



Encyclopedia of Health Legislation

Book 1: Legislation Establishing the Health Sector



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DoHSocial

دائرة الصحة
DEPARTMENT OF HEALTH





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Department of Health Abu Dhabi



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Third Issue - February 2023

Book 1:

Legislation Establishing the Health Sector



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



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Encyclopedia Introduction



The Department of Health - Abu Dhabi (DOH) seeks to move ahead steadfastly on a comprehensive and sustainable plan to achieve its ambitious vision that the Emirate of Abu Dhabi be a place where everyone is at his healthiest, by regulating and developing the health sector to deliver distinguished services that ensure community welfare and happiness. In fulfillment of the directives of H.H. Sheikh Mohamed bin Zayed Al Nahyan, President of the United Arab Emirates and Ruler of Emirate of Abu Dhabi, and to develop and modernize the services delivered, legislative encyclopedia has been made available by DOH to all stakeholders and strategic partners in various areas of legislative and regulatory work in the health sector In the Emirate.

The third issue of the **"Encyclopedia of Health Legislation"** released by DOH is unprecedented in its integration and comprehensiveness in the field of health legislation. it aims to build and document the legal legislative reference for stakeholders and partners, and enhance legal awareness of health legislation in the Emirate and related services, sectors and institutions to translate the Department's mission of "a healthy life with globally leading preventive and curative services", which enhances the legislative stability aimed at the Emirate of Abu Dhabi and the United Arab Emirates in its journey towards leadership and highest ranks in global competitiveness.

The release by DOH of the third Encyclopedia of Health Legislation clearly reflects the aspirations of the Government of Abu Dhabi to build a solid and coherent health sector with a strategic and ambitious vision that relies on best practices in providing regulatory and legislative knowledge in pursuit of legislative digitization.

The Encyclopedia consists of ten (10) books, including legislation establishing the health sector, health insurance legislation, legislation regulating the practice of human medicine profession, health facilities and the practice of some medical professions by non-physicians and non-pharmacists, legislation regulating human organ and tissue transplantation, births and deaths systems legislation, medical liability legislation, in addition to legislation regulating the medically-assisted reproduction, medical products, pharmacy profession and pharmaceutical facilities, prevention of diseases and ICT in health fields.

We are pleased to share this achievement with you and invite all stakeholders and partners to make the most of this legislative and regulatory reference, in order to advance for the sake of "A Healthier Abu Dhabi ", looking forward to working together towards further development and modernization of this Encyclopedia in future releases.

The help source to Success is Allah...

H.E. Mansoor Ibrahim Al Mansoori
Chairman of Department of Health - Abu Dhabi

February 2023



About Department of Health Abu Dhabi



دائرة الصحة DEPARTMENT OF HEALTH

The Late Sheikh Khalifa bin Zayed Al Nahyan issued Law No. (10) of 2018 Concerning the Establishment of the Department of Health to replace the Health Authority - Abu Dhabi.

DOH is the regulatory body for the healthcare sector in the Emirate of Abu Dhabi and has as a principal objective to ensure excellence in healthcare for the community by monitoring the health status of the population. DOH defines the strategy for the health system and monitors and analyses the health status of the population and performance of the system. In addition, DOH shapes the regulatory framework for the health system, inspects against regulations, enforce standards, and encourages adoption of world-class best practices and performance targets by all healthcare service providers in the Emirate. DOH also drives programmes to increase awareness and adoption of healthy living standards among the residents of the Emirate of Abu Dhabi in addition to regulating scope of services, premiums and reimbursement rates of the health system in the Emirate of Abu Dhabi.



DOH Functions and Strategic Orientation



Strategic Framework and DOH Priorities:

- ▶ DOH corporate identity is comprised of a promising vision, a supportive mission, and ambitious and integrated values and priorities that translate its strategic goals and objectives and are as follows:

Vision

- ▶ Abu Dhabi: A place where everyone can be at their healthiest, physically and mentally.

Mission:

- ▶ A healthy life with globally leading preventive and curative services.

Our Strategic Priorities to Advance Healthcare Sector:

- ▶ **Providing an integrated and continuous healthcare for all individuals**
 - ▶ Providing access to the right health services at the right time.
 - ▶ Enhancing emergency, crisis and disaster management and business continuity capabilities.
 - ▶ Developing medical education system.
- ▶ **Improving healthcare quality**
 - ▶ Improving healthcare service quality, safety standards, and patient experience.
- ▶ **Improving financial efficiency of health sector**
 - ▶ Reducing healthcare costs and government subsidies.
 - ▶ Health spending sustainability.
- ▶ **Promoting Public Health**
 - ▶ Promoting health for all members of society and preventing and treating diseases.
- ▶ **Electronic Health**
 - ▶ Enabling technology, innovation and the development of artificial intelligence in the health sector.
- ▶ **Enhancing capabilities and health sector governance**
 - ▶ Ensuring the efficiency and effectiveness of institutional operations
 - ▶ Promoting research in the health sector.



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.

"Legislation Establishing the Health Sector" in this first book of the Encyclopedia represents the organizational institutional system that governs the functioning of the health sector in the Emirate, with the aim of enabling it to achieve its goals in a way that ensures competitiveness, operational efficiency, transparency, the quality of services and health care according to the adopted strategic plans, in line with the world's best practices.

Legislation Establishing the Health Sector includes Laws establishing the Department of Health and Abu Dhabi Public Health Centre and decisions on the additional competencies of the Department, and the amendments thereto.

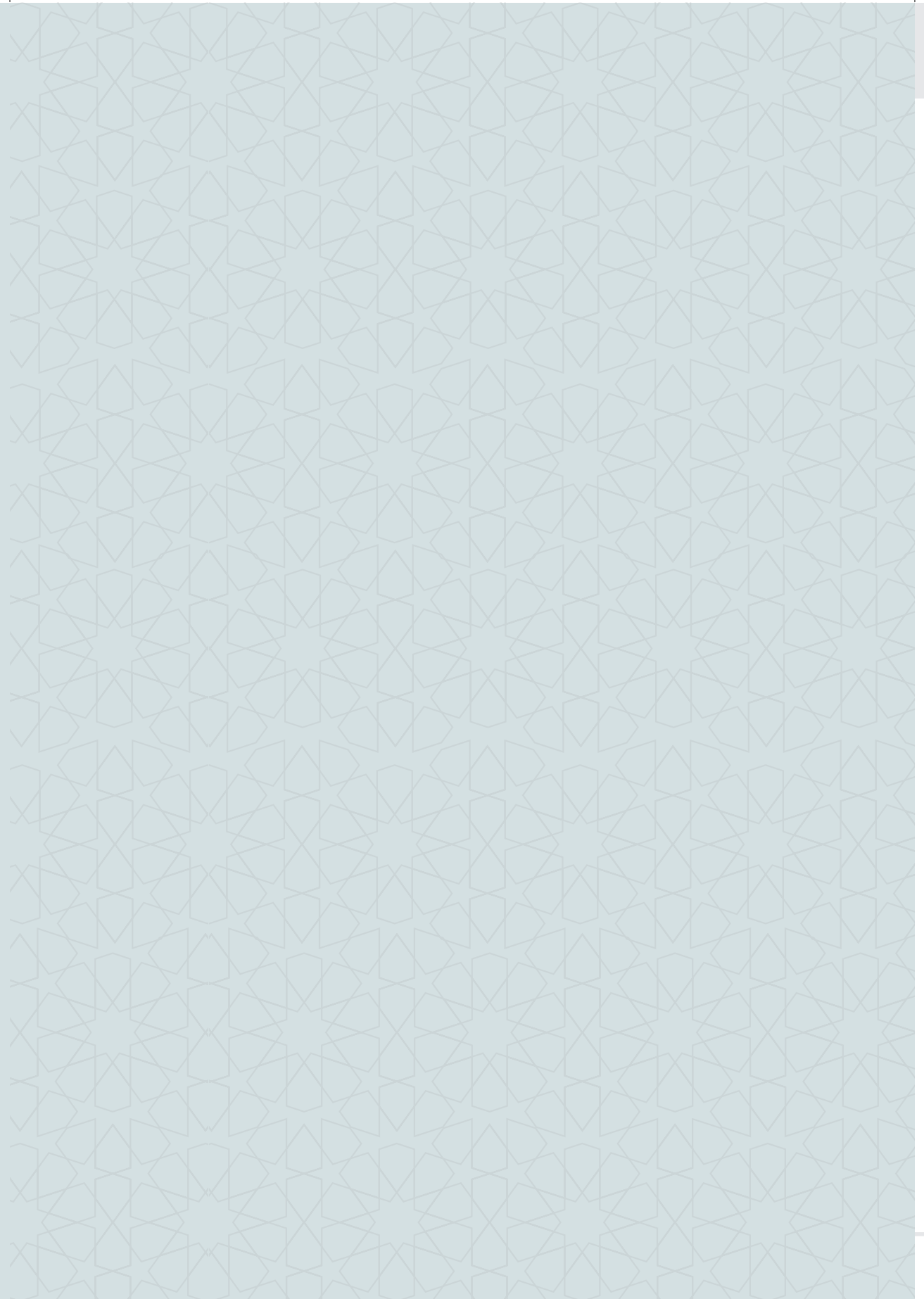
DOH will seek to strengthen the body of legislation establishing health sector with further contributions and initiatives to move forward towards maintaining health security and upgrading healthcare services as one of the main goals within the sustainable development process of the Emirate of Abu Dhabi.

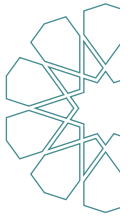
Finally, we would like to express our profound gratitude for the guidance and trust of H.E. the Chairman of the Department of Health and for the follow-up, support and attention of H.E. the Undersecretary. We would also like to extend our thanks and appreciation to DOH partners, all the Encyclopedia 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





Law No. (10) of 2018 Concerning the Establishment of the Department of Health*

We, Khalifa bin Zayed Al Nahyan, Ruler of Abu Dhabi

Having reviewed:

- Law No. (1) of 1974 concerning the Reorganization of the Governmental - Law No. (1) of 1974 concerning the reorganisation of the Governmental body in the Emirate of Abu Dhabi and its amendments;
- Law No. (2) of 1971 concerning the National Consultative Council and its amendments;
- Law No. (2) of 2000 concerning Civil Retirement Pensions and Benefits in the Emirate of Abu Dhabi and its amendments;
- Law No. (23) of 2005 concerning the Health Insurance in the Emirate of Abu Dhabi;
- Law No. (1) of 2007 concerning the Establishment of the Health Authority - Abu Dhabi and its amendments;
- Law No. (6) of 2016 concerning the Human Resources in the Emirate of Abu Dhabi;
- Law No. (1) of 2017 concerning the Financial System of the government of Abu Dhabi;
- Law No. (3) of 2018 concerning Abu Dhabi Executive Office; and
- Based on what was presented to and approved by the Executive Council; Issued the following Law:

Section (1)

Definitions

Article (1)

In the implementation of the provisions of this Law, the following words and phrases shall have the meanings corresponding thereto unless the context requires otherwise:

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

State	: The United Arab Emirates.
Emirate	: The Emirate of Abu Dhabi.
Executive Council	: The Executive Council of the Emirate.
Department	: The Department of Health.
Health Sector	: The units and establishments operating in the fields of health, treatment, prevention and recovery, medical products, health insurance, public health, preventive health, health education and media, foreign treatment, health and pharmaceutical research including companies, hospitals, clinics, treatment centres, and research centres of all specialties, pharmacies, warehouses, marketing offices, pharmaceutical consultation offices, pharmaceutical laboratories and medical product factories, whether public or private and other units operating in the public or private health sector, whether owned or managed by a natural person or a legal person in the Emirate, including the units providing health services or supplying tools and products for the different health fields.
Affiliate(s)	: The entities operating in the Health Sector affiliated to the Department, under its control and supervision, and which are specified by a resolution of the Executive Council.

Section (2)

Establishment, Objectives and Competencies of the Department

Article (2)

- Pursuant to the provisions of this law, a department called “Department of Health” shall be established and shall replace the Health Authority – Abu Dhabi.

- The employees and staff of the Health Authority – Abu Dhabi, along with all of the Authority’s assets, properties, rights and obligations, shall be transferred to the Department. The Department shall be the legal successor to the Health Authority – Abu Dhabi.

Article (3)

The Department aims at realizing the optimum level of health, treatment, prevention, medicinal and health insurance services in the Emirate, endeavouring to enhance said services and keeping pace with the global developments in this field.

Article (4)

- In order to achieve its objectives, the Department shall assume the following competencies:
 1. Propose the strategic and implementing plans for the Health Sector in the Emirate, have them approved by the Executive Council and supervise their implementation.
 2. Follow-up the Affiliates’ undertaking to implement the strategic and implementing plans for the Health Sector.
 3. Monitor and supervise all the Affiliates’ such as their disbursements from their budgets and revenues earned, as well as their commitment to their duties and competencies, and approve their strategic and implementing plans.
 4. Regulate the Health Sector in all aspects through the development of policies, standards, regulations, resolutions and implementing and operational circulars for said Sector.
 5. Monitor and supervise the Health Sector in accordance with the relevant legislations, conventions and treaties in force for said Sector on the local and international levels, and in coordination with the relevant entities in the State and abroad.
 6. License all entities, companies and persons operating in the Health Sector and monitor their commitment to providing the optimum level of quality of services in accordance with the legislations in force, and in coordination with the relevant entities.

7. Propose the fees, tariffs and prices related to its competencies and submit them to the Executive Council for approval in accordance with the applicable regulations.
 8. Submit periodic reports and analytical studies to Abu Dhabi Executive Office in relation to the Department's competencies.
 9. Encourage investments and partnerships with the private sector for projects related to the competencies of the Department in coordination with the relevant entities.
 10. Any other competencies or duties assigned thereto by the Executive Council.
- The Department may delegate some of its competencies to any other governmental entity or outsource some to the private sector upon the approval of the Executive Council.

Article (5)

- The Chairman of the Executive Council shall issue a resolution to specify any additional competencies of the Department.
- The Executive Council may amend the Department's competencies mentioned in this Law or in any other legislation by deletion, addition or transfer.

Article (6)

The persons and entities operating in the Health sector shall assume their competencies in accordance with the provisions of the rules, regulations and resolutions issued by the Department.

Article (7)

All persons, entities and public and private companies shall provide the Department with the documents and information it requires to carry out or execute its competencies.

Article (8)

The Executive Council shall issue a resolution to specify the Affiliates that shall be under the monitoring and supervision of the Department.

Section (3)

General Provisions

Article (9)

In agreement with the Chairman of the Department, the Chairman of Abu Dhabi Judicial Department shall issue a resolution specifying the Department's officers who have been granted the law enforcement authority for offences within their jurisdiction. They shall have the right to inspect and monitor all entities, companies and persons operating in the Health Sector, in order to verify the implementation of the provisions of this Law and its implementing regulations, rules, resolutions and circulars.

Article (10)

Any establishment or individual shall be prohibited from exercising any activity in the Health Sector in the Emirate without obtaining the required license from the Department in accordance with applicable regulations.

Article (11)

- Without prejudice to any more severe penalty provided for by any other law, an administrative fine of no more than AED (10,000,000) ten million shall be imposed on whoever violates the provisions of this Law and its regulatory and implementing rules as well as its implementing regulations, policies, resolutions and circulars.
- The Department shall take charge of collecting the administrative fines. Upon the approval of the Executive Council, the Chairman of the Department shall issue a schedule specifying the offences and the administrative fines prescribed for each of them, without exceeding the fine provided for in this Article.
- The Chairman of the Department or whom he authorises, may propose reconciliation to the offender, provided that this is established in the record of proceedings. The offender who accepts such reconciliation shall pay a fine equivalent to 75% of the total administrative fine determined for the offence within a period not exceeding sixty days from the date of proposing the reconciliation.
- In all cases, if the offender fails to remove the effects of the offence on the

date scheduled, the Department shall remove such effects at the expense of the offender.

- The regulatory and implementing rules of this Law shall specify the procedures of the above-mentioned reconciliation, including its timeframes.

Article (12)

- The Department may impose any of the following administrative penalties:
 1. Notice.
 2. Warning.
 3. Placing the establishment under financial, administrative and technical supervision.
 4. Temporary suspension of activity.
 5. Cancellation or suspension of the licence.
 6. Closing the establishment temporarily or permanently.
- Grievances may be filed against the administrative penalties before the Department within sixty days from the date of notification of the grievant. Failure to decide upon the grievance within 90 days from the date of its submission shall be regarded as acceptance of the grievance.
- The regulatory and implementing rules of this Law shall determine the procedures and controls required for the application of the aforesaid administrative penalties.

Article (13)

The Department shall propose its organisational structure and submit it to the Executive Council for approval, in accordance with the applicable regulations.

Article (14)

- The financial laws and regulations in force in the Emirate shall apply to the Department.
- The human resources laws and regulations in force in the Emirate shall apply to the employees of Department.

- The Civil Retirement Pensions and Benefits in force in the Emirate shall apply to the nationals.

Article (15)

- Upon the approval of the Executive Council, the Chairman of the Department shall issue the regulatory and implementing rules of this Law.
- The policies, regulations, rules, resolutions and circulars in force shall remain applicable in a manner consistent with the provisions of this Law until the issuance of its implementing policies, regulations, rules, resolutions and circulars.
- The Chairman of the Department shall issue the necessary implementing and operational policies of this Law.

Article (16)

- The aforesaid Law No. (1) of 2007 shall be repealed.
- Any text or provision, prescribed in the legislations establishing Affiliates, which is contrary to the provisions of this Law, shall be repealed.
- Any text or provision contrary to the provisions of this Law shall be repealed.

Article (17)

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

Khalifa bin Zayed Al Nahyan

Ruler of Abu Dhabi

Issued by us in Abu Dhabi

On: 20/February/2018

Corresponding to: 4/Jumada Al Akher/1439 H



Law No. (14) of 2019 Concerning The Establishment of Abu Dhabi Public Health Centre*

We, Khalifa bin Zayed Al Nahyan, Ruler of Abu Dhabi

Having reviewed:

- Law No. (1) of 1974 concerning the reorganisation of the Governmental body in the Emirate of Abu Dhabi and its amendments;
- Law No. (2) of 1971 concerning the National Advisory Council, and its amendments;
- Law No. (2) of 2000 concerning Civil Retirement Pensions and Benefits in the Emirate of Abu Dhabi, and its amendments;
- Law No. (6) of 2016 concerning the Human Resources in the Emirate of Abu Dhabi;
- Law No. (1) of 2017 concerning the Financial System of Abu Dhabi Government;
- Law No. (10) of 2018 concerning the Establishment of the Department of Health;
- Crown Prince and Chairman of the Executive Council Resolution No. (42) of 2009 concerning the Environment, Health and Safety Management System of the Emirate of Abu Dhabi;
- Chairman of the Executive Council Resolution No. (25) of 2018 concerning the Additional Competencies of the Department of Health; and
- Based on what was presented to and approved by the Executive Council, Issued the following Law:

Article (1)

In the implementation of the provisions of this Law, the following words and phrases shall have the meanings corresponding thereto unless the context requires otherwise:

Emirate : The Emirate of Abu Dhabi.

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

Government	: The Government of Abu Dhabi.
Executive Council	: The Executive Council of the Emirate.
Department	: The Department of Health.
Centre	: Abu Dhabi Public Health Centre.
Director- General	: The Director- General of the Centre.
System	: Public and Preventive Health System which aims at maintaining the health of the population of the Emirate and the safety of the workers therein. The System sets out the obligations of all parties, companies and persons in charge of implementing its provisions.
Public Health	: One of the health sector areas, which includes disciplines related to health improvement and disease prevention through monitoring and evaluating health needs of the population, and developing and implementing strategies to improve the health and well-being of the population. Such disciplines are also related to occupational safety and the protection of persons from diseases caused by their work.
Preventive Health	: A multidisciplinary area related to the protection of people from diseases through preventing the occurrence or recurrence of health problems.
Technical Service Providers	: Any natural or legal person concerned with diagnosis and examination of health problems and the provision of health services such as specialists in epidemiology, occupational health, environmental health and other public health disciplines.

Article (2)

- A Center shall be established pursuant to the provisions of this Law under the name of “Abu Dhabi Public Health Centre”. The Centre shall have an independent corporate personality, enjoy full legal capacity to act, and affiliated to the Department.

- The Executive Council may change the affiliation of the Centre to any entity determined thereby.

Article (3)

The main office of the Centre shall be located in Abu Dhabi City. Branches or offices of the Centre may be established inside or outside the Emirate by a resolution of the Chairman of the Department and following the approval of the Executive Council.

Article (4)

The Centre shall aim at maintaining the health of the population of the Emirate and the safety of the workers therein through promoting Public Health and Preventive Health concepts. Therefore, it shall assume the following competencies:

1. Prepare the System and submitting it to the Department in preparation for obtaining the approval of the Executive Council thereon.
2. Gather evidence and data for cases of serious occupational injuries and accidents, in coordination with the concerned authorities to determine their causes and reduce their risks.
3. Register Technical Service Providers and all specialists in the fields of Public Health and Preventive Health who are licensed by the Department.
4. Ensure the review and approval of the Systems of the entities operating in the Emirate according to the System's requirements.
5. Develop training programmes aligned with the System, to improve Public Health and Preventive Health capacities.
6. Prepare, implement and develop awareness and education programmes related to Public Health and Preventive Health.
7. Lay down, develop and implement programmes related to the protection of workers' health, disease prevention and rehabilitation to help them get back to work.
8. Conduct surveys and develop systems for the collection of data and information regarding Public Health and Preventive Health, in coordination with the relevant entities.

9. Create, develop, implement and promote Public Health and Preventive Health programmes and activities.
10. Provide necessary vaccinations, develop vaccination programmes and announce such programmes.
11. Act as an early warning system for Public Health and Preventive Health.
12. Participate in emergency response to epidemics, infectious diseases, natural disasters, chemical pollution and radioactive and nuclear pollution, in coordination with the concerned entities.
13. Encourage and promote the patterns and behaviours of healthy life for the Emirate's population.
14. Hold conferences, seminars and courses related to Public Health and Preventive Health.
15. Develop strategic partnerships related to Public Health and Preventive Health with local, regional and international bodies, in accordance with the legislation in force.
16. Lay down the standards of Public Health and Preventive Health in accordance with best practices, and in coordination with the concerned authorities.
17. Prepare studies related to Public Health and Preventive Health.
18. Coordinate with the relevant entities to set the necessary specifications for personal protective equipment and safety equipment and devices.
19. Any other competencies assigned thereto by the Executive Council.
 - The Executive Council may amend the competencies of the Centre stated in this Law or any other legislation, by deletion, addition or transfer.
 - The Center may delegate some of its competencies to any other governmental entity or entrust the private sector with some of them following the approval of the Executive Council.

Article (5)

- The Centre shall have a Director-General to be appointed by an Executive Council resolution. He shall be in charge of conducting and supervising the Centre's operations. He shall report to the Chairman of the Department

and may in particular assume the following:

1. Propose the strategic and executive plans of the Centre and submit them to the Chairman of the Department in preparation for approval in accordance with the applicable legislations.
2. Follow up on the implementation of the strategic and executive plans of the Centre as well as the programmes and projects managed or implemented thereby.
3. Manage, develop and implement all the strategic and executive tasks entrusted to the Centre, either directly or through action teams appointed by him or assigned thereby, without any contradiction to the legislations in force.
4. Propose the initiatives, programmes, projects, studies and recommendations related to the Centre's operations and activities and present them to the Chairman of the Department, in preparation for submitting them for approval, in accordance with the procedures followed in the Department.
5. Propose the annual draft budget of the Centre and present it to the Chairman of the Department in preparation for submitting it for approval, in accordance with the applicable legislations.
6. Propose the organisational structure of the Centre and present it to the Chairman of the Department in preparation for submitting it for approval in accordance with the applicable legislations.
7. Appoint experts, consultants and technicians on a temporary or permanent basis, determine their remuneration and seek the assistance of any experts, institutions and consulting offices he deems appropriate.
8. Open bank accounts in the name of the Centre in accordance with the applicable legislations.
9. Form internal committees and action teams from among the employees of the Centres and others, and determine their tasks and work procedures.
10. Propose regulatory and executive legislations as well as the regulations, policies, resolutions and circulars including violations and administrative fines related to the Centre's competencies and submit them for approval in accordance with the applicable legislations.
11. Propose the fees, tariffs and prices related to the Centre's competencies and submit them to the Chairman of the Department in preparation for

approval in accordance with the applicable legislation.

12. Represent the Centre before courts and third parties.
 13. Any other competencies and tasks assigned by the Executive Council.
- The Director-General may delegate some of its competencies to the senior employees of the Centre, provided that such delegation is made in writing.

Article (6)

The Centre shall submit to the Department, every three months or whenever requested by the Department, a report on its functions, achievements, budget and financial and administrative affairs as well as the stages of progress achieved in the implementation of the competencies and tasks assigned thereto.

Article (7)

The Department shall provide logistic support as well as all support service-related operations including Human Resource, financial, procurement and electronic systems affairs as well as other activities and services related to the institutional affairs of the Centre.

Article (8)

The financial resources of the Centre shall consist of the following:

- The annual appropriations allocated thereto by the Government.
- Any other revenues approved by the Executive Council.

Article (9)

The fiscal year of the Centre shall start on the first of January and end on the last day of December of each year, except for the first fiscal year which shall start from the effective date of this Law and end on the last day of December of the following year.

Article (10)

The Centre shall have one or more external certified auditors to verify its financial accounts and statements. They shall be appointed by a resolution of

the Chairman of the Department that also determines their remuneration, in accordance with the applicable legislations.

Article (11)

- Without prejudice to any more severe penalty provided for in another law, an administrative fine shall be imposed on anyone who violates the provisions of the legislations, executive regulations, systems, policies, resolutions and circulars issued by the Department, which relate to the Centre's competencies.
- The Centre shall be in charge of collecting the administrative fines. Upon the approval of the Executive Council, the Chairman of the Department shall issue a list specifying the violations and the administrative fines prescribed for each of them, provided that they do not exceed the fine limit provided for in the aforementioned Law No. (10) of 2018.
- The provisions of the administrative penalties provided for in aforementioned Law No. (10) of 2018 shall apply. The executive regulations issued by the Department shall specify the procedures for imposing such penalties, and the controls for their implementation, including reconciliation procedures.

Article (12)

Upon an agreement between the Chairman of the Department, the Head of the Judicial Department – Abu Dhabi shall issue a resolution determining the Centre's employees to be granted law enforcement judicial officer capacity for crimes within their jurisdiction. They shall have the right to carry out inspection and control to verify the compliance of all parties, companies and persons with the provisions of the relevant legislations related to the Centre's competencies.

Article (13)

- The financial rules and regulations applicable in the Emirate shall apply to the Centre.
- The employees of the Centre shall be subject to the human resources laws and regulations applicable in the Emirate.
- The Nationals among them shall be subject to the civil retirement pensions and benefits applicable in the Emirate.

Article (14)

The employees and servants of Abu Dhabi Occupational Safety and Health Centre and the Public Health Division of the Department of Health shall be transferred to the Centre along with all their assets, properties, rights and obligations, as of the effective date of this Law.

Article (15)

- The aforesaid Executive Council Resolution No. (42) of 2009 shall be remain in force until the enforcement of the System.
- Any provision contrary to the provisions of this Law shall be repealed.

Article (16)

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

Khalifa bin Zayed Al Nahyan
Ruler of Abu Dhabi

Issued by us in Abu Dhabi

On: 23/April/2019

Corresponding to: 17/Shaaaban/1440 Hijri



Amiri Decree No. (39) of 2005 concerning the Establishment of National Health Insurance Company (P.J.S.C)*

We, Khalifa Bin Zayed Al Nahyan, Ruler of Abu Dhabi,

- Having regard to Law No. (1) of 1974 concerning the Reorganization of the Governmental Body in the Emirate of Abu Dhabi, as amended;
 - Law No. (2) of 1971 concerning the National Consultative Council, as amended;
 - Law No. (8) of 2001 concerning the Establishment of the General Authority for Health Services for the Emirate of Abu Dhabi;
 - Law No. (6) of 2004 on the Re-organization of Financial Audit Authority;
 - Law No. (23) of 2005 concerning Health Insurance in the Emirate of Abu Dhabi;
 - Federal Law No. (8) of 1984 on Commercial Companies, as amended;
 - Federal Law No. (9) of 1984 on Insurance Companies and Agents, as amended; and
 - Based on what was presented to, and approved by the Executive Council,
- **Issue the following Decree:**

Article (1)

In application of the provisions of this Decree, the following words and expressions shall have the meanings ascribed to them:

Emirate	: The Emirate of Abu Dhabi.
Government	: The Government of Abu Dhabi.
Executive Council	: The Executive Council of the Emirate.
Authority	: General Authority for Health Services for the Emirate of Abu Dhabi.
Company	: National Health Insurance Company.

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

Law	: Law No. (23) of 2005 concerning Health Insurance in the Emirate of Abu Dhabi and its implementing regulations and decisions.
Health Insurance	: Mandatory Health Insurance provided for in the Law.
Insured	: Each subscriber to the Health Insurance scheme.

Article (2)

There shall be established under the provisions of this Decree a public joint stock Company called “National Health Insurance Company” which shall have an independent corporate body and enjoy full capacity to carry out its activities and achieve its objectives. It shall be called “DAMAN” for short.

Article (3)

The headquarters of the Company shall be in the city of Abu Dhabi. Branches and offices of the Company may be established in and outside the Emirate by decision of the board of directors.

Article (4)

The Company aims to achieve the objectives provided for herein and in its articles of association and shall particularly undertake the following activities:

1. Provision of mandatory and optional Health Insurance services as provided for in the Law. The Company shall exclusively provide such services for ten (10) years to all government non-national staff and the like and their dependents residing in the State. Such period may be extended or shortened by resolution of the Executive Council.
2. Provision of all insurance services related to the Health Insurance.
3. Provision of consultancy and conduct of technical studies in the field of Health Insurance.
4. Conduct of any business or activity of whatever nature as long as it is connected with, or related to any of the Company’s objectives or that may directly or indirectly enhance the Company profits, property and assets or support the interest of the Company or its shareholders, including the investment of the Company’s funds in any appropriate field of investment.

5. The Company may have any interest or engage in any manner with other entities or companies which carry on similar activities that may assist the Company to achieve its objectives in and outside the State. The Company may acquire such entities or companies or have them as affiliates.
6. The Company may achieve its objectives and exercise its powers in or outside the Emirate. It may increase or amend its objectives from time to time by resolution of the extraordinary general meeting according to the Commercial Companies Law.

Article (5)

The Company shall state clearly in the Health Insurance contract with the Insured the conditions and scope of insurance coverage contained in the Health Insurance policy and shall mention any exclusions, stipulations, or any conditions related to the provision of the insured health service.

Article (6)

Subject to paragraph (1), Article 4 of this Decree, the Authority and its affiliated government health facilities shall enter into an agreement or number of agreements with the Company in the insurance sector for the provision of Health Insurance services for ten (10) years.

Article (7)*

The maximum amount that the Company must pay to the Authority and its affiliated government health facilities contracted with against the provided services shall be 70% (seventy percent) of the total value of the Health Insurance policies of the mandatory Health Insurance scheme subscribers.

This amount may be amended by decrease, increase or cancellation, if necessary, by a resolution of the Executive Council.

Article (8)

The capital of the Company shall be AED 250,000,000 (Dirhams Two Hundred Fifty Million) fully paid by the Government and divided into similar number of shares of AED 1 each.

* Article (7) was amended by the Amiri Decree No. (12) of 2016 Amending Certain Provisions of Amiri Decree No. (39) of 2005 concerning the Establishment of National Health Insurance Company (P.J.S.C).

Article (9)

Assignment of shares shall be subject to the approval of the Executive Council.

Article (10)

The Company shall operate according to the articles of association issued by the appointed Board of Directors, provided that the same is presented to the first ordinary general meeting of the Company for approval.

Article (11)

The Company shall be managed by a board of directors consisting of not less than three (3) members and not more than nine (9) members. The articles of association shall set out how its members are elected and the procedures for convening its meetings and voting on its decisions.

Article (12)

As an exception to the provisions of the Article above, the Chairman of the Executive council shall issue a resolution appointing the first board of directors of the Company for a term of three (3) years commencing from the date of entry of the Company into the commercial register of the Emirate.

Article (13)

The Company shall have one or more auditors appointed by the ordinary general meeting for one (1) year. The auditor(s) may be re-appointed.

Until the first ordinary general meeting is held, the board of directors shall appoint the auditor.

Article (14)

The liability of the Company or any of its affiliates shall be limited to its capital and assets.

Article (15)

The term of the Company shall be one hundred (100) years. The Company may be dissolved in accordance with the provisions set forth in its articles of association.

Article (16)

The financial year of the Company shall commence on the 1st of January and end on the 31st of December of each year, except for the first year which shall commence on the date of entry of the Company into the commercial register and end on the 31st of December of the next year.

Article (17)

The Company shall be exempt from all local taxes and duties.

Article (18)

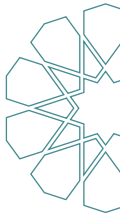
This Decree shall enter into effect and force from the date of its issuance, and shall be published in the Official Gazette.

Khalifa Bin Zayed Al Nahyan
Ruler of Abu Dhabi

Issued by Us in Abu Dhabi

On: 26/September/2005 G

22/Shab'an/1426 H



Amiri Decree No. (10) of 2007 concerning the Establishment of Abu Dhabi Health Services Company (P.J.S.C)*

We, Khalifa Bin Zayed Al Nahyan, Ruler of Abu Dhabi,

- Having regard to Law No. (1) of 1974 concerning the Reorganization of the Governmental Body in the Emirate of Abu Dhabi, as amended;
 - Law No. (6) of 2004 on the Re-organization of Financial Audit Authority;
 - Law No. (23) of 2005 concerning Health Insurance in the Emirate of Abu Dhabi and its Implementing Regulations;
 - Federal Law No. (1) of 2007 concerning the Establishment of the Health Authority - Abu Dhabi;
 - Federal Law No. (8) of 1984 on Commercial Companies, as amended;
 - Federal Law No. (18) of 1993 on Commercial Transactions; and
 - Based on what was presented to, and approved by the Executive Council,
- **Issue the following Decree:**

Article (1)

In application of the provisions of this Decree, the following words and expressions shall have the meanings ascribed to them:

State	: The United Arab Emirates.
Emirate	: The Emirate of Abu Dhabi.
Government	: The Government of Abu Dhabi.
Executive Council	: The Executive Council of the Emirate of Abu Dhabi.
Authority	: Health Authority - Abu Dhabi
Board	: The Board of Directors of Abu Dhabi Health Services Company.

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

Article (2)

There shall be established under the provisions of this Decree a public joint stock company called “Abu Dhabi Health Services Company”. The Company shall be an independent corporate body with full legal capacity to conduct its activities and achieve its objectives, and with financial and administrative independence in all its affairs. It shall be called “SEHA” for short.

Article (3)

The headquarters of the Company shall be in the city of Abu Dhabi. Branches and offices of the Company may be established inside or outside the Emirate by decision of the Board.

Article (4)

The capital of the Company shall be AED 1,000,000,000 (Dirhams One Billion), divided into an equal number of shares of AED 1 (one) each, all of which are nominal shares fully paid and owned by the Government.

Article (5)

Assignment of shares shall be subject to the approval of the Executive Council.

Article (6)

The Company shall exclusively carry out the objectives set out in its articles of association, and shall in particular:

- implement the policies, projects and strategies adopted by the Authority in order to develop health and curative activity in the Emirate.
- directly manage health facilities, whether they be hospitals, health centres or others which it owns. The Company may assign their management to third parties, or entrust the same to parties with international capabilities and experience in accordance with the action plans laid down by the Authority.
- provide and purchase supplies and medicines needed for its health facilities.
- ensure the provision of manpower in all administrative, financial and

scientific disciplines needed in the area of work of the Company and its health facilities.

- coordinate with the Authority and health service providers in the State, whether governmental or private, in respect of mutual matters so as to maximize the development and efficiency in achieving the Company's objectives.
- follow up and monitor the operations in health sectors affiliated with it, or those whose management is entrusted to other entities in the future.
- organize and participate in local, regional, and international medical conferences and seminars.
- conduct special studies on the Company's planning and development projects in respect of health, curative and preventive services, and present them to the Authority for approval.
- participate with the Authority in the conduct of studies for establishing new health and curative facilities.
- oversee the establishment and management of new health facilities established in accordance with the plan approved by the Authority and the Executive Council.
- issue the financial and administrative regulations necessary for the Company's operation, including tender, auction and procurement regulations.
- invest in land and property granted to, allocated for, or owned by the Company within the limits of its objectives.
- utilize and invest its funds as the Board deems appropriate, inside or outside the Emirate.
- incorporate or acquire shares in the companies or establishments operating in the health field in the State or abroad, after the approval of the Authority.
- propose fees in return for the health, curative and preventive services at its affiliated facilities, and present the same to the Authority for approval.
- collect fees prescribed for health, curative and preventive services at its affiliate facilities.

- exercise any other responsibilities conferred on the Company by the Executive Council.

The Company shall have full authority to carry out any of its objectives or functions inside or outside the Emirate.

Article (7)

The Company may exercise its functions through its wholly or partially owned companies, or by way of grant of contracts to other parties, in accordance with the conditions laid down by the Board.

Article (8)

- The Company shall be managed by a Board which shall consist of a chairman and a number of members, who shall be appointed by resolution of the Chairman of the Executive Council. The resolution shall set out the term of office of the Board and its financial allocations.
- The articles of association of the Company shall set out the procedures for Board meetings and voting on its decisions.

Article (9)

The Company shall operate in accordance with the articles of association issued by the Board, which shall set out the responsibilities of the Board and of the ordinary and extraordinary general meetings of the Company.

Article (10)

The Board of the Company may:

1. convert the legal form of the Company, increase, decrease or re-structure its capital or capitalize its assets with the approval of the Executive Council.
2. sell some health facilities owned by the Company in accordance with the applicable policies after the approval of the Authority and the Executive Council.
3. invest the proceeds of Company's property sale in health service enterprises in accordance with the policies approved by the Authority and the Executive Council.

4. accept donations or gifts from individuals and establishments, for which The Board shall lay down appropriate controls.
5. donate medical supplies, medicines or equipment to charity or health organizations inside or outside the State.
6. sign agreements and contracts with any local and foreign private sector entities with respect to establishing, operating, managing, financing, developing, furnishing or maintaining any hospitals, clinics, health centres, health establishments and the service ancillary thereto in the Emirate.
7. sign agreements and contracts for joint ventures with private or public sector companies in order to carry on any objective or activity of the Company, or finance its projects and activities. To this effect, the Board shall be entitled to sign long-term financing agreements and grant security over the holdings and assets of the Company.

the Board shall submit to the Authority Every six (6) months reports detailing the operations, initiatives and projects of the Company, as well as the work progress in its hospitals and health centres.

Article (11)

The Board shall constitute the ordinary and extraordinary general meetings of the Company.

Article (12)

The term of the Company shall be one hundred (100) calendar years, commencing from the date of issue of the Minister of Economy's decision announcing its establishment. This term shall be renewable for equal terms, unless a decision to dissolve the Company is issued by the extraordinary general meeting.

Article (13)

The financial year of the Company shall commence on the 1st of January and end on the 31st of December of each year, except for the first financial year which shall commence on the date of entry of the Company into the commercial register and end on the 31st December of the next year.

Article (14)

- The Board shall appoint one or more certified auditors for the audit of the accounts and financial statements of the Company. The auditor(s) shall have the right to view the records, statements and accounting books of the Company in order to ensure their accuracy.
- The Board shall determine the duration of appointment of auditor(s) and shall fix their annual remuneration.

Article (15)

- There shall be transferred to the Company, by resolution of the Executive Council, ownership of all current health and curative establishments in the Emirate, and the lands they are erected on.
- There shall be transferred to the Company, by resolution of the Executive Council, all staff working in the health facilities transferred to the Company.
- There shall be transferred to the Company, all contracts and agreements signed between the Authority and third parties, including all rights and liabilities.

Article (16)

The resources of the Company shall consist of:

1. The appropriations allocated by the Government in return for the unpaid (free of charge) medical, curative and preventive services, or the paid services rendered to certain categories as determined by the Government or the Authority.
2. The revenue generated from its operations.
3. Subsidies, donations, aid, grants and bequests approved by the Board.
4. Other revenue as determined by the Executive Council.

Article (17)

The Company, its facilities and other facilities wholly or partially owned by it shall be exempt from all local taxes and customs on the supplies, medicines, equipment, machines, instruments and spare parts which the Company imports in order to achieve its objectives.

Article (18)

The Government shall not be liable for any debts or liabilities due from the Company or any health facilities to be transferred to it, in whole or in part.

Article (19)

The Company shall submit to the General Secretariat of the Executive Council annual reports containing key details of the progress of the Company, and enclosing a copy of the report of the auditor(s) appointed by the Board.

Article (20)

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

Article (21)

This Decree shall come into force on the date of its issuance, and shall be published in the Official Gazette.

Khalifa Bin Zayed Al Nahyan
Ruler of Abu Dhabi

Issued by Us in Abu Dhabi

On: 5/April/2007 G

17/Rabi Al Awwal/1428 H



Amiri Decree No. (12) of 2016 Amending Certain Provisions of Amiri Decree No. (39) of 2005 concerning the Establishment of National Health Insurance Company (P.J.S.C)*

We, Khalifa Bin Zayed Al Nahyan, Ruler of Abu Dhabi,

- 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;
 - Amiri Decree No. (39) of 2005 concerning the Establishment of National Health Insurance Company (P.J.S.C); and
 - Based on what was presented to, and approved by the Executive Council,
- **Issue the following Law:**

Article (1)

Article (7) of the referenced Amiri Decree No. (39) of 2005 shall be replaced by the following:

The Company shall be entitled to an annual lump sum of AED 165 (Dirhams One Hundred Sixty-Five) as administrative fee for each mandatory Health Insurance policy in consideration for its management of the mandatory Health Insurance scheme.

This sum may by resolution of the Executive Council be amended by increase, decrease or cancellation, where applicable.

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

Article (2)

This Decree shall come into force from the date of its issuance, and shall be published in the Official Gazette.

Khalifa Bin Zayed Al Nahyan
Ruler of Abu Dhabi

Issued by Us in Abu Dhabi

On: 30/July/2016 G

25/Ramadan/1437 H



Chairman of the Executive Council Resolution No. (25) of 2018 Concerning Additional Competencies of the Department of Health*

We, Mohamed bin Zayed Al Nahyan, Crown Prince, Chairman of the Executive Council, Having reviewed:

- Law No. (1) of 1974 concerning the reorganisation of the Governmental Body in the Emirate of Abu Dhabi and its amendments;
- Law No. (10) of 2018 concerning the Establishment of the Department of Health; and
- Based on what was presented to and approved by the Executive Council, Issued the following Resolution:

Article (1)

In order to achieve its objectives, the Department shall assume the following additional competencies:

1. Inspect, control, and supervise the health sector and detect the violations and any wrong medical practices, in accordance with the health legislation applicable and in coordination with the concerned entities inside and outside the State.
2. Approve the prices of health, therapeutic and preventive services in the Emirate.
3. Oversee the Foreign Medical Program through the health offices affiliated to the Department outside the country.
4. Coordinate with the governmental or private entities offering health services in the State in terms of their joined matters to achieve the highest level of development, efficiency, and quality in the provision of health services.
5. Participate with the academic entities in the Emirate in the development of medical education curriculums and programs in all health and medical specialisations within the framework of the education general policy in the State.

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

6. Coordinate with the local and international medical education institutions in order to meet the needs of the medical sectors in terms of the qualified and trained workers in this field.
7. Prepare researches and statistics on the health sector in the Emirate.
8. Decide upon the complaints related to the health sector in the Emirate and issue the resolutions required for the settlement of any disputes arising within this sector.
9. Any other competencies or duties assigned to the Department by the Executive Council.

Article (2)

Any text or provision contrary to the provisions of this Resolution shall be repealed.

Article (3)

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

Mohamed bin Zayed Al Nahyan Crown Prince
Chairman of the Executive Council

Issued by us in Abu Dhabi

On: 20/February/2018

Corresponding to: 4/Jumada Al Akher/1439 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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