

Regulations No. (2) of 2010
Concerning Regulation of
Conformity Assessment Bodies Works
In the Emirate of Dubai

We, Hamdan Bin Mohammed Bin Rashid Al Maktoum, Crown Prince of Dubai, Chairman of the Executive Council

Upon review of Law No. (3) of 2003 Concerning Establishing the Executive Council of the Emirate of Dubai;

Law No. (35) of 2009 Concerning Management of Public Properties of the Government of Dubai;

Local Order No. (52) Concerning the Conditions to be Fulfilled for Licensing of Laboratories in the Emirate of Dubai;

The Memorandum of Understanding entered into between Emirates Authority for standardization and metrology and Dubai Municipality dated 16 May 2006; and

Pursuant to the requirements of quality assurance, safety of the activities of conformity assessment in the Emirate of Dubai

We issue the following Regulations:

Article (1)

These Regulations shall be called “Regulations No. (2) of 2010 Concerning Regulation of Conformity Assessment Bodies Work in the Emirate of Dubai”.

Article (2)

The following terms and words shall, wherever referred to in these Regulations and unless otherwise required by the context, have the meanings set forth against them respectively:

Emirates:	The Emirate of Dubai
Municipality:	Dubai Municipality
Concerned Department:	The Accreditation Department in the Municipality
Licensing Authority:	The authorities having jurisdiction lawfully to issue commercial licenses for the Conformity Assessment Bodies for carrying on their activity in the Emirate
Conformity Assessment Body:	Any public or private corporate person who undertakes provision of testing, inspection or calibration services or granting of conformity certificates for products, systems or persons in accordance with the international requirements and standards
Activity Practice Permit:	A document issued by the Concerned Department including its approval of carrying activity by the Conformity Assessment Body in the Emirate upon fulfillment of the conditions and requirements accredited by it.
Registration:	Registration of the Conformity Assessment Body in a special register with the Concerned Department upon fulfillment of the requirements and conditions provided for in these Regulations.
Accreditation:	Recognition by the Concerned Department of the efficiency and capability of the Conformity Assessment Body to provide its services in accordance with the accredited standard specifications upon verification and confirmation of fulfillment of the requirements and conditions.
Accreditation Certificate:	A document issued by the Concerned Department by which it recognizes the efficiency and the ability of the Conformity Assessment Body to provide the service specified therein in accordance with the approval standard specifications

Article (3)

The Municipality shall be the only official reference in the Emirate for registration and accreditation of Conformity Assessment Bodies. To this end, the Concerned Department shall have the following powers:

1. To grant Activity Practice Permits to Conformity Assessment Bodies and to register them with it.
2. To accredit the services provided by the Conformity Assessment Bodies.
3. To supervise the activities of the Conformity Assessment Bodies and to monitor their compliance with the provisions of these Regulations and the resolutions and Regulations issued under it, and with the specifications accredited in this respect.

4. To hold conferences, training courses and workshops relevant to its field of operation, and to carry out proficiency testing for Conformity Assessment Bodies.
5. To establish database including the names of Conformity Assessment Bodies registered and accredited by it and the activities carried on by them respectively.

Article (4)

- a. The activity of Conformity Assessment Bodies, of whatsoever nature, shall be carried on only upon receiving license for the same issued by the licensing authority and Activity Practice Permit issued by the Concerned Department. This excludes medical laboratories.
- b. A Conformity Assessment Body shall not, without the prior approval of the Concerned Department, carry on any activity other than those clearly provided in the Activity Practice Permit issued to it.

Article (5)

Conformity Assessment Bodies shall be licensed to carry on their activities in the Emirate in accordance with the following procedures:

1. The body wishing to operate as Conformity Assessment Body shall file an application for obtaining commercial license with the concerning licensing authority in the Emirate in accordance with the legislations and procedures applicable with it.
2. The licensing authority shall refer the application to the Concerned Department for consideration of its technical aspect and the extent of fulfillment of the conditions and requirements accredited in this respect.

The implementing regulations of these Regulations shall specify the documents, details and information required in this respect.

3. If the application fulfills the necessary conditions and requirements the Concerned Department shall issue no objection certificate for carrying on the activity. The said

certificate shall be then sent to the licensing authority for completion of issuance of the commercial license.

4. The Conformity Assessment Body shall provide all requirements of actual operation within not later than six months from the date of issuance of the commercial license.
5. The Conformity Assessment Body shall not carry on its activity before providing all requirements of operation approved by the Concerned Department and before obtaining Activity Practice Permit.
6. The Conformity Assessment Body shall, within six month, file an application with the Concerned Department for obtaining Activity Practice Permit, otherwise its commercial license shall be cancelled in addition to the penalties provided for in these Regulations in this respect.
7. The Concerned Department shall carry out on-site audit on the Conformity Assessment Body. The Concerned Department may, in view of the results of such Audit take any of the following actions:
 - a. If the Conformity Assessment Body is found to be fulfilling the operation requirements and to have completed the shortcomings required by the Concerned Department to be fulfilled, it shall be given Activity Practice Permit.
 - b. If the Conformity Assessment Body fails to fulfill the operation requirements or fails to complete the shortcomings within the time specified for the same, such Body shall not be give Activity Practice Permit and the licensing authority shall be communicated for cancellation of the commercial license issued to it.
8. Upon granting the Conformity Assessment Body the Activity Practice Permit it shall be registered with the Concerned Department in which all basic details relating to the name, address and name of owner of the Body shall be entered with the nature of its activity and the services provided by it.

Article (6)

The term of the Activity Practice Permit shall be one year renewable for similar term upon application of the Conformity Assessment Body fifteen days from the date of expiry of the same.

Article (7)

The Conformity Assessment Body shall, within the first year from giving it Activity Practice Permit, apply for Accreditation, as follows:

1. Compulsory Accreditation for entities operating in health, safety and environment field. Such entities shall not provide their services relating to this field except after receiving Accreditation Certificate.

The Concerned Department shall specify, by a list issued by it for this purpose, scopes in which Accreditation shall be compulsory.

2. Compulsory Accreditation for (10%) at least of the total tests or services provided by Conformity Assessment Bodies which operate in fields that are non-relevant to health, public safety or environment, provided that the number of the accredited tests or services shall not be less than one test or service.
3. With the exception of the tests and services referred to in (1) and (2) of this Article, Accreditation of Conformity Assessment Body shall be optional.

Article (8)

The Conformity Assessment Body shall receive Accreditation in the compulsory fields and tests referred to in Article (7) hereof within not later than two years from the date of receiving the Activity Practice Permit, failing which the Permit issued to it shall be withdrawn, its registration shall be cancelled and the licensing authority shall be communicated for cancellation of the commercial license issued to it.

The Concerned Department may extend the two years referred to in this Article for additional term not exceeding six months in the case that the Conformity Assessment Body submits technical reasons justifying the same.

Article (9)

Notwithstanding the provisions of Article (4) of these Regulations, the Concerned Department shall, in coordination with the competent government authorities accredit medical laboratories in accordance with the procedures and requirements applicable with it in this respect.

Article (10)

Conformity Assessment Bodies shall be accredited by Accreditation Certificate issued by the Concerned Department for three years renewable for similar term(s). The said Certificate shall entitle the accredited Body to use the Accreditation logo consisting of the Concerned Department's logo and the Accreditation Certificate number.

The implementing regulations of these Regulations shall specify the requirements, conditions and procedures for obtaining and renewal of the Accreditation Certificate and the cases of suspension and cancellation of the same and shall specify use of the Accreditation logo.

Article (11)

The Conformity Assessment Body may add any activities to the activities listed in the Activity Practice Permit or in the Accreditation Certificate provided that the added activities shall be subject to the conditions and requirements applicable with the Concerned Department.

Article (12)

Registered and Accredited Conformity Assessment Body shall:

1. Comply with the conditions and requirements of the Activity Practice Permit and the Accreditation Certificate issued to it pursuant to the international, regional and national standard specifications allowed to be carried on by it.
2. Report to the Concerned Department any amendment to its activities, work system manual or the operational procedures applicable with it.

3. Participate in proficiency testing program organized by the Concerned Department or entities recognized by it.
4. Provide all facilities necessary for employees of the Concerned Department on carrying out auditing and evaluation of its works and documents and evaluation of its procedures.

Article (13)

Registered Conformity Assessment Bodies shall be subject from time to time to auditing an evaluation of their activities and review of its Accreditation. The Concerned Department may take the following actions against the Conformity Assessment Body whose audit and evaluation reveals that it failed to comply with any of the Accreditation requirements:

1. Suspension of the Accreditation given to the Conformity Assessment Body and of provision of service by the Conformity Assessment Body in the field in which the Accreditation has been suspended pending amending of its status within the term designated for it by the Concerned Department.
2. Withdrawal of the Accreditation Certificate from the Conformity Assessment Body upon failure of the Conformity Assessment Body to rectify its status within the term designated for it by the Concerned Department.

The implementing regulations to these Regulations shall specify the subsequent follow-up procedures of the authorized entities and the audit and evaluation procedures of their works and review.

Article (14)

The Municipality shall charge for issuance of permits, certificates and all other services provided in these Regulations and the resolutions issued under it the fees provided for in Schedule (1) to these Regulations approved by us.

Article (15)

Without prejudice to any more severe penalty provided for in any other regulations, every conformity Assessment bodies who violates these Regulations and its implementing regulations shall be penalized by payment of the fines listed in Schedule (2) attached hereto and approved by us.

The fine referred to in the aforesaid Schedule shall be doubled in case of repeat of the same violation within one year from the date of committing the same violation provided that the fine does not exceed in case of doubling (Dirhams 100000) Dirhams one hundred thousand.

In addition to the fine, the Concerned Department may, in coordination with the competent authorities, take one or more of the following measures:

1. Suspension of the Activity Practice Permit pending completion of the requirements.
2. Suspension of the Accreditation Certificate.
3. Withdrawal of Activity Practice Permit and Accreditation Certificate and cancellation of the Registration.
4. Cancellation of the commercial license.

Article (16)

Employees of the Concerned Department nominated by resolution of the Director General of the Municipality shall have the capacity of investigation officers in proving acts committed in violation of the provisions of these Regulations and its implementing regulations, and the resolutions issued under it.

Article (17)

The Municipality shall not be liable to others for any damages which may be sustained by them as a result of registered or accredited Conformity Assessment Bodies practicing their functions or providing their services. Those Bodies shall be liable for indemnifying such damages.

Article (18)

The Municipality may seek assistance of local government department and public authorities and corporations in the Emirate, including police officers. The said authorities shall promptly extend the possible assistance when requested to do so.

Article (19)

The fees and fines collected under the provisions of these Regulations shall inure to the account of the general treasury of the Emirate.

Article (20)

A Conformity Assessment Body may object in writing to the Director General of the Municipality to any resolution or measures issued against it by the Concerning Department within 30 days from the date of notifying it with the decision or measures taken against it.

Objections shall be considered by a committee to be formed for the purpose by resolution issued by the Director General of the Municipality. Resolutions issued by the committee in such objections shall be final.

Article (21)

All Conformity Assessment Bodies operating in the Emirate prior to issuance of these Regulations shall amend their status to be in accordance with its provisions within one year from the date of enforcement hereof.

Article (22)

The Director General of the Municipality shall issue the regulations and resolutions necessary for implementation of the provisions of these Regulations.

Article (23)

Any provision in any other local legislation shall, to the extent to which such provision is contrary to the provisions of these Regulations, be revoked.

Article (24)

These Regulations shall be published in the Official Gazette and shall come into effect as of the date of publication.

[signed]

Hamdan Bin Mohammed Bin Rashid Al Maktoum

Crown Prince of Dubai

Chairman of the Executive Council

Issued in Dubai on 15 June 2010

Corresponding to 3 Shaaban 1431H.

Schedule No. (1)

Specifying Fees Payable for Services of the Concerned Department

Ser. No.	Description	Fee in Dirham's
1	No Objection Certificate	500
2	Activity Practice Permit	4000
3	Activity Practice Permit renewal	500
4	Accreditation application	500
5	Review of Accreditation documents	3500
6	Pre- assessment	2500
7	Accreditation assessment	6500 per day per Assessor
8	Issuance of certificate and scope of Accreditation	1200
9	Use of Accreditation symbol	5000 per scope
10	Training	1000 per day per trainee
11	Proficiency testing program	At the actual cost of the program with minimum fee of 500 Dirham and a maximum fee of 2000 Dirham
12	Re-instatement from suspension	1200

- * The fee charged pursuant to this Schedule shall be in addition to an additional fee of (100 Dirhams) per service provided by the Concerned Department to the Conformity Assessment Bodies located outside the Emirate.

Schedule No. (2)

Specifying Violations and Fines

Ser. No.	Violation	Fine in Dirhams
1	Carrying on the activity of Conformity Assessment Body without Activity Practice Permit	30000
2	Carrying on any activity other than those listed in the Activity Practice Permit	10000
3	Failure of the Conformity Assessment Body to apply for obtaining Activity Practice Permit within the specified period	10000
4	Failure of Conformity Assessment Body to apply for Accreditation of its activities in the scopes in which Accreditation is compulsory	30000
5	Failure of the Conformity Assessment Body to participate in any of the proficiency testing programs determined for the activities in which it is accredited.	3000
6	Failure of the Conformity Assessment Body to participate in any of the proficiency testing programs determined for the activities in which it is not accredited.	1000
7	Failure to comply with the conditions and requirements of the Activity Practice Permit or the Accreditation Certificate	15000
8	Failure to report to the Concerned Department any amendment to the activities of the Conformity Assessment Body or to the quality manual or to the operational procedures applicable with it.	5000
9	Obstruction of performance of the Auditors of the Concerned Department of their duty	5000