
Death	: The total cessation of life, definitely and reliably, due to the irreversible total cessation of respiratory and cardiovascular functions or the total cessation of brain functions, according to the physicians' judgment that such cessation is irreversible and pursuant to accurate medical standards issued by decision of the Minister, or a death declared by final court order presuming the absent or missing person as dead, where the day of rendering the judgment is the date of death of the absent or missing person.
Registers	: The unified national Register and the Register established at the local Health Authority in accordance with the provisions of this Decree-Law.

Article (2)

Scope of Application

The provisions of this Law shall apply to:

1. Cases of birth and Death in the State.
2. Cases of birth and Death that take place outside the State in respect of Citizens, and those determined by decision of the Minister.

Article (3)

Births and Deaths Registers

1. The Ministry shall establish a unified national register for births and another for deaths at the State level. Each Health Authority shall, within its scope of competence, establish other two Registers, one for births and another for deaths. The Implementing Regulations of this Decree-Law shall set out:
 - a. Details of Registers.
 - b. Documents and conditions and controls for entry in these Registers.
 - c. Procedures, methods and duration of record keeping.
 - d. Mechanisms for exchanging data between the Ministry and the other Health Authorities.
 - e. Methods and procedures for electronic linkage between the Registers of Health Authorities and the unified national Register.
2. The Health Authorities may add any other details it deems appropriate in their respective Registers.
3. The Ministry and the other Health Authorities shall coordinate with the concerned entities in the State about the data and statistics related to the births and deaths.

Article (4)

Reporting Births

A Health Facility where a Birth takes place must notify the Concerned Department within seventy-two (72) hours from the time of birth. This applies to cases of birth that take place outside the Health Facility under the medical supervision of the Health Facility.

Article (5)

1. If the birth takes place outside the Health Facility without a medical supervision, the persons referred to in the order set out in this paragraph must inform the nearest Health Facility to prove the birth event and draw up a birth notification within thirty (30) days from the date of birth:
 - a. The father of the child, if present, or his mother.
 - b. The person in charge of the family affairs, should the father be absent or die prior to the birth.
 - c. Any adult relative up to the 4th degree attending the birth.
 - d. Any other person who attends the birth or is assigned by either parents of the newborn.
2. The Health Facility shall examine the mother and the newborn and notify the Concerned Department within seventy-two (72) hours from the date on which birth notification is drawn up.
3. If the Health Facility is notified after the expiry of the period referred to in paragraph (1) of this Article, the Health Facility shall prepare a health report of the case, and the concerned party shall submit an application to the Health Authority which shall refer the same to the Committee for appropriate decision.

Article (6)

Birth Notification

1. A birth notification is a proof of birth and is not a document to prove child's lineage.
2. Information related to the circumstances of pregnancy are medical secrets that the health practitioners are prohibited from divulging unless requested to do so under the legislation in force in this regard. The Health Facility shall ensure that information and data in the Registers are kept confidential.
3. The Health Facility shall issue the birth notification, subject to the submission of ID or passport of the mother and father, if any, and, in case of birth outside the Health Facility, the ID or passport of the reporting person, without the need for other documents.

4. The birth notification shall include the following data:
 - a. The day and date of Birth in the Hijri and Gregorian calendars, in numbers and letters, and the time and place of birth.
 - b. Gender of the newborn.
 - c. Name of the newborn, if specified. The name of the newborn may be Compound Name or Double Name, provided that it complies with the provisions of public order and public morals.
 - d. Full name of the father and mother, their date of birth, nationality, religion or belief, and ID or passport for those not residing in the State, for each of them, if any.
 - e. Name of the Health Facility where the birth has taken place and the name of the birth attendant, if the birth has taken place in a Health Facility.
 - f. Any other data as specified by the Implementing Regulations of this Decree-Law.

Article (7)

Issuance of Birth Certificate for a Newborn in the State

1. If a birth takes places in the State, either parent or whoever has the legal authority of the newborn may apply to the Concerned Department for a birth certificate within thirty (30) days from the date of birth. For a birth certificate to be issued, the following documents must be enclosed:
 - a. Birth notification.
 - b. Marriage document or certificate or a declaration of lineage from parents, attested by the embassy of their country or by the notary public.
 - c. ID or passport of the mother, and father, if any.
2. The official in charge of entry of data and documents of birth notification and issuance of birth certificate at the Concerned Department must be careful in entering this data and verify that the birth certificate matches the birth notification.

Article (8)

1. The Concerned Department shall issue a birth certificate for each Liveborn Child in Arabic, and another copy may be issued in English at the request of the concerned parties. The birth certificate shall be delivered to the parents of the newborn or their legal representatives or any of their relatives up to the fourth degree.
2. The Implementing Regulations of this Decree-Law shall set out the procedures for entry in Births Register, the controls for getting an extract of birth certificate details, and procedures for obtaining an official extract from the births Registers.

Article (9)

If an application to obtain a birth certificate is submitted after the lapse of the time limit specified under the provisions of this Decree-Law, the Concerned Department must accept the application and refer it to the Committee for decision in accordance with the controls and criteria specified in the decision of establishment of the Committee.

Article (10)

Issuance of Birth Certificate for a Citizen outside the State

1. Should a Citizen be born outside the State, either parent shall notify the State's diplomatic mission of the birth event by virtue of a birth certificate issued by the competent entity in the country where the birth has taken place within the period specified by the Implementing Regulations. If the notification by the parents could not be made, then anyone who has legal authority of the newborn must report the birth.
2. The Ministry of Foreign Affairs and International Cooperation shall notify the competent entities in the State of the birth events reported by the diplomatic missions according to the legislation in force in this regard.
3. Either parent or whoever has the legal authority of the newborn may be issued with a birth certificate for a child born outside the State from the Concerned Department, on the basis of the birth certificate issued from outside the State and attested by the diplomatic mission and then the competent entity in the State.
4. In the event that the birth event takes place in a country where there is no diplomatic mission, or in any other birth cases outside the State that

are not mentioned in this Article, the notification shall be made to the nearest accessible diplomatic mission or to the concerned department in such country, as the case may be.

5. The Implementing Regulations of this Decree-Law shall set out the provisions, conditions and procedures for issuing the birth certificate for a Citizen born outside the State, in cases where the diplomatic mission could not be notified of the birth.

Article (11)

Birth Notification and Birth Certificate for Children of Unknown Father

1. The Health Facility shall issue a birth notification for the child of unknown father based on his mother's details through ID card or passport.
2. The Concerned Department shall issue the birth certificate for the child of unknown father based on a court order from the Competent Court containing the determination of name and nationality of the child, on the basis of a declaration from the mother according to the legislation in force in this regard.
3. The decision of the Competent Court shall be noted on the Births Register without being mentioned in the birth certificate.

Article (12)

Birth Notification and Birth Certificate for Children of Unknown Parentage

1. Immediately after the receipt of a child of unknown parentage, the Health Facility shall issue a birth notification for him, in addition to a medical report about the health condition of the newborn.
2. The Concerned Department shall issue a birth certificate for the child of unknown parentage, who shall be registered in the births Register at the request of the foster care home to which the child is delivered, after it takes all procedures prescribed by the legislation in force in the State.

Article (13)

Reporting Death

1. In the event that the Death takes place in a Health Facility, the Health Facility where the Death has taken place shall report the Death to the

police which shall take the procedures prescribed by the legislation in force in this regard. The Health Facility shall also notify the Concerned Department of the Death incident within seventy-two (72) hours from the time of Death.

2. In the event that the Death takes place outside the Health Facility, the Death shall be reported to the police which shall take the procedures prescribed by the legislation in force in this regard. The Concerned Department shall be notified of the Death incident after medical diagnosis thereof.

Article (14)

Death Notification

The Death notification must include the following data:

1. The day and date of Death in the Hijri and Gregorian calendars, in numbers and letters, and the time and place of Death.
2. The full name, gender, nationality, religion, age, profession, and place of residence of the deceased.
3. Cause of Death.
4. Full name, age, nationality, profession, capacity and signature of the reporting person.
5. Any other data as specified by the Implementing Regulations of this Decree-Law.

Article (15)

Entry in Death Register and Issuance of Death Certificate

- The Concerned Department shall issue the Death Certificate in Arabic, and another copy may be issued in English at the request of a relative up to the fourth degree of the deceased or the person who is legally responsible for him, and the Death Certificate shall be delivered to any of them.
- The Implementing Regulations of this Decree-Law shall set out the procedures for entry in the Death Register, the controls for issuance and data of the Death Certificate and the procedures for obtaining an official extract from Deaths Registers.

Article (16)

Reporting Stillborn Child

The Health Facility where a birth of Stillborn Child takes place shall notify the Concerned Department of the Death incident within a period not exceeding seventy-two (72) hours of the time of birth of the Stillborn Child.

Article (17)

Stillborn Child Notification

A Stillborn Child notification shall include the following data:

1. The full name of both parents of the Stillborn Child, if known, along with their nationality, religion or belief and the place of residence.
2. Cause of Death.
3. Number of days of conception.
4. Any other data as specified by the Implementing Regulations of this Decree-Law.

Article (18)

Death of a Citizen outside the State

1. In the event of Death of a Citizen outside the State, any of his relatives who are with him in the country must inform the diplomatic mission of the Death.
2. The diplomatic mission may be notified by other than those referred to in paragraph (1) of this Article.
3. The Death certificate shall be issued by the competent authorities of the country where the diplomatic mission is situated and shall be attested by the said mission and by the competent authority in the State and accordingly, a Death Certificate shall be issued in the State.

Article (19)

Unidentified Deceased

The Unidentified deceased shall be registered in the deaths Registers, with a mention in the remarks field of the public prosecution decision in this regard,

including the report of the forensic doctor. The Implementing Regulations of this Decree-Law shall determine the data to be entered in the Death Register.

Article (20)

Births and Deaths Committee

1. There shall be formed in each Health Authority a committee called “Births and Deaths Committee”. The Committee shall be formed by decision of the chairman of the Health Authority.
2. A decision shall be issued by the Minister in coordination with the Health Authorities regarding the determination of the Committee’s competencies and the controls and standards for its work.

Article (21)

Change in Data contained in Birth and Death Certificate and Registers

1. No change in the data of birth and Death certificates and Registers may be made unless by virtue of a final court order issued by the Competent Court. The Concerned Department shall enter the details of such order in the remarks field.
2. The Committee may correct any material errors on the basis of supporting documents, and the Registers shall be marked with the reasons for correction.

Article (22)

Penalties

Shall be punished by a fine of not more than AED 5,000 (Dirhams Five Thousand), anyone required to report a birth case but fails to do so within the period specified under the provisions hereof.

Article (23)

Shall be punished by a fine of not more than AED 15,000 (Dirhams Fifteen Thousand), whoever becomes aware of a Death case by virtue of his kinship or job and fails to report it intentionally or covertly.

Article (24)

Shall be punished by a fine of not more than AED 15,000 (Dirhams Fifteen Thousand), whoever intentionally causes the entry of a Liveborn Child, a Stillborn Child or a deceased person in the Registers more than once. The Court shall order the deletion of the repeated entry.

Article (25)

Shall be sentenced to detention for a minimum term of one (1) year and to a fine of no less than AED 100,000 (Dirhams One Hundred Thousand) and not more than AED 500,000 (Dirhams Five Hundred Thousand), or either of these two penalties, whoever:

1. intentionally submits incorrect data, or resorts to fraudulent or illegal means in order to register a Liveborn Child, a Stillborn Child or a deceased person in the Registers. The court shall order to strike off the entry that is proven to be invalid.
2. makes any change in the data contained in the Registers of births or deaths without a final judgment issued by the Competent Court.
3. deliberately destroys or causes the destruction or loss of a Register of births or deaths or any of its papers.

Article (26)

The penalties provided for in this Decree-Law shall be applied without prejudice to any severer penalty provided for in any other law.

Article (27)

Birth and Death certificates and official extracts from the Register of births and deaths issued under this Decree-Law shall be considered official documents to prove birth and Death events.

Article (28)

Forms

The Implementing Regulations shall determine the forms of Registers, notifications and certificates provided for in this Decree-Law.

Article (29)

Fees

The Cabinet shall, upon the proposal of the Minister and the presentation of the Minister of Finance, issue a decision determining the fees necessary to implement the provisions of this Decree-Law.

Article (30)

Implementing Regulations

The Cabinet shall, upon proposal of the Minister, issue the Implementing Regulations of the provisions of this Decree-Law.

Article (31)

Repeals

1. The Federal Law No. (18) of 2009 on the Regulation of Registration of Births and Deaths shall be repealed together with any provision that is contrary to, or in conflict with the provisions of this Decree-Law.
2. The resolutions, regulations and rules in force prior to the entry into force of the provisions of this Decree-Law shall continue to be applied, without contradiction with the provisions thereof, until what replaces them is issued in accordance with the provisions of this Decree-Law.

Article (32)

Publication and Entry into Force of the Decree-Law

This Decree-Law shall be published in the Official Gazette, and shall come into force thirty (30) days after the date of its publication.

Mohamed Bin Zayed Al Nahyan

President of the United Arab Emirates

Promulgated by Us at the Presidential Palace in Abu Dhabi

On: 9/Safar/1444 H

5/September/2022 G



Federal Law No. (10) of 2021 on the Regulation of Cemeteries and Burial Procedures*

We, Khalifa bin Zayed Al Nahyan, President of the United Arab Emirates,

- Having regard to the Constitution;
- Federal Law No. (1) of 1972 on the Mandates of Ministries and Powers of Ministers, as amended;
- Federal Law No. (3) of 1987 Promulgating the Penal Code, as amended;
- Federal Law No. (35) of 1992 Promulgating the Criminal Procedure Code, as amended;
- Federal Law No. (24) of 1999 on the Protection and Development of Environment, as amended;
- Federal Law No. (37) of 2006 on the Establishment of Private Security Companies, as amended;
- Federal Decree-Law No. (11) of 2008 on Human Resources in the Federal Government, as amended;
- Federal Law No. (18) of 2009 on the Regulation of Registration of Births and Deaths;
- Federal Law No. (14) of 2014 on the Prevention of Communicable Diseases;
- Federal Law No. (2) of 2015 on Combating Discrimination and Hatred;
- Federal Law No. (4) of 2015 on Private Health Facilities;
- Federal Decree-Law No. (4) of 2016 on Medical Liability;
- Federal Decree-Law No. (5) of 2016 on the Regulation of Transplantation of Human Organs and Tissues;
- Federal Law No. (10) of 2017 on Domestic Workers;
- Federal Law No. (11) of 2017 on Antiquities;
- Federal Law No. (5) of 2018 on Waqf;
- Federal Decree-Law No. (26) of 2019 on Public Finance;

* This translation from Arabic to English is provided for your convenience only. In case of any discrepancy, the Arabic version prevails.

- Federal Law No. (13) of 2020 on Public Health; and
- Based on the proposal of the Minister of Interior and the Minister of Health and Prevention, and the approval of the Cabinet and the Federal National Council, and the ratification of the Federal Supreme Council,
- **Promulgate the following Law:**

Chapter One

Definitions

Article (1)

In application of the provisions of this Law, the following terms and expressions shall have the meanings ascribed to them, unless the context otherwise requires:

State	: The United Arab Emirates.
Health Authority	: The federal or local government authority in charge of health affairs in the State.
Concerned Authority	: The local entity concerned with the regulation of Cemeteries and burial procedures in each emirate of the UAE.
Alien	: A person who does not hold the citizenship of the UAE.
Cemetery	: The place designated by the Concerned Authority for the burial of deceased, human organs and human remains.
Communicable Diseases	: Diseases specified by the legislation in force in the UAE.
Health Facility	: The facility that provides healthcare services, and is licensed by the Health Authority.

Chapter Two

Regulation of Cemeteries

Article (2)

Competencies of the Concerned Authority

The Concerned Authority shall undertake the regulation of Cemeteries, and shall particularly:

1. designate areas and places for construction of Cemeteries.
2. allocate areas for burial of martyrs in Cemeteries.
3. designate places in Cemeteries for burial of bodies of people who die of a Communicable Disease or any kind of contamination, provided that technical conditions for such places are set by the Health Authority, and burial takes place under the supervision of the competent authorities in the State.
4. designate specific places for burial of human organs.
5. designate places for burial of newborn babies and infants.
6. set up burial conditions in Cemeteries of particular nature.
7. identify the types of Cemeteries for burial of bodies, and the ways of disposition thereof.
8. set up rules for Cemetery visit etiquette.
9. designate types of gravestones.
10. establish special procedures and designate the periods necessary for moving Cemeteries from a place to another in coordination with the Health Authority.
11. set up rules for women burial etiquette.
12. establish procedures for monumental Cemeteries.
13. set up the procedures for Cemeteries where there are no places for burial.
14. coordinate with the competent authorities to set up the burial procedures in cases of emergency, crisis and disasters.

The Implementing Regulations of this Law shall define the controls for the implementation of this Article.

Article (3)

Conditions and Controls of Establishment of New Cemetery

When establishing a new Cemetery, the Concerned Authority shall adhere to the following conditions and controls:

1. Cemetery shall be far from the urban settings, ground water, valleys and streams.
2. Cemetery planning and grave numbering.
3. Designation of grave places and the connecting corridors.
4. Ensuring that the soil is suitable for burial.
5. Conserving environment and the public health and safety conditions according to the legislation in force in the State.
6. Providing the necessary engineering, technical and security requirements.
7. Any other conditions and controls specified by the Implementing Regulations of this Law.

Article (4)

Prohibitions and Restrictions

1. A person shall not:
 - a. desecrate Cemeteries or any place designated for the conservation or burial of deceased bodies, human organs or human remains or its extensions or contents.
 - b. violate the sanctity of the deceased by any means.
 - c. use Cemeteries for other than their purpose.
2. No dead body, human organ or human remains may be exhumed without court permission.

Article (5)

Electronic Database

The Concerned Authority shall create an electronic database for deaths, human organs or human remains buried in the Cemeteries, and the Implementing Regulations of this Law shall specify the data to be completed.

Chapter Three

Deceased Transportation and Washing Procedures

Article (6)

Transport Permit

It shall be prohibited to transport a dead body, human organ or human remains in or outside Health Facilities, except after obtaining a permit to this effect from the public prosecution and in coordination with the police, and in accordance with the conditions and controls specified by the Implementing Regulations of this Law.

In any event, no dead body, human organ or human remains may be transported except by means of transport designated to this effect.

Article (7)

Dead Body Transport Request

Without prejudice to the legislation in force in the State, the applicant for the transport of a body of an Alien or any of his organs or remains abroad shall bear the cost of his transportation according to the conditions and procedures set by the Implementing Regulations of this Law.

Dead bodies, human organs or human remains may be transported only through the approved official border points.

Article (8)

Washing, Shrouding, and Preparation of a Muslim Deceased for Burial

The Concerned Authority shall undertake the washing, shrouding and preparation of the Muslim deceased for burial. The family of the deceased may wash, shroud and prepare the deceased for burial in accordance with the

provisions of Islamic Sharia, within a period not exceeding three (3) days from the date the burial permit is obtained.

The deceased may be washed, shrouded and prepared for burial at home, at the request of his family, in accordance with the conditions and controls determined by the Health Authority.

Article (9)

Preparation of Non-Muslim Deceased for Burial

The family of the non-Muslim deceased or anyone related to his preparation shall prepare him for burial within a period not exceeding seven (7) days from the date the burial permit is obtained, and under the supervision of the Concerned Authority in coordination with the Health Authority. The Implementing Regulations of this Law shall specify the relevant necessary conditions and controls.

Article (10)

Conditions and Controls for Places designated for Deceased Washing

The Implementing Regulations of this Law shall set out the conditions and controls that must be met for places designated for washing the deceased and workers therein.

Chapter Four

Procedures for Burial of Deceased

Article (11)

Burial of Bodies in the Designated Cemeteries

Dead bodies, human organs or human remains may be buried only in Cemeteries designated by the Concerned Authority, in accordance with the conditions and controls specified by the Implementing Regulations of this Law.

Article (12)

Human Organ Burial Permit

No human organ removed or amputated for medical reasons may be buried unless with a permit from the Health Authority. If the organ removal or

amputation is due to criminal grounds, the permit shall be issued by the Public Prosecution.

In any event, the burial procedures for these organs shall be the same as those for dead bodies, according to the conditions and controls specified by the Implementing Regulations of this Law.

Article (13)

Permit for Burial of an Alien Body

The body of an Alien deceased who is not a resident of the State may be buried after obtaining a permit from the public prosecution and in coordination with the police in any of the following cases:

1. If the person dies while in the State, and his body could not be transported abroad.
2. If the person dies on a plane that had to make an emergency landing in the State and its takeoff is delayed. This applies to other means of transport.
3. If the body of the deceased could not be transported outside the State for reasons related to public health.
4. In any other case where the Health Authority considers that the dead body should be buried in the State's Cemeteries.

The Implementing Regulations of this Law shall define the conditions and controls for the implementation of this Article.

Article (14)

Death in execution of a Court Order

If the death takes place in execution of a court order, the body of the deceased shall be buried in the State by the Concerned Authority after coordination with the public prosecution and the police.

Article (15)

Burial Procedures upon Non-receipt of the Dead Body

The Implementing Regulations of this Law shall regulate the burial procedures for unreceived dead bodies, human organs or body remains.

Chapter Five

Penalties

Article (16)

Penalties provided for herein shall be without prejudice to any other severer penalty provided for in another law.

Article (17)

Shall be sentenced to a fine of no less than AED 10,000 (Dirhams Ten Thousand) and not more than AED 50,000 (Dirhams Fifty Thousand), whoever:

1. transports a dead body or any of his organs or remains inside the State without obtaining a permit to do so.
2. makes any additions to, or erects any buildings inside the Cemetery.
3. transports a dead body or any of his organs or remains in means of transport other than those designated for this purpose.
4. uses unofficial crossing points of the State to transport a dead body or any of his organs or remains.
5. takes photograph and videotape of the deceased in other than cases permitted by law.
6. uses Cemeteries for other than their purpose.

Article (18)

Shall be sentenced to detention for a term not exceeding (1) one year and/or a fine of no less than AED 10,000 (Dirhams Ten Thousand) and not more than AED 100,000 (Dirhams One Hundred Thousand), whoever buries a dead body, human organ or human remains in places other than Cemeteries specified by the Concerned Authority.

Article (19)

Shall be sentenced to detention for a minimum term of (1) one year and/or a fine of no less than AED 20,000 (Dirhams Twenty Thousand) and not more than AED 100,000 (Dirhams One Hundred Thousand), whoever prepares a place for

burial or disposition of deceased bodies or their organs or remains in cases other than those specified herein.

Article (20)

Shall be sentenced to detention and/or a fine of no less than AED 50,000 (Dirhams Fifty Thousand) and not more than AED 100,000 (Dirhams One Hundred Thousand), whoever brings into or out of the State a dead body or any of his organs or remains without obtaining permit to do so.

Article (21)

Shall be sentenced to imprisonment for a minimum term of five (5) years and a maximum term of seven (7) years and/or a fine of no less than AED 100,000 (Dirhams One Hundred Thousand) and not more than AED 200,000 (Dirhams Two Hundred Thousand), whoever trespasses or desecrates a grave or Cemetery or a place for the conservation or burial of dead bodies, human organs or human remains, or its extensions or contents.

Article (22)

Shall be sentenced to temporary imprisonment for a minimum term of (4) four years and a fine of no less than AED 100,000 (Dirhams One Hundred Thousand) and not more than AED 200,000 (Dirhams Two Hundred Thousand), whoever exhumes a dead body or any of his organs or human remains.

Penalty shall be imprisonment for a minimum term of five (5) years if such exhumation violates the sanctity of the deceased in any way.

Article (23)

Shall be sentenced to temporary imprisonment and/or a fine of no less than AED 100,000 (Dirhams One Hundred Thousand) and not more than AED 500,000 (Dirhams Five Hundred Thousand), whoever buries a dead body or any of his organs or human organ or human remains, or dispose of any of them by any means without obtaining a permit to do so.

Chapter Six

Final Provisions

Article (24)

Cemetery Monitoring, Inspection, Surveillance, Securing and Cleaning

The Concerned Authority shall be responsible for monitoring, inspecting, guarding, securing and cleaning Cemeteries, and for providing all necessary materials for digging graves and burying the deceased. The Concerned Authority may assign these tasks to the private sector.

Article (25)

Judicial Officer Capacity

Those who are designated by decision of the Minister of Justice, in agreement with the competent Minister or the chairman of the Concerned Authority, shall have the status of judicial officers in establishing violations of the provisions of this Law and its Implementing Regulations and decisions that fall within their jurisdiction.

Article (26)

Fees

Fee may be determined by resolution of the Cabinet in application of the provisions of this Law.

Article (27)

Issuance of the Implementing Regulations of the Law

The Cabinet shall, upon proposal of the Minister of Interior and Minister of Health and Prevention, issue the Implementing Regulations of this Law within three (3) months from the date of its publication.

Article (28)

Repeals

Any provision contrary to, or in conflict with the provisions of this Law shall be repealed.

Article (29)

Publication; Entry into Force

This Law shall be published in the Official Gazette, and shall come into force three (3) months after the date of its publication.

Khalifa bin Zayed Al Nahyan
President of the United Arab Emirates

Promulgated by Us at the Presidential Palace in Abu Dhabi

On: 07/Shawwal/1442 H

19/May/2021 G



Cabinet Resolution No. (113) of 2021 concerning the Implementing Regulations of Law No. (10) of 2021 on the Regulation of Cemeteries and Burial Procedures*

The Cabinet:

- Having regard to the Constitution;
 - Federal Law No. (10) of 2021 on the Regulation of Cemeteries and Burial Procedures;
 - Federal Decree-Law No. (29) of 2021 concerning the Entry and Residence of Foreigners; and
 - Based on the proposal of the Minister of Interior and the Minister of Health and Prevention, and the approval of the Cabinet,
- **Resolves:**

Chapter One

Definitions

Article (1)

Definitions set forth in Federal Law No. (10) of 2021 shall apply to this Resolution. Otherwise, the following words and expressions shall have the meanings ascribed to them, unless the context otherwise requires:

Sharia Authority	: The federal or local government entity in charge of the Islamic affairs and sharia Fatwa in the State, as the case may be.
Sanctum	: The outer strip surrounding the Cemetery on all sides.
Gravestone	: The elevated structural element which is placed at both ends of the grave to mark the location of the head and feet.

* This translation from Arabic to English is provided for your convenience only. In case of any discrepancy, the Arabic version prevails.

Chapter Two

Cemetery Regulation Controls

Article (2)

For the purposes of the provisions of Article 2 of the aforementioned Federal Law No. (10) of 2021, the Concerned Authority must abide by the regulations and conditions for the regulation of Cemeteries, which are described in this Chapter.

Article (3)

Types of Cemeteries

Cemeteries are classified as follows:

1. Muslim Cemetery.
2. Non-Muslim Cemetery.

Article (4)

Construction of New Cemeteries

When constructing a new Cemetery, the following controls and conditions must be adhered to:

1. The land of the Cemetery shall be a dedicated endowment (waqf) whose ownership is restricted, in accordance with the legislation in force in the State.
2. It shall be located as far as possible from the existing urban spaces or the future expansion of the potential residential bloc.
3. It shall be far from sources of industrial pollution.
4. The land should be flat and suitable for burial in terms of cohesion and ease of excavation, and far from streams.
5. Ensuring that it does not affect the groundwater sources, and that it is far enough from it to prevent pollution.
6. The soil shall not be decomposed from garbage and waste burial.
7. The Cemetery shall be procured with all infrastructure services.

8. Approval of the concerned entities in the Emirate must be obtained to ensure that the conditions and controls stipulated in this Article are met.

Article (5)

Cemetery Fences

The fences of the Cemetery shall meet the following controls:

1. The fence must be at least 2.5 meters high.
2. The fences and the outer perimeter road must be equipped with the necessary lighting.
3. CCTV linked to the State's operating rooms must be implemented.

The Concerned Authority shall build a fence for the old Cemeteries within the Emirate, in accordance with the controls stipulated in this Article.

Article (6)

Cemetery Planning

The planning of a new Cemetery shall be according to the following controls:

1. Areas shall be designated for large graves, small graves, and new-born and fetus graves.
2. An area of the Cemetery shall be allocated for:
 - a. Martyrs.
 - b. People who die of a Communicable Disease.
 - c. Burial of human organs.
 - d. Burial in cases of disaster.
3. Corridors connecting the graves shall be marked, paved and provided with appropriate lighting.
4. An area shall be designated for green space to be planted in accordance with the nature of the land, while ensuring that the graves are not harmed.
5. The mosque and services shall be outside the boundaries of the Cemetery, whenever possible.
6. Graves shall be planned so as to ensure the provision of a Sanctum for the grave.

7. The Cemetery shall be surrounded with a fence, according to the rules stipulated herein.
8. The Cemetery shall be surrounded with a Sanctum that is not allowed to be exploited in order to preserve the security aspects of the Cemetery, and is used for the maintenance of fences and security checks.
9. The vertical distance between the graves shall not be less than 70 cm and the distance between the rows of graves shall not be less than 90 cm.
10. Sections and areas of the Cemetery shall be marked, taking into account the easy movement and guidance to graves and services.
11. Entrances that allow the passage of dead body vehicles shall be procured.
12. The Cemetery shall be equipped with control and surveillance room, to enable security guards to secure the Cemetery.
13. Parking lots shall be specified whether inside or outside the Cemetery so that they be far from the graves to ensure their sanctity.
14. Needs of people of determination must be taken into account.

The Concerned Authority shall re-plan the old Cemeteries to ensure the protection of Cemeteries and their sanctuary nature, according to the controls stipulated in this Article, wherever possible.

Article (7)

Size of the Grave

Without prejudice to the provisions of Federal Law No. (14) of 2014 on the Prevention of Communicable Diseases and its Implementing Regulations, the sizes of graves shall not be less than the following dimensions:

Grave type	Length (cm)	Width (cm)	Depth (cm)
Large grave	210	110	140
Small grave	110	80	60
New-born or fetus grave	As determined by the Concerned Authority		

Article (8)

Exterior of Graves

Graves shall be covered in the manner by which the grave marks are identified so as to avoid stand or walk on the top thereof, according to the forms approved by the Concerned Authority in coordination with Sharia Authority.

Article (9)

Gravestones

The Concerned Authority shall place Gravestones as per the following rules:

1. Gravestones for Muslim graves shall be placed at the head and foot of the grave and their dimensions will be as follows:

Length (cm)	Width (cm)	Thickness (cm)
60	20	4

2. Gravestones for non-Muslims shall be placed as determined by the Concerned Authority.
3. The material used for the Gravestone shall be approved by the Concerned Authority and shall be resilient to the environmental factors.
4. The grave number or any data specified by the Concerned Authority shall be placed on the Gravestone.

In any event, the Gravestone may not be replaced except by the Concerned Authority.

Article (10)

Regulation of non-Muslim Cemeteries

The following conditions shall be met for the regulation of non-Muslim Cemeteries:

1. Dimensions and height of the grave shall not exceed half the height of the Cemetery fence.
2. All graves in a Cemetery shall face the same direction.

In any event, the Concerned Authority shall specify the beneficiaries of the Cemetery and the requirements of burial therein.

Article (11)

Cemetery Visit Etiquette

The Concerned Authority shall, in coordination with the Sharia Authority, establish the Cemetery visit etiquette and place the same at the entrances to the Cemetery to oblige visitors to adhere thereto, bearing in mind that the visit is during daytime.

Article (12)

Monumental Cemeteries

Provisions of Federal Law No. (11) of 2017 on Antiquities shall apply to monumental Cemeteries. As for Cemeteries that do not meet the description of monumental Cemeteries and are not used for their antiquity, the Concerned Authority shall manage them in terms of securing, maintaining and guarding them in a manner that guarantees the sanctity of the graves therein.

Article (13)

Cemetery Relocation Procedures

Cemeteries may be moved upon discretion of the Concerned Authority in coordination with the Sharia Authority and Health Authority.

The Concerned Authority shall set out the procedures for Cemetery relocation and the period allowed for moving Cemeteries in coordination with the Health Authority and Sharia Authority.

Article (14)

Database

The Concerned Authority shall, in coordination with the Health Authority establish an electronic database to record the following data:

1. Personal details and date of death.
2. Details of burial cases for all categories and the causes thereof.
3. Burial permit number, date and issuing authority.
4. Grave number.
5. Any other details.

In any event, the database must be linked to the systems of the Ministry of Interior and the Federal Authority for Identity and Citizenship.

Article (15)

Geographical Information Systems (GIS)

The Concerned Authority shall link the Cemetery sites in areas under its jurisdiction to the electronic database relating to its GIS.

Article (16)

Securing Cemeteries

In application of this Law and its Implementing Regulations, the Concerned Authority shall, within its competence, undertake the following tasks:

1. Monitoring, guarding, inspecting and securing Cemeteries.
2. Maintaining the general cleanliness of Cemeteries.
3. Providing all the necessary resources for digging graves and burying the deceased.

The Concerned Authority may assign these tasks to the private sector based on contracts entered into with specialized companies for the carrying out of these tasks.

Chapter Three

Transporting and Washing Deceased

Article (17)

Transporting a UAE National Deceased to the State

In the event of death of a UAE National abroad, the Ministry of Foreign Affairs and International Cooperation shall:

1. follow up the issuance and authentication of death notice or certificate of death, according to its applicable procedures and send them to the Federal Authority For Identity, Citizenship, Customs & Port Security.
2. notify the Ministry of Interior and the Federal Authority For Identity, Citizenship, Customs & Port Security of the death case.

3. follow up the court procedures in case of any criminal suspicion in the death.
4. take the necessary actions to prepare the dead body for transport to the State, taking into account the procedures for the preparation of bodies of people who die of a Communicable Disease.
5. transport the dead body to the State through the appropriate means.
6. coordinate with the Ministry of Interior to receive the body, and take actions to notify the competent entities.

If the family of the deceased requests his burial abroad, or if the dead body could not be transported from the state where death has taken place, the Ministry of Foreign Affairs and International Cooperation shall follow up and facilitate his burial procedures.

Article (18)

Transport of Dead Body or Human Organ for Burial

The dead body or the human organ shall be transported according to the following controls:

1. A burial permit shall be issued and the Cemetery shall be specified.
2. The means of transport shall be licensed by the Concerned Authority for body transport.
3. If the transport is outside the Emirate, then a written consent shall be obtained from the Concerned Authority in the emirate to which the body is transported, while specifying the Cemetery.

Article (19)

Transport of Bodies of People who die of a Communicable Disease

Bodies of people who die of a Communicable Disease shall be transported according to the provisions of Federal Law No. (14) of 2014 on the Prevention of Communicable Diseases and its Implementing Regulations.

Article (20)

Transport of Dead Body, Human Organ or Human Remains outside the State

Without prejudice to the provisions of Federal Law No. (14) of 2014 on the Prevention of Communicable Diseases and its implementing regulations, the dead body, human remains or human organs shall be transported outside the State according to the following procedures and controls:

1. An application shall be submitted by the concerned parties to the police, along with:
 - a. Death certificate.
 - b. Public prosecution's consent.
 - c. Consent of the country to which the body is transported.
 - d. Consent of the transporting entity.
2. Police shall issue the permit for the body transport outside the State, and notify the Ministry of Foreign Affairs and International Cooperation thereof.
3. Family of the deceased or the embassy of his country shall take embalment process with the State's accredited centres and pay the relevant fee.
4. Transport companies shall ensure that all requirements stated in this Article are met before proceeding with the transport outside the State.

Article (21)

Means of Transport of the Dead Body

The Concerned Authority shall procure the means of transport designated for the transport of dead bodies and license vehicles designated for this purpose in a manner that ensures their operation and sustainable use.

Article (22)

Means of Transport of Dead Bodies from outside the State

The Ministry of Foreign Affairs and International Cooperation shall cooperate with carriers (air, road, sea) for the transport of the body of a UAE national to the State with the appropriate means, and to this effect may enter into contracts with the national carriers to transport the bodies of the UAE nationals from outside the State.

Article (23)

Deceased Washing Places

The Concerned Authority shall designate places for washing the deceased and equip them with all instruments required for washing and shrouding the deceased in coordination with the Sharia Authority.

Article (24)

Workers at Deceased Washing Places

Workers at deceased washing places shall meet the following conditions and rules:

1. He/she must be a Muslim.
2. He/she must have at least secondary school.
3. He/she must be at least 25 years of age.
4. He/she must be trustworthy, and well versed with the provisions of Sharia pertaining to washing and shrouding.
5. He/she must be licensed by the Sharia Authority.
6. Those washing and preparing a deceased for burial must be of the same gender, whether male or female.

In any event, the Sharia Authority may authorise volunteers other than workers at deceased washing places to wash and prepare the deceased.

Article (25)

Muslim Deceased Washing Procedures

1. People who die of a Communicable Disease shall be washed according to the provisions of the Federal Law No. (14) of 2014 on the Prevention of Communicable Diseases and its implementing regulations.
2. People who die in ordinary cases shall be washed at the places designated by the Concerned Authority for washing the deceased.
3. The deceased may be washed and prepared for burial at the request of his family, according to the following rules:
 - a. Conditions and requirements specified by the Health Authority shall be adhered to.

- b. Those washing and preparing the deceased for burial shall be licensed by the Sharia Authority and shall be of the same gender as the deceased or up to the third degree relative provided that he or she is well versed with the deceased washing provisions.
 - c. The period specified in the burial permit shall be observed.
4. People who die in execution of a court order or as a result of serious accidents shall be excluded from paragraph 2 above, and the deceased shall be washed at places designated by the Concerned Authority according to the burial permit.

Chapter Four

Death Notifications and Rules for Burial of Dead Bodies

Article (26)

For the purposes of Article (6) of the referenced Federal Law No. (10) of 2021, the procedures, conditions and rules for burial of dead bodies shall be according to the provisions stated in this Chapter.

Article (27)

Procedures for Notification of Death outside the Health Facilities

If a death takes place outside the Health Facility, the following procedures shall be taken:

1. The police shall be notified of all cases of death occurring outside the Health Facilities.
2. The organizational units of the police shall move to the death place.
3. The police shall notify the public prosecutor to take the appropriate decision.
4. In case of normal death, the public prosecution shall issue the permit for burial or disposition of the body.
5. In case of criminal suspicion, the following procedures shall be taken:

- a. The competent public prosecution shall be notified so that the prosecutor moves to the place of the body for the legal actions prescribed in this regard.
- b. The police shall notify the Ministry of Foreign Affairs and International Cooperation once the Alien is dead to proceed with the process of notification of his embassy if he is of known identity.

Article (28)

Procedures for Notification of Death in the Health Facilities

If a death takes place inside the Health Facility, the following procedures shall be taken:

1. The Health Facility shall notify the police of all cases of death taking place in the Health Facility.
2. The police shall notify the public prosecutor to take the appropriate decision.
3. In case of normal death, the public prosecution shall issue the permit for burial or disposition of the body.
4. In case of criminal suspicion, the following procedures shall be taken:
 - a. The competent public prosecution shall be notified so that the prosecutor moves to the place of the body for the legal actions prescribed in this regard.
 - b. The police shall notify the Ministry of Foreign Affairs and International Cooperation once the Alien dies to proceed with the process of notification of his embassy if he is of known identity.

Article (29)

Preservation of the Dead Body

No dead body shall be placed in custody or kept at the mortuary for any reason except with permission of the public prosecution, provided that the body is embalmed if required according to the medical and preventive procedures specified for this and determined by the Health Authority.

Article (30)

Embalmmment of the Deceased

The dead body shall be embalmed in cases determined by the Ministry of Health and Prevention, and according to the controls and conditions specified by it.

Article (31)

Controls for Preparing the Non-Muslim Deceased for Burial

Without prejudice to the provisions of Federal Law No. (14) of 2014 on the Prevention of Communicable Diseases and its implementing regulations, the family of the non-Muslim deceased shall prepare the deceased according to the following controls:

1. The deceased shall be prepared within (3) three days from the date the burial permit is obtained, which period may be extended to a maximum term of seven (7) days, subject to the consent of the Concerned Authority.
2. The deceased shall be prepared at places designated by, and under the supervision of the Concerned Authority, in coordination with the Health Authority.

Article (32)

Conditions and Controls for Burial of the Body of a Muslim Deceased

The Concerned Authority shall bury the body of the Muslim deceased, according to the sharia rules and conditions determined by the Sharia Authority in this concern.

In any event, no individuals other than those permitted by the Concerned Authority may interfere in the burial procedures.

Article (33)

Muslim Women Body Burial Etiquette

The Concerned Authority shall, when burying the body of a Muslim dead woman, observe the following controls:

1. She is buried by her father, husband or any of her unmarriageable persons (Mahram); otherwise, the Concerned Authority shall undertake her burial.
2. The grave must be covered when entering the dead woman therein.

Article (34)

Conditions and Controls for Disposition of the body of a Non-Muslim Deceased

Without prejudice to the provisions of Federal Law No. (14) of 2014 on the Prevention of Communicable Diseases and its Implementing Regulations, the family of the non-Muslim deceased shall dispose of his body under the supervision of the Concerned Authority.

Article (35)

Controls of Burial of the body of a Non-Resident Deceased Alien

The body of a deceased Alien who does not reside in the State shall be disposed of after obtaining the permission of the public prosecution and according to the conditions and controls stated herein and in cases specified under Article 13 of the Law.

Article (36)

Controls of Disposition of the Dead Body if not Received

After the procedures stated in Articles 18 and 19 hereof are met, the dead body shall, if not received, be disposed of in the following manner:

1. For UAE nationals:

- a. The Health Authority shall notify the police of the body of the UAE national which was not received.
- b. The police shall notify the family to receive the body and proceed with burial procedures within forty-eight (48) hours from the time of notification.
- c. If the body is not received within the period specified in subparagraph “b”, paragraph 1 of this Article, the burial shall take place by the Concerned Authority in coordination with the Health Authority.

2. For non-UAE nationals:

- a. The Health Authority shall notify the Ministry of Interior of the body of the Alien which was not received.
- b. The Ministry of Interior shall notify the Ministry of Foreign Affairs and International Cooperation.

- c. The Ministry of Foreign Affairs and International Cooperation shall notify the embassy of the deceased Alien to receive and dispose of the body within (30) thirty days of the date of their notification by the Ministry of Foreign Affairs and International Cooperation and notify the Health Authority of the date of notification.
- d. If no receipt takes place after the lapse of the period referred to in subparagraph “c”, paragraph 2 of this Article, the Health Authority shall, in coordination with the Concerned Authority proceed with the burial in accordance with the religion of the deceased and notify the Ministry of Foreign Affairs and International Cooperation of the procedures taken.

Article (37)

Controls of Burial of the Unidentified Dead Body

In the event that an unidentified body is found, the matter shall be referred to the public prosecution to take the necessary measures to verify the absence of criminal suspicion. If the dead could not be identified, the burial procedures are carried out with a permit from the public prosecution, provided that the burial takes place by the Concerned Authority in coordination with the Health Authority.

Article (38)

Controls of Burial of the Resident who dies outside the State

The Ministry of Foreign Affairs and International Cooperation may issue a no objection certificate to transport the resident who died outside the State for his burial in the State after the family obtains the necessary consent in coordination with the local entities in the following cases:

- 1. If he has kinship relation to a first degree national.
- 2. If he is related to a first-degree resident in the UAE, provided that the residence of the relative is valid.
- 3. A person sent for mission or study or treatment at the State’s cost
- 4. Any other case considered by the Ministry of Foreign Affairs and International Cooperation.

Chapter Five

Controls of Transport or Disposition of the Body

Article (39)

Body Transportation after Burial

No body buried may be exhumed for transport from a place to another whether inside or outside the State unless after the lapse of (6) six months from the burial and with permission of the public prosecution after the consent of the Health Authority.

Article (40)

Disposition of the Body of People who die of a Communicable Disease

The body of a person who dies of a Communicable Disease shall be disposed of according to the provisions of Federal Law No. (14) of 2014 on the Prevention of Communicable Diseases and its Implementing Regulations.

Article (41)

Disposition of Human Organs

Without prejudice to the provisions of Federal Decree-Law No. (5) of 2016 on the Regulation of Transplantation of Human Organs and Tissues and its Implementing Regulations, the human organs amputated for medical reason or because of an accident shall be disposed of or buried in accordance with the procedures specified by the Health Authority in coordination with the Concerned Authority.

Chapter Six

Final Provisions

Article (42)

Executive Decisions

Ministries and concerned entities shall, within their respective competence, implement the provisions of this Resolution.

Article (43)

Publication; Entry into Force

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

Mohammed bin Rashid Al Maktoum

Prime Minister

Issue by Us:

On: 25/Jumada Al Awwal/1443 H

30/December/2021 G



Chairman of the Executive Council Resolution No. (22) of 2008 Concerning the Regulation of Cemeteries and the Procedures for the Registration of Deaths and Burial of Bodies*

**We, Mohamed Bin Zayed AL Nahyan, Crown Prince and Chairman of
the Executive Council,**

- Having regard to Law No. (1) of 1974 concerning the Reorganisation of the Governmental body in the Emirate of Abu Dhabi, as amended;
 - Law No. (1) of 2007 concerning the Establishment of the Health Authority – Abu Dhabi;
 - Federal Law No. (6) of 1975 on the Regulation of Registration of Births and Deaths, as amended;
 - Federal Law No. (27) of 1981 on the Prevention of Communicable Diseases;
 - Federal Law No. (11) of 1992 Promulgating the Civil Procedure Code, as amended;
 - Federal Law No. (35) of 1992 Promulgating the Criminal Procedure Code, as amended; and
 - Based on what was presented to, and approved by the Executive Council,
- **Issue the following Resolution:**

Article (1)

Provisions attached hereto in respect of the Regulation of Cemeteries and the Procedures for the Registration of Deaths and Burial of Bodies shall be implemented.

* This translation from Arabic to English is provided for your convenience only. In case of any discrepancy, the Arabic version prevails.

Article (2)

This Resolution shall be effective as from the date of its issuance, and shall be published in the Official Gazette.

Mohamed Bin Zayed AL Nahyan
Crown Prince and Chairman of the Executive Council

Issued by Us in Abu Dhabi

On: 19/March/2008 G

11/Rabi Al Awwal/1429 H

Regulation of Cemeteries and Burial Procedures

Chapter One

Definitions

Article (1)

The following words and expressions shall have the meanings ascribed to them, unless the context indicates otherwise:

State	: The United Arab Emirates.
Emirate	: The Emirate of Abu Dhabi.
Council	: The Executive Council of the Emirate.
Authority	: The Health Authority – Abu Dhabi.
Competent Municipality	: The municipality in which jurisdiction the cemeteries are located.
Competent Department	: The department at the municipality which is concerned with the cemeteries.
Nationals	: The UAE nationals residing in the Emirate of Abu Dhabi.

Chapter Two

Establishment and Regulation of Cemeteries and their Designated Locations

Article (2)

Upon the recommendation of a joint municipal committee, appropriate urban sites shall be designated by decision of the Chairman of the Department of Municipal Affairs for the construction of new cemeteries, where necessary.

Article (3)

No private cemeteries, cemeteries for the followers of other religions or facilities for the cremation of dead bodies of non-Muslims may be established unless with the authorization of the Competent Municipality after fulfilling all the regulatory conditions and health procedures prescribed by the Authority and the competent authorities.

Article (4)

Uniform fences shall be built around the existing cemeteries, whether used or closed, or any cemeteries that might be constructed in the future. These shall be secured and protected by the Competent Municipality after approval of the Executive Council.

Article (5)

No premises or facilities may be built inside the cemeteries, nor may gravestones be erected or any other additions made to the graves, unless after approval of the General Authority of Islamic Affairs and Endowments, and under the supervision of the Competent Department.

Article (6)

The Competent Municipality shall allocate places for the cremation of bodies of non-Muslims. The cremation shall be carried out by their sects and after obtaining the required cremation permits from the Authority and the Competent Department.

Article (7)

The establishment of a new cemetery shall fulfill the following requirements:

1. It shall be located as far as possible from the urban sites or the future expansion of the potential residential bloc.
2. Its establishment shall not affect or transgress into the water sources or groundwater.
3. It shall be built on a wasteland with the least value possible, that cannot be used in the future for other than the purpose for which it has been allocated.

4. The location shall fulfill the non-pollution conditions, and the cemetery shall not be built within the vision scope of natural barriers, gardens or sloping hills.
5. It shall be surrounded at every side by a sanctum onto which no constructions or public parks may be established.
6. It shall have several entrances and exits and shall not be at a distance of more than 45 minutes by car from the residential bloc.
7. The suitability of the location and soil for burial shall be subject to approval of the Authority.

Article (8)

A cemetery shall have a special place for the burial of organs that have been amputated from a human body. No human organ amputated for medical reasons may be buried unless with a permit from the Authority. If the amputation was due to a criminal reason, the burial permit may only be given after the issue of the public prosecution's decision, provided that the same burial procedures followed with respect to dead bodies are followed.

Chapter Three

Procedures for the use of Cemeteries

Article (9)

A database shall be established for the deceased at the Authority and the Competent Department, where both databases shall be connected electronically. The database shall include the personal data of the deceased, the date of death, the number, date and issuing authority of the burial permit, the registration number and any other data that might be useful in this regard. Both databases shall be connected to the database of the Emirates Identity Authority. The data of the deceased may not be changed or altered unless after approval of the committee established according to Article (37) hereof.

Article (10)

Cemeteries, particularly new ones, shall be planned according to the system of numbered lines and graves for easy tracking.

Article (11)

Cemeteries shall include special burial places for the people who die of communicable diseases, provided that the technical specifications of these cemeteries are determined by the Authority.

Article (12)

The deceased who die of communicable diseases may not be buried in the cemeteries allocated for them unless with special permit from, and under the supervision of the Authority.

Article (13)

Communicable diseases shall be determined pursuant to the relevant laws and decisions.

Article (14)

The Authority shall determine the places where the dead bodies are washed, shrouded and prepared for burial, provided that such places are equipped with all the necessary requisites and devices.

Article (15)

The following shall be buried in the cemeteries of the Emirate:

1. Nationals, unless their families request that they be buried in the emirate where they belong.
2. Citizens of Gulf Cooperation Countries Council (GCC), unless their families request that they be buried in their own countries.
3. Expatriates, unless their families request that they be buried in their own countries.
4. The identity-less individuals.

The burial shall take place in the cemetery designated for the religion of the deceased.

Chapter Four

Notification and Registration of Deaths

Article (16)

1. The police shall be notified of all cases of death occurring outside the government and private health facilities.
2. The Authority shall be notified of all cases of death occurring at the government and private health facilities. Notification shall take place within seventy-two (72) hours from the date of death or date of stillbirth, provided that it is made by any of the following:
 - Either parent of the deceased;
 - An adult living in the same residence with the deceased;
 - An adult relative who was present at the time of death;
 - An employer or manager at work, or a manager of a hotel, penitentiary institution or any other place, if death has occurred in any of these places;
 - The physician or health representative confirming death.
3. Notification shall be made according to the aforementioned order. Notification by other than those concerned shall not be acceptable.

Article (17)

In the event of the death of a National of the Emirate during travel outside the State, the consular mission in the country where death has occurred shall be notified within a maximum period of sixty (60) days from the date of death, or notification shall be made by mail if the entity where death has occurred does not fall under the jurisdiction of the consular mission. The notification shall carry the signature of the reporting person, authenticated by an official authority, or enclose a death certificate or an official extract thereof issued by the competent authority where the death has occurred.

Article (18)

All dead bodies shall be transported to the central mortuary of the jurisdiction where the death has occurred or to the places specified by the Authority.

Article (19)

A notification of death shall be verbal or in writing, and shall include the following data:

1. The day and date of death in the Hijri and Gregorian calendars, in letters and in numbers, with the time and place of death.
2. Gender, full name (first name, middle name and surname), nationality, religion, age, profession and domicile of the deceased.
3. Full names, nationality, religion and domicile of the parents of the deceased, if known.
4. Cause of death.
5. Full name, age, nationality, profession, capacity and signature of the notifier.
6. Length of the months of pregnancy if the notification is in respect of a stillborn child.

A notification shall be made in the form prescribed by the Authority.

Chapter Five

Determining the Cause of Death and Burial Permits

Article (20)

The Authority shall set up a death registration mechanism and draw up the documents and forms related thereto.

Article (21)

No dead body may be buried unless after performing a postmortem examination by the Authority's physicians to determine the cause of death with respect to natural death cases. As for the cases of death involving crimes, accidents or unknown identities, the dead body shall be examined by the entity specified by the police or public prosecution according to jurisdiction. The dead body shall undergo a postmortem examination at the mortuary of the jurisdiction where the death has occurred, or at the places specified to this effect by the Authority.

Article (22)

The Authority shall issue burial permits in the cases of normal death. In the cases of criminal death or accidents or if the deceased is of unknown identity, the burial permit may be issued only with the written approval of the police or public prosecution according to jurisdiction. The Authority shall issue an embalmment certificate for the body.

Article (23)

The Authority or any of its branches shall issue a death certificate within one (1) week from the date of notification of death, which certificate shall be delivered to the family of the deceased. Any concerned party may obtain an additional copy thereof at any time.

Chapter Seven

Procedures for Burial

Article (24)

It shall be prohibited to bury, transport or cremate the body of a deceased inside the Emirate unless after obtaining a relevant permit from the Authority and the Competent Department, pursuant to this Resolution.

Article (25)

It shall be permissible to bury or cremate the body of a deceased who is not a resident of the Emirate in the following cases:

1. If the deceased has a visit or mission visa issued by the Emirate.
2. If the deceased has been found on an airplane that had to make an emergency landing in the Emirate and its takeoff was delayed.
3. If the residence or visit permit of the deceased has expired.
4. If the deceased is of unknown identity or does not have any identification documents.
5. If the body of the deceased could not be transported outside the Emirate for reasons related to public health.

6. Any other case where the Authority and the director of the Competent Department decide that the deceased should be buried in the cemeteries of the Emirate

Article (26)

A Muslim deceased shall be washed, shrouded and prepared for burial according to the provisions of the Islamic Sharia, in the places determined by the Authority, within three (3) days from the completion of the pre-burial procedures. The dead body may, with the approval of the Authority or Competent Department, and upon the request of the family of the deceased, be prepared at home, and prayers may be held at home or at the mosque.

Article (27)

The family of a non-Muslim deceased shall prepare the deceased for burial or cremation, according to their rituals, within one (1) week from the completion of the pre-burial or pre-cremation procedures, under the supervision of the Authority and the competent authority.

Article (28)

No dead body shall be placed in custody or kept at the mortuary for any reason unless with the authorization of the public prosecution.

Article (29)

A dead body shall be embalmed according to the applicable medical and preventive procedures as determined by the Authority.

Article (30)

The dead body of a deceased may be transported to another emirate upon the approval of the competent authority in the emirate to which the body will be transported. If the body is to be transported outside the State, the approval of the embassy of or the competent authority in the country to which the body will be transported is required, provided that the embassy of such country takes part in the preparation and transportation of the deceased according to their applicable procedures.

Chapter Eight

Fees

Article (31)

The Authority shall collect the following fees:

- Fifty Dirhams for the issue of a death certificate, a replacement thereof, or an additional copy.
- One thousand Dirhams for the preparation of the body for travel (embalmmment / shrouding / coffin).
- Fifty Dirhams for each day of delay in receiving the body after the issue of its handover decision by the competent authority provided that its family is notified in writing thereof.
- One hundred Dirhams for using the ambulance to transport the body of the deceased from the hospital to the cemetery or the airport.
- Certain fees may be waived or reduced in humanitarian cases by decision of the chairman of the Authority.

Chapter Nine

General Provisions

Article (32)

The old cemeteries located inside the residential areas shall be shut down, and no burials shall take place therein. They shall be surrounded by uniform fences, planted with trees and guarded and secured against tampering.

Article (33)

The family, sponsor, or embassy of the deceased shall respectively undertake to receive the body of the deceased after the issue of its handover decision by the competent authorities. If no one comes forward to receive the body from the place where it is kept after having been notified in writing, for over thirty (30) days that the body is ready for burial, the Competent Department

together with the Authority shall carry out the burial procedures according to the provisions hereof.

Article (34)

A dead body that has been buried may not be exhumed to be transported to any other place, whether inside or outside the State, unless six (6) months have lapsed since the date of burial, and only with an authorization from the committee established under Article 37. If the death has been caused by a communicable disease, the body may not in any way be exhumed unless with the permission of the Authority and the committee, and according to the relevant preventive and quarantine procedures.

Article (35)

In cases of death occurring in execution of court judgments, all the procedures specified for washing, shrouding, transporting and shipping the body shall be carried out in coordination with the police.

Article (36)

There shall be established within each of the Authority and the Competent Municipality an independent department concerned with implementing the provisions of this Resolution. These departments shall coordinate with each other in performing their tasks, as well as with all the concerned authorities in the Emirate.

Article (37)

A committee shall be formed in the Emirate of Abu Dhabi by decision of the Judicial Department, and shall comprise:

1. Judicial Department - Abu Dhabi.
2. Health Authority - Abu Dhabi.
3. Abu Dhabi Police.
4. Abu Dhabi Municipality.

The committee shall be competent to issue permits for transporting the dead bodies after burial and to correct or add any data in the previously issued death certificates.

Article (38)

The competent authorities in the Emirate shall determine the exit points through which the bodies may be shipped outside the State. No dead bodies may be shipped through any exit other than these exit points.

Article (39)

The police shall patrol the cemeteries, monitor sentry duties and control any violations occurring therein.

Article (40)

The forms, certificates and records related to the provisions of this Resolution shall be unified.



Chairman of the Executive Council Resolution No. (68) of 2008 concerning the Provisions for the Registration of Births in the Emirate of Abu Dhabi*

We, Mohamed Bin Zayed Al Nahyan, Crown Prince and Chairman of the Executive Council

- Having regard to Law No. (1) of 1974 concerning the Reorganisation of the Governmental body in the Emirate of Abu Dhabi, as amended;
- Law No. (1) of 2007 concerning the establishment of the Health Authority - Abu Dhabi;
- Federal Law No. (6) of 1975 on the Regulation of Registration of Births and Deaths, as amended;
- Federal Law No. (11) of 1992 Promulgating the Civil Procedure Code, as amended;
- Federal Law No. (35) of 1992 Promulgating the Criminal Procedure Code, as amended;
- Federal Law No. (28) of 2005 on Personal Status;
- Chairman of the Executive Council Resolution No. (22) of 2008 Concerning the Regulation of Cemeteries and the Procedures for the Registration of Deaths and Burial of Bodies; and
- Based on what was presented to, and approved by the Executive Council,
- **Issue the following Resolution:**

Article (1)

Provisions attached hereto in respect of the registration of births in the emirate of Abu Dhabi shall be implemented.

* This translation from Arabic to English is provided for your convenience only. In case of any discrepancy, the Arabic version prevails.

Article (2)

This Resolution shall be effective as from the date of its issuance, and shall be published in the Official Gazette.

Mohamed Bin Zayed Al Nahyan
Crown Prince and Chairman of the Executive Council

Issued by Us in Abu Dhabi

On: 15/December/2008 G

17/Dhul Hijja/1429 H

Provisions for the Registration of Births in the Emirate of Abu Dhabi

Chapter One

Definitions and Scope of Application

Article (1)

In application of the provisions of this Resolution, the following words and expressions shall have the meanings ascribed to them, unless the context otherwise requires:

State	: The United Arab Emirates.
Emirate	: The Emirate of Abu Dhabi.
Council	: The Executive Council of the Emirate.
Authority	: The Health Authority – Abu Dhabi.
Nationals	: The UAE nationals residing in the Emirate of Abu Dhabi.
Non-nationals	: Every individual who does not hold the nationality of the United Arab Emirates.
Department	: Births Department at the authority concerned with the registration of births.
Liveborn Child	: A newborn who shows signs of life directly after birth regardless of the length of the pregnancy.
Stillborn Child	: A newborn who does not show signs of life directly after birth, provided that the length of the pregnancy is not less than twenty-eight (28) weeks.

Article (2)

Provisions of this Resolution shall apply to all birth cases inside the Emirate, the children of Nationals of Abu Dhabi Emirate born outside the State and whomever the Authority deems eligible for registration according to the provisions of this Resolution.

Chapter Two

Notification and Registration of Births

Article (3)

Subject to the provisions of Article 16 of this Resolution, the Department must be notified of all births occurring inside or outside the government or private health facilities or in any other place where a birth might take place in the Emirate of Abu Dhabi.

Article (4)

Notification of the birth of a Liveborn Child shall take place within a maximum of thirty (30) days from the date of birth, provided that such notification is made by any of the following:

1. Birth attendant (physician or midwife) or the director of the facility where the birth has occurred.
2. Any of the newborn's parents.
3. An adult relative in charge of the newborn's family affairs.
4. The embassy or consulate of the newborn's father in Abu Dhabi in the cases requiring so. A notification by any party other than those hereinabove mentioned shall not be accepted.

Article (5)

A notification and registration of a Stillborn Child shall be made according to the Chairman of the Executive Council Resolution No. (22) of 2008 concerning the Regulation of Cemeteries and the Procedures for the Registration of Deaths and Burial of Bodies.

Article (6)

A notification of birth shall be made in writing and in Arabic language and may include an English translation provided that it is in the form prescribed by the Authority.

Article (7)

The notification shall include the following data:

1. The day and date of birth in the Gregorian and Hijri calendars, in letters and in numbers, and the time of birth.
2. Place of birth.
3. Gender of the newborn (male/ female).
4. Name of the newborn (singular/compound).
5. Full name, nationality, religion, creed, profession, domicile and ID number of the father and mother.
6. Name of the birth attendant, if any.
7. Full name, capacity, nationality, profession and signature of the reporting person.
8. Any other data to be added as deemed appropriate by the Authority.

Article (8)

The expression “Non-national” shall be entered in the “nationality” field in respect of a newborn whose father does not hold any identification papers establishing his nationality status.

Article (9)

Religions shall be registered in the specified field.

Article (10)

The permission of the competent court must be obtained upon requesting a certificate in respect of a birth that has resulted from an annulled marriage according to the provisions of the Islamic Sharia.

Article (11)

Birth notification shall be submitted to the Department or any of its branches located in the jurisdiction where the birth has occurred, together with the following documents:

1. The original copy of the notification of the health facility where the birth has occurred or a written request from the notifier if the birth has occurred outside the health facility.
2. The parents' original passports and copies thereof.
3. The original family book and a copy thereof for Nationals.
4. The original ID card, if any, and a copy thereof.
5. The original marriage contract, duly authenticated, and a copy thereof.

Article (12)

The competent employee at the Department shall verify the identity and capacity of the notifier of the birth before completing the registration. The employee shall also verify the validity of the documents and data related to the birth, provided that the registration employee and the notifier shall both sign the registration documents before registration.

Article (13)

The Authority shall set up a birth registration mechanism and draw up the documents and forms related thereto. The birth notification data shall be entered into the birth registration system established by the Authority. No amendments may be made to the register or the birth certificate after registration unless by decision of the committee established according to Article (19) hereof.

Chapter Four

Birth Certificate

Article (14)

The Authority shall draw up a form for the birth certificate that shall conform to the birth certificate form approved in the State, and shall include the following data:

1. Name of the newborn.
2. Full names of the parents (first name, middle name and last name).
3. Place of birth.

4. Day and date of birth (Gregorian and Hijri).
5. Gender of the newborn (male or female).
6. Religion of the newborn.
7. Nationality of the parents.

Provided that the birth certificate or an extract thereof is approved by the Authority and sealed with the Authority's seal.

Article (15)

The Authority or any of its branches concerned with birth registration shall issue a birth certificate for every Liveborn Child and deliver it to either of the newborn's parents or the birth notifier. Any other concerned party may obtain an extract of the birth certificate at any time.

Article (16)

If a National is born outside the State, the newborn's father or any of his relatives shall:

1. notify the UAE consulate or embassy where the birth has occurred, within a maximum of 60 days from the date of birth, in order to register the birth and obtain a certificate of registration.
2. in the absence of a UAE consulate or embassy, obtain a birth certificate authenticated by the state where the birth has occurred,

Provided that a birth certificate is obtained for the newborn based on any of the abovementioned two certificates. The Authority shall register the newborn according to Authority's birth registration procedures.

Article (17)

If a newborn is found in the Emirate, he shall be delivered to the nearest police station, and the police shall draw up a report including:

1. All the particulars of the finder.
2. The date, time and place where the newborn was found.
3. The belongings found with the newborn including the newborn's clothes.
4. The condition and circumstances in which the newborn was found,

provided that the newborn is delivered to the nearest government hospital to be cared for until the public prosecution issues a decision determining the party to whom the newborn shall be handed over for custody.

Article (18)

The public prosecution shall give the newborn a tripartite name. The report shall then be referred to the Authority for issuing a birth certificate for the newborn, provided that he is registered as a Muslim. The birth certificate shall be delivered to the party to which the public prosecution has decided to deliver the newborn. All the information included in the police and public prosecution reports shall be registered in the Authority's records.

Article (19)

There shall be established in the Emirate of Abu Dhabi a committee to be called the "Births Committee" by decision of the Judicial Department. The following bodies shall be represented on the committee.

1. Judicial Department - Abu Dhabi
2. Health Authority - Abu Dhabi
3. Abu Dhabi Police.

The committee shall be in charge of:

1. Births registration applications with questionable documents.
2. Births registration applications submitted after the date set out in Article 4 hereof.
3. Applications for changing a newborn's name or surname, or the name of either of the newborn's parents.
4. Correction of any data registered incorrectly, subject to the provisions of Articles 10, 17, 18 and 20 hereof.
5. Any cases of births registration or amendments to registered data that the Authority sees fit to submit them to the committee.

Article (20)

The cases of proof or denial of filiation shall not be registered on a birth certificate unless under a final court order.

Article (21)

Whoever submits or participates in the submission of untrue data or documents in respect of a newborn's registration or an amendment to the newborn's birth certificate shall be referred to the competent judicial authorities in the Emirate for appropriate legal action.

Article (22)

Births registration system and all births notification documents shall be confidential and may not be disclosed. The Authority shall develop a system for the preservation and confidentiality of the records and documents. The records, births notification documents or birth certificate copies shall not be subject to the applicable document disposal regulations.



Minister of Health Resolution No. (44) of 2011 concerning the Implementing Regulations of Federal Law No. (18) of 2009 on the Regulation of Registration of Births and Deaths*

Minister of Health

- Having regard to Federal Law No. (1) of 1972 on the Mandates of Ministries and Powers of Ministers, as amended;
- Federal Law No. (17) of 1972 concerning Nationality and Passports, as amended;
- Federal Law No. (7) of 1975 on the Practice of Human Medicine Profession, as amended;
- Federal Law No. (2) of 1996 on Private Health Facilities;
- Federal Law No. (28) of 2005 on Personal Status;
- Federal Law No. (10) of 2008 on Medical Liability;
- Federal Law No. (18) of 2009 on Births and Deaths;
- Cabinet Resolution for Services No. (2/100) of 2008 regarding the Treatment of some Cases related to the Birth Registration System;
- Ministerial Resolution No. (1450) of 1998 on the Procedures of Registration of Births and Deaths; and
- The approval of the Health Council at its session (12) held on 20/12/2010,
- **Resolves:**

Chapter One

General Provisions

Article (1)

In application of the provisions of this Resolution, the following words and expressions shall have the meanings ascribed to them, unless the context otherwise requires:

* This translation from Arabic to English is provided for your convenience only. In case of any discrepancy, the Arabic version prevails.

1. State : The United Arab Emirates.
2. Ministry : The Ministry of Health.
3. Minister : The Minister of Health.
4. Health Authority : The Ministry of Health or any federal or local authorities in charge of health affairs in the State.
5. Preventive Medicine Department : The Preventive Medicine Department of the Ministry, one of its branches, or any health authority or any entity carrying out its competences, as determined by decision of the Minister.
6. Concerned Party : the concerned party or any of his first degree relatives.

Article (2)

The Preventive Medicine Department shall establish numbered paper records and electronic records for the registration of births, and numbered paper records and electronic records for the registration of deaths, which shall be subject to the following:

1. The pages of these records shall be sealed with the seal of the Health Authority and signed by the concerned employee and the director of preventive medicine or his delegate.
2. For electronic records, each user shall have a user name and password that shall be kept with the concerned employee and the department director, provided that username is referred to in these records.
3. The competent department shall ensure the confidentiality of the information contained in the records.
4. The following information shall be entered in these records:

First: for Birth Records:

1. Name, gender, date of birth of the Newborn Child in the Gregorian and Hijri calendars, in numbers and letters, and the time and place of his birth, as well as the full name of parents along with their nationality, religion, place of residence, date of birth and the identity card number, if any.
2. Name and capacity of the notifier and date of notification.

Second: for Death Records:

1. Full name, gender, nationality, date of birth, religion, profession, place of residence and date of death of the deceased in Gregorian and Hijri Calendars, in numbers and letters, as well as the place and direct cause of death, and the full name, nationality, religion and place of residence of the parents.
2. Name and capacity of the notifier and the date of notification.

Article (3)

Forms of birth and death records, as well as forms of birth and death certificates attached hereto shall be used by Health Authorities.

Article (4)

Births or deaths must be reported on the forms prepared to this effect and annexed hereto. This shall be done in paper and electronic records. Health Authorities may add any data they deem appropriate to these forms.

Article (5)

Births and deaths shall be registered, and the relevant certificates shall be issued by the Preventive Medicine Department of the emirate in which the birth or death has taken place, and the said Department shall inform the Preventive Medicine Department in the Emirate of residence.

Article (6)

A correction or change may be made in the data relating to the name of the newborn or the deceased, and a change may be made in the full name of one or both parents mentioned in the birth and death records, after the following two conditions are met:

1. Delivery of a final order by the competent court.
2. Payment of the prescribed fees.

The competent employee, after fulfilling these conditions, shall enter in the notes field the data and the decree of the order delivered regarding the correction or change of the name in the records prepared for this purpose, and a new birth certificate shall be issued accordingly

Article (7)

Birth and Death records shall be kept on permanent basis in a way that protects them from damage.

Chapter Two

Birth Registration

Article (8)

Registration in birth records shall require:

1. Presentation of supporting documents, including:
 - The birth notification (report) issued by the health facility in which the birth took place, including the data set forth in Article 2 of this Resolution for the newborn and the parents, as well as the name of the notifier and birth attendant, or any other data the Health Authority may consider to add. The birth notification shall be prepared in three (3) copies. The first shall be delivered to the concerned party for submission to the competent authorities for the purpose of obtaining the certificate. The second shall be sent to the Births Department and the third shall be kept at the health facility; or
 - The court final order in special cases, including domestic births, births of unknown parents, births of unknown fathers, births for which there is a paternity suit, marriages incompatible with the State system, children born after less than six (6) months of marriage and births before the conclusion of the marriage contract.
2. Presentation of supporting documents for the mother and father:
 - a. Family book or identity card (for nationals).
 - b. Passport or identity card (for non-nationals).
 - c. The marriage contract duly certified for the first newborn.
 - d. Request for a birth certificate according to the applicable form.
3. Payment of fees.

Article (9)

In the absence of an official birth notification, home births shall be registered and the birth certificate shall be issued by virtue of an official court decision indicating the name of the father, the name of the mother and the place and date of birth.

Article (10)

In the case of a newborn of unknown parents:

- A police report shall be issued on the case, and the newborn shall be placed in a public hospital.
- The Ministry of Interior shall request a decision from the competent prosecution to determine where the child is to be handed over.
- The child shall be registered after the competent court issues a decision specifying the name of the newborn, date and place of birth, religion and the name of the parents.
- A temporary birth certificate shall be issued pending a police decision to determine nationality.
- A permanent complete birth certificate shall be issued accordingly.

In the case of a newborn of unknown father, the police shall be notified, and shall take the necessary measures in order to obtain a decision from the competent court, indicating the full name with which the newborn will be registered.

In both cases, the names chosen for the child and the parents shall be adopted based on the court decision, and they shall be recorded in the designated fields in the birth certificate, and all documents shall be kept in records and files separate from other births by the director of preventive medicine.

Article (11)

When registering and issuing birth and death certificates, the following procedures shall be followed:

1. In the case of stateless persons, a (non-national) shall be registered in the nationality field in accordance with the rules and procedures of the police.

2. For holders of more than one passport, information is taken from the passport on which the residence is based.
3. In the case of those without a religion or a non-divine religion, (other) is written in the religion field.
4. In the case of birth of a child from a marriage contract less than six (6) months before birth or a birth before the conclusion of the marriage contract, registration shall take place after a final court decision is issued.
5. In the case of birth of a child from an invalid marriage, registration shall take place after a final court decision is issued.

Article (12)

In cases of births to a mother inside the State and the husband is outside the State, the following documents must be submitted:

1. A certified marriage contract.
2. An acknowledgment from the wife stating the continuity of the marital relationship.
3. A certified copy of the husband's passport or a letter from the embassy stating the father's nationality, or a statement from the husband, certified by the embassy, stating the lineage of the newborn to him.

In the event that these documents are not available, the matter shall be referred to the committee referred to in Article 24 of this Resolution.

Article (13)

In addition to those mentioned in Article (5) of Federal Law No. (18) of 2009 on the Regulation of Registration of Births and Deaths, a birth notification may be accepted from the competent police station, and a birth notification may be issued only after it is approved by the physician or based on a final ruling from the competent court.

Article (14)

Official in charge of birth registration procedure must verify the authenticity of the data related to the birth case, by fulfilling the conditions set forth in Article 15 hereof. He must also verify the identity and capacity of the reporting person by submitting the supporting documents set forth in Article 8 hereof.

Article (15)

To obtain an official extract of the birth or death certificate, the following conditions are required:

1. The presence of the concerned party or his representative.
2. Submission of an application on the form prepared to this effect.
3. Submission of the identification papers of the applicant, i.e. the identity card, passport or family book for the parents of the newborn or deceased.
4. Payment of the prescribed fees.

Chapter Three

Registration of Deaths

Article (16)

A death notification may be accepted from the police, in addition to those mentioned in Article (12) of Federal Law No. (18) of 2009 on the Regulation of Registration of Births and Deaths, and a death notification may be issued only after the approval of the physician who established the death.

Article (17)

The death notification shall be made in three copies:

1. First copy for the Concerned Parties.
2. Second copy to be sent to preventive medicine.
3. The third copy to be kept in the hospital.

The family of the deceased must submit the family book or identity card for the deceased National. The passport or identity card must be presented for expatriates.

Article (18)

For home deaths, the following procedures shall be followed:

1. A police report shall be drawn up on domestic death cases.

2. Deceased shall be transferred to the hospital.
3. The doctor of the health facility shall perform an apparent medical examination on the case and must prove the death in case there is no doubt as to the cause of death, or the cause of death is unknown, or it is suspected that the death is a criminal.
4. If it appears to the doctor who supervised the case that the death is suspected to be criminal, or the cause of death is unknown, he must notify the police office in the hospital, if any, or the police station, to take the necessary measures to present the case to the forensic doctor to determine the cause of death based on the permit from the public prosecution.
5. In the event that the deceased is not referred to forensic medicine, the death certificate is issued based on the approval of the public prosecution.
6. Upon registration, the presence of supporting documents, such as hospital deaths, in addition to the approval of the public prosecution and the report of the forensic doctor, if any, shall be taken into account, and the prescribed fees shall be paid.

Article (19)

All deaths resulting from accidents, criminal deaths or unidentified deaths shall be reported to the relevant police station by trauma departments in hospitals and health centres.

Trauma doctors in hospitals or health centres must complete the data related to the death report.

The Preventive Medicine Department shall issue the death certificate based on an order from the competent prosecution.

Article (20)

The following documents are required for the registration of the death of a National which takes place outside the State:

1. A death certificate duly certified by the country in which the death takes place.
2. Identification documents of the deceased (family book or identity card).
3. Declaration of identification of the body from the family of the deceased.

4. Proof of entry of the corpse into the State or submission of evidence that the corpse was buried outside the State.

Article (21)

Official in charge of the death registration procedure must verify the authenticity of data related to the death, by fulfilling the conditions set forth in Article 18, paragraph 6, and Article 20 of this Resolution.

Article (22)

The death certificate shall be issued after the payment of the prescribed fees according to the applicable laws and regulations.

Article (23)

The Preventive Medicine Department in the Health Authority shall issue the death certificate and deliver it to one of the relatives of the deceased or his relative who notified of the death or the Concerned Parties.

Chapter Four

Births & Deaths Registration Committees

Article (24)

There shall be established in each medical area a committee for births and deaths formed of:

1. The director of the medical area or his representative.
2. The director of preventive medicine or the local Health Authority or whoever represents them.
3. A representative of the police.

The committee may include in its membership any specialists it deems appropriate.

The concerned Health Authority shall appoint the chairperson and rapporteur of the committee.

Article (25)

Births and Deaths Committees shall have the competence to:

1. examine requests to change the data contained in birth and death certificates that are not provided for in Article (21) of Federal Law No. 18 of 2009 on the Regulation of Registration of Births and Deaths.
2. issue the decision to the Preventive Medicine Department to register birth or death notifications that were submitted after one (1) year of the birth or death, based on the competent court order.
3. consider cases of non-availability of the documents stipulated in Article 12 of this Resolution.
4. Any other cases referred to it by the Preventive Medicine Department.

Article (26)

The Chairman of the Committee may call for a meeting periodically and whenever necessary, and take all necessary measures in this regard.

Article (27)

This Resolution shall be published in the Official Gazette, and shall be effective as from the date of its publication.

Hanif Hassan Ali Al Qassim

Minister of Health

Issued at the headquarters of the Ministry in Abu Dhabi

On: 11/January/2011 G

7/Safar/1432 H



Conclusion

With God's blessings, the third issue of the Encyclopedia of Health Legislation of the Department of Health - Abu Dhabi has been released to be launched in 2023.

On behalf of myself and all the members of the team working on the Health Legislation Encyclopedia project, I would like to extend my thanks for the precious trust placed by His Excellency the Chairman of the Department of Health - Abu Dhabi, and for the interest and follow-up of His Excellency the Undersecretary of the Department, by providing all means of support and motivation throughout the stages of work until the release of the third issue of the Encyclopedia.

I also pay tribute to the outstanding efforts and hard work made by my fellow team members for the release of this Encyclopedia in its current issue.

To conclude, we look forward to working together with our partners towards further initiatives that achieve the Department's promising vision that "the Emirate of Abu Dhabi be a place where everyone is at his healthiest" by providing a distinguished and sustainable healthcare and services that achieve the well-being and happiness of the community.

Saqr Al Marzooqi

Manager, Legal Affairs Office

Abu Dhabi - February 2023



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