

Administrative Resolution No. (986) of 2018
Issuing the
Implementing Bylaw of Executive Council Resolution No. (1) of 2017
Regulating Railways in the Emirate of Dubai¹

The Director General and Chairman of the Board of Executive Directors of the Roads and Transport Authority,

After perusal of:

Law No. (17) of 2005 Establishing the Roads and Transport Authority and its amendments;
Executive Council Resolution No. (1) of 2017 Regulating Railways in the Emirate of Dubai;
and

Executive Council Resolution No. (47) of 2018 Approving the Organisational Structure of the Roads and Transport Authority,

Does hereby issue this Resolution.

Definitions
Article (1)

The following words and expressions, wherever mentioned in this Resolution, will have the meaning indicated opposite each of them unless the context implies otherwise:

Emirate:	The Emirate of Dubai.
RTA:	The Roads and Transport Authority.
Director General:	The director general and chairman of the Board of Executive Directors of the RTA.
Agency:	The Rail Agency of the RTA.

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¹Every effort has been made to produce an accurate and complete English version of this legislation. However, for the purpose of its interpretation and application, reference must be made to the original Arabic text. In case of conflict, the Arabic text will prevail.

Resolution:	Executive Council Resolution No. (1) of 2017 Regulating Railways in the Emirate of Dubai.
Safety Regulatory Entity:	The organisational unit within the RTA responsible for Railway Systems safety planning and regulation.
Government Entity:	Any of the Government departments, public agencies or corporations, free zone authorities, Government councils, or similar entities in the Emirate.
Railways:	A guided rail transport system designated for the transportation of passengers and goods on fixed tracks. This includes, but is not limited to, light and heavy Railways.
Infrastructure:	All facilities, utilities, and software required for operating Railways, including, but not limited to, stations for passenger embarkation and disembarkation and for goods loading and unloading; signalling, communications, and marking systems; power sources, locomotive systems; and maintenance depots.
Rolling Stock:	Vehicles running on Railways, including, but not limited to, locomotives, trains, trams, light inspection vehicles, self-propelled maintenance vehicles, freight wagons, and monorail vehicles.
Railway Systems:	These include Railways, Infrastructure, and Rolling Stock.
Public Railway Network:	The Railway Systems of the RTA.
Private Railway Network:	Railway Systems that are not owned by the RTA.
Operations:	These include the development and maintenance of Railway Systems, and the operation and movement of Rolling Stock or contributing to their operation or movement.

Person:	A natural or legal person.
Owner:	A Person who owns Railway Systems in whole or in part.
Operator:	A Person authorised by the RTA to perform Operations pursuant to the Resolution and this Implementing Bylaw.
Contractor:	A Person licensed to practise the contracting profession in accordance with the legislation in force in the Emirate, and who is appointed by an Owner or an Operator to perform any works related to Railway Systems.
Consultant:	A Person licensed to practise the engineering consultancy profession in accordance with the legislation in force in the Emirate and who provides engineering or technical consultations on any matter relating to or affecting Railway Systems.
Authorised Person:	A Person to whom a Compliance Certificate, a Safety Certificate, an Operational Safety Certificate, or a No-objection Certificate is issued pursuant to the Resolution and this Implementing Bylaw.
Railway Right of Way:	An area along land or water which is designated by the RTA for Railway Systems.
Prohibited Zone:	An area, within the Railway Right of Way, which is demarcated by the Agency using markings, signs, or fences and to which access by unauthorised Persons is prohibited.
Critical Zone:	This includes the Railway Right of Way and its surrounding area as demarcated by the RTA.
Protection Zone:	This includes the Critical Zone and its surrounding area as demarcated by the RTA.
Restricted Activities:	The activities which may compromise the safety of the Public Railway Network, as determined by the RTA.

No-objection Certificate:	A document issued by the Agency through the no-objection certificate electronic system adopted in the Emirate, authorising a Person to perform works or activities within the Protection Zone.
Compliance Certificate:	A document issued by the Agency certifying that an Owner or his authorised representative has complied with the General Guidelines Manual in performing the construction works related to a Private Railway Network.
Safety Conditions:	A set of rules and standards, approved by the RTA, that must be complied with in designing Railway Systems in order to minimise risks that may lead to Accidents, to exceeding the internationally recognised Accident rate, or to exceeding the Noise and Vibration levels prescribed in the schedules attached to the Resolution.
Safety Proofs:	A set of documents submitted by an Owner, Operator, or Contractor proving that the adopted Railway Systems and safety management systems ensure safe operation and transport during or after performing construction works or Operations.
Safety Certificate:	A document issued by the Safety Regulatory Entity to an Owner certifying that his Railway Systems or any parts thereof are safe.
Operational Safety Certificate:	A document issued by the Safety Regulatory Entity to an Operator authorising him to perform Operations after verifying that Safety Proofs and Safety Conditions are met.
Independent Safety Assessor:	A company or an establishment authorised by the Safety Regulatory Entity to review Safety Proofs and verify compliance by Owners, Operators, and Contractors with the safety requirements prescribed in the Safety Conditions and Safety Proofs, and with the requirements of the Safety Regulatory Entity.
Accident:	An unexpected and undesirable incident which is directly associated with Railway Systems and which

results or may result in personal Injury or material damage.

Investigation: A technical process aimed at identifying the causes and consequences of an Accident and determining the procedures and means of redressing the causes of that Accident and ensuring its non-recurrence.

Injury: Physical harm sustained by a natural person and resulting from a fault or negligence related to Railway Systems.

Inspector: Any person who is granted law enforcement capacity pursuant to the Resolution and who works for the Agency or the Safety Regulatory Entity or is appointed by the RTA to act in this capacity.

Prohibition Notice: A written notice served by an Inspector on any Person whereby that Person is required to cease performing any works or to take any measure required to prevent jeopardising Railway Systems.

Improvement Notice: A written notice served by an Inspector on any Authorised Person who violates the provisions of the Resolution, the resolutions issued in pursuance thereof, Safety Proofs, or Safety Conditions, requiring him to take the necessary actions and measures to manage potential risks to which Railway Systems may be exposed.

General Guidelines Manual: A document that contains the general guidelines for the construction and development of a Private Railway Network in the Emirate.

Planning and Design Standards Manual: A document that contains the technical requirements and standards for planning and designing the Public Railway Network.

Insurance and Settlements Manual: A document that contains the insurance strategy adopted by the RTA, including the rules and regulations governing such a strategy and its management. This document will also determine the risks that must be covered by insurance; the procedures for following up, and settlement of

	claims of, Accidents and settlement of insurance contracts that apply to all RTA assets and property; and the RTA's legal liabilities arising from the conduct of its activities.
Supplier Prequalification and Performance Evaluation Manual:	A document that contains the general rules governing supplier prequalification and performance evaluation, and the duties and responsibilities of concerned parties.
Noise:	The sounds or other audible frequencies that cause nuisance or damage to public health.
Vibrations:	The movement of particles around a single spot forming oscillations that cause damage to public health and Infrastructure.
Review Completion Letter:	A document, issued by the Agency to an Owner or his representative, which contains the Agency's review of the construction plans of the Railway, the Infrastructure, or any part thereof, and which confirms that all the conditions and requirements prescribed in this Implementing Bylaw and the General Guidelines Manual are met.
Code of Practice:	The manual adopted by the Agency for the purpose of protecting Railway Systems which contains the standards, requirements, and procedures for issuing No-objection Certificates.
Emergency:	An unforeseen situation that affects any of the vital services within a Protection Zone and that requires action by the Government Entity responsible for this service or by any other entity it authorises to take any action that is required to restore or maintain the service or restore any damage sustained by the service, conduct the required maintenance, or repair any resulting damage.
Risk Register:	A register presented by an Owner or Operator that contains the potential risks related to Operations and Railway Systems and the ways in which such risks are managed.

Types of No-objection Certificates

Article (2)

Types of No-objection Certificates will be as follows:

1. No-objection Certificates for obtaining information;
2. No-objection Certificates for designs;
3. No-objection Certificates for conducting trial trenching and test pitting; and
4. No-objection Certificates for conducting any of the Restricted Activities.

Restricted Activities

Article (3)

a. Types of Restricted Activities will be as follows:

1. constructing underground passageways and installation of wells and test pits;
2. conducting trench excavation, earth movement, shoring, deep foundation, and underground dewatering works;
3. moving and operating cranes and other mechanical hoisting equipment, and using heavy equipment and machinery;
4. dredging the sea, canals, and other water bodies;
5. installation, replacement, variation, or repair of any Infrastructure element;
6. installing, replacing, and relocating telecommunications and power towers;
7. conducting construction or maintenance works for Roads or associated infrastructure such as bridges, tunnels, car parks, traffic lights, and similar structures;
8. conducting construction or maintenance works for buildings;
9. erecting scaffolds and temporary structures such as temporary site offices, temporary storage facilities, sheds, and other similar structures;
10. conducting landscaping, planting, and irrigation system works;

11. installing hoardings, information boards, and road signs;
 12. conducting demolition works;
 13. using explosives and fireworks, and lighting fire; and
 14. conducting any other activity which the Agency deems as a potential hazard to Railway Systems or Operations.
- b. The Code of Practice will determine the ancillary works that are categorised under the Restricted Activities stated in paragraph (a) of this Article, as well as the rules and conditions governing these activities.

Conditions for Issuing No-objection Certificates

Article (4)

- a. A No-objection Certificate will be issued subject to the following:
1. stating the type of Restricted Activity or works to be conducted and providing a detailed description thereof, as prescribed by the Agency;
 2. providing project drawings showing the coordinates of the site where works will be conducted and its intersection with the Protection Zone;
 3. providing site photographs of the work sites, as requested by the Agency;
 4. specifying the Consultant who will supervise the activities and works that are authorised pursuant to the No-objection Certificate, verify that the Contractor is in compliance with its terms, and report any Accidents or potential hazards;
 5. submitting a technical report stating the requested activities or works and their method of performance;
 6. providing an assessment report on the potential risks associated with the Restricted Activity to be performed;
 7. submitting specialised studies approved by a third party as determined by the Agency for the type of the Restricted Activity to be performed;
 8. specifying a contact person to whom correspondence in respect of the requested activities or works will be addressed; and
 9. meeting any other conditions or requirements stipulated in the Code of Practice for the requested Restricted Activities and works.

- b. The Agency may, upon the request of the applicant for a No-objection Certificate, exempt him from compliance with certain of the requirements prescribed in paragraph (a) of this Article in respect of Restricted Activities, provided that such exemption is reasoned.

Procedures for Issuing No-objection Certificates

Article (5)

The relevant procedures prescribed in the electronic No-objection Certificate system adopted in the Emirate will be followed in issuing No-objection Certificates. The Agency may, for any reason it deems appropriate, grant exemptions from No-objection Certificate issuance procedures in respect of certain works or Restricted Activities, and may decide to prescribe other procedures as it deems appropriate, provided that such exemptions are reasoned.

Validity and Renewal of No-objection Certificates

Article (6)

A No-objection Certificate will be valid for a period of six (6) months, renewable for the same period. When renewing such a certificate, the following must be observed:

1. The renewal application must be submitted fifteen (15) days prior to expiry of the No-objection Certificate.
2. The No-objection Certificate must be renewed subject to the same requirements prescribed for initial issuance.
3. The fee prescribed for issuing the No-objection Certificate must be paid.

Requirements for Issuing Independent Safety Assessor Authorisations

Article (7)

An Independent Safety Assessor will be issued with an authorisation subject to the following requirements:

1. The applicant must have a commercial licence and the activity of Railway Systems and Operations safety assessment must be among his authorised activities.
2. The applicant must have sufficient experience in Railway Systems and Operations safety assessment as prescribed in the Safety Regulatory Entity Manual.
3. The applicant must determine the method of work he will implement as an Independent Safety Assessor and the relevant system he will be adopting.

4. The applicant must submit his résumé and those of the technical staff working with him or he intends to employ.
5. The applicant must meet any other requirements prescribed in the Safety Regulatory Entity Manual.

Insurance Policy Article (8)

An Owner, a Contractor, or an Operator, as the case may be, must, before commencing construction works or Operations, submit a valid insurance policy that meets the requirements and rules prescribed in the Insurance and Settlements Manual.

Procedures for Issuing Independent Safety Assessor Authorisations Article (9)

The following procedures will be followed when issuing an Independent Safety Assessor with an authorisation:

1. An authorisation application will be submitted to the Safety Regulatory Entity on the form prescribed by it for this purpose, supported by the required documents.
2. The Safety Regulatory Entity will register the application, and the applicant will be notified of the receipt of his application.
3. The Safety Regulatory Entity will consider the application from a technical perspective and verify that it meets the conditions and requirements and that it is accompanied by the required documents. For this purpose, the Safety Regulatory Entity may conduct field visits and request any additional documents it deems necessary.
4. The Safety Regulatory Entity will determine the application within thirty (30) days from the date of fulfilling all the requirements of the application. The application will be deemed rejected if no decision is issued by the Safety Regulatory Entity within this period. The Safety Regulatory Entity may grant the applicant a grace period to redress the deficiencies identified by the Safety Regulatory Entity before issuing its decision in this regard.
5. Where the application is rejected, the Safety Regulatory Entity will notify the applicant of the reasons for rejection. An applicant whose application is rejected may reapply to the Safety Regulatory Entity after the lapse of at least thirty (30) days from the date of rejection.

6. Where the application is approved, the applicant will be instructed to pay the prescribed fees, whereupon the Safety Regulatory Entity will issue the authorisation.

Types of Review Completion Letters Article (10)

Types of Review Completion Letters will be as follows:

1. Review Completion Letters for preliminary designs of low-capacity Railway Systems (Guided Buses - Personal Rapid Transit);
2. Review Completion Letters for preliminary designs of medium-capacity Railway Systems (Mass Transit Vehicles - Monorails);
3. Review Completion Letters for preliminary designs of high-capacity Railway Systems (Tramway - Metro);
4. Review Completion Letters for final designs of low-capacity Railway Systems (Guided Buses - Personal Rapid Transit);
5. Review Completion Letters for final designs of medium-capacity Railway Systems (Mass Transit Vehicles - Monorails);
6. Review Completion Letters for final designs of high-capacity Railway Systems (Tramway - Metro);
7. Review Completion Letters for preliminary designs of a connection to Stations or other Railway facilities;
8. Review Completion Letters for final designs of a connection to Stations or other Railway facilities;
9. Review Completion Letters for preliminary designs of an additional Station in a rail system; and
10. Review Completion Letters for final designs of an additional Station in a rail system.

Requirements for Issuing Review Completion Letters Article (11)

- a. A Review Completion Letter will be issued subject to the following:
 1. determining the type of requested review;

2. appointing a prequalified Consultant approved by the RTA in accordance with the standards and rules prescribed in this Resolution;
 3. provision by the Owner or his authorised representative of the plans, designs, and technical documents related to the Private Railway Network to be reviewed by a prequalified Consultant;
 4. submitting a technical report, prepared by an independent review Consultant prequalified by the RTA, which confirms compliance with the General Guidelines Manual; and
 5. meeting any other conditions or requirements stipulated in the General Guidelines Manual.
- b. The Agency may, for any reason it deems appropriate, exempt an entity requesting a Review Completion Letter from compliance with certain of the requirements stipulated in paragraph (a) of this Article, provided that such exemption is reasoned.

Procedures for Issuing Review Completion Letters Article (12)

When issuing a Review Completion Letter, the following procedures will be followed:

1. An application will be submitted to the Agency on the form prescribed by it for this purpose, supported by the required documents.
2. The Agency will register the application, and the applicant will be notified of the receipt of his application.
3. The Agency will consider the application from a technical perspective, and ensure that it meets all relevant conditions and requirements and that it is accompanied by all required documents. For this purpose, the Agency may conduct field visits and request any additional documents it deems necessary.
4. The Agency will determine the application within thirty (30) days from the date of fulfilling all the requirements of the application. The application will be deemed rejected if no decision is issued by the Agency within this period. The Agency may grant the applicant a grace period not exceeding thirty (30) days to redress any deficiencies identified by the Agency before issuing its decision regarding the application.
5. Where the application is rejected, the Agency will notify the applicant of the reasons for rejection. An applicant whose application is rejected may reapply to the Agency after the lapse of at least thirty (30) days from the date of rejection.

6. Where the application is approved, the applicant will be instructed to pay the prescribed fees, whereupon the Agency will issue the Review Completion Letter.

Conditions for Issuing Safety Certificates Article (13)

- a. A Safety Certificate will be issued subject to the following:
 1. determining the Railway Systems, or any part thereof, for which the Safety Certificate is requested, stating their detailed description and components;
 2. submitting Safety Proofs;
 3. submitting a written undertaking by the Owner stating:
 - a. his awareness and understanding of the potential risks to Safety Conditions and the measures to control and mitigate these risks as reasonably practicable; and
 - b. the integrity of his Railway Systems and their suitability for their intended purpose.
 4. submitting a report attested by an Independent Safety Assessor confirming that the Railway Systems or any part thereof for which the certificate is requested are safe;
 5. submitting detailed description of the Railway Systems inspection process undertaken by the Owner and the design and construction Contractor to prove the integrity and functionality of the Railway Systems;
 6. submitting the Contractor's operation and maintenance manuals together with proof of training the Operator based on such manuals for the purpose of ensuring the integrity of the Railway Systems;
 7. submitting a report on Railway Systems risks and the measures that will be taken to mitigate such risks as reasonably practicable. This report must state that liability for risks is transferred to a third party and that this third party has accepted liability for risk mitigation measures;
 8. submitting a letter transferring liability from the Contractor to the Owner as of the date on which the Safety Certificate is issued, including the Contractor's liability for pending works and any remarks related thereto;
 9. submitting proof of forming an Operations safety review committee;

10. submitting proof of cooperation and coordination between the Authorised Person and other applicants for Safety Certificates for the same project where the Safety Regulatory Entity deems such coordination necessary to ensure the safety of the Railway Systems;
 11. obtaining approvals from the concerned Government Entities as required in accordance with the legislation in force in the Emirate; and
 12. meeting any other requirements and conditions, prescribed in the Safety Regulatory Entity Manual, which are required for issuing the Safety Certificate.
- b. The Safety Regulatory Entity may, in certain cases, issue an Owner with a Safety Certificate before meeting certain of the requirements stipulated in paragraph (a) of this Article. In this case, the validity of the Safety Certificate will be conditional upon fulfilling all the remaining requirements within the time frame prescribed by the Safety Regulatory Entity, and the remaining requirements must not affect the efficiency of the safety systems. Where such requirements are not fulfilled within the prescribed time frame, the Safety Certificate will be deemed void.

Procedures for Issuing Safety Certificates

Article (14)

When issuing Safety Certificates, the following procedures will be followed:

1. A Safety Certificate application will be submitted to the Safety Regulatory Entity on the form prescribed by it for this purpose, supported by the required documents.
2. The Safety Regulatory Entity will register the application, and the applicant for Safety Certificate will be notified of the receipt of his application.
3. The Safety Regulatory Entity will consider the application from a technical perspective, and ensure that it meets all relevant conditions and requirements and that it is accompanied by all required documents. For this purpose, the Safety Regulatory Entity may conduct field visits and request any additional documents it deems necessary.
4. The Safety Regulatory Entity will determine the application within thirty (30) days from the date of fulfilling all the requirements of the application. The application will be deemed rejected if no decision is issued by the Safety Regulatory Entity within this period. The Safety Regulatory Entity may grant the applicant a grace period not exceeding thirty (30) days to redress any deficiencies identified by the Safety Regulatory Entity before issuing its decision regarding the application.
5. Where a Safety Certificate application is rejected, the Safety Regulatory Entity will notify the applicant of the reasons for rejection. An applicant whose application is

rejected may reapply to the Safety Regulatory Entity after the lapse of thirty (30) days from the date of rejection.

6. Where the application is approved, the applicant will be instructed to pay the prescribed fees, whereupon the Safety Regulatory Entity will issue the Safety Certificate.

Validity of Safety Certificates Article (15)

A Safety Certificate will remain valid unless a substantial change is made in relation thereto, in which case a new Safety Certificate must be obtained. The Safety Regulatory Entity Manual will determine the cases, standards, and conditions based on which a change is deemed substantial.

Conditions for Issuing Operational Safety Certificates Article (16)

An Operational Safety Certificate will be issued subject to the following:

1. submitting the Safety Certificate;
2. determining the scope and type of Operations;
3. submitting Operations Safety Proofs;
4. submitting a written undertaking by the Operator wherein he confirms his awareness and understanding of risks to Safety Conditions and the measures to control and mitigate them as reasonably practicable;
5. submitting the Risk Register prepared by the Operator which contains all potential risks that may affect the Railway Systems before or after conducting the test run, the ways in which these risks are managed, and any measures that must be taken in this respect;
6. submitting a report on the results of the test run, including Emergency tests approved by the Safety Regulatory Entity;
7. submitting proof of review of Operations by a committee formed for this purpose in coordination between the Owner and the Operator in compliance with the Safety Regulatory Entity Manual;
8. submitting a report attested by an Independent Safety Assessor stating that Operations are safe and that the Operator is qualified to undertake them;

9. submitting proof of cooperation and coordination between the Authorised Person and other applicants for Operational Safety Certificates within the same project where the Safety Regulatory Entity deems such cooperation and coordination necessary to ensure safety of the Operations;
10. obtaining approvals from the concerned Government Entities where such approvals are required in accordance with the legislation in force in the Emirate, and any other approval from any other entity determined by the Safety Regulatory Entity; and
11. meeting any other requirements prescribed in the Safety Regulatory Entity Manual.

Procedures for Issuing Operational Safety Certificates Article (17)

When issuing an Operational Safety Certificate, the following procedures will be followed:

1. An Operational Safety Certificate application will be submitted to the Safety Regulatory Entity on the form prescribed by it for this purpose, supported by the required documents.
2. The Safety Regulatory Entity will register the application, and the applicant will be notified of the receipt of his application.
3. The Safety Regulatory Entity will consider the application from a technical perspective, and ensure that it meets all relevant conditions and requirements and that it is accompanied by all required documents. For this purpose, the Safety Regulatory Entity may conduct field visits and request any additional documents it deems necessary.
4. The Safety Regulatory Entity will determine the application within thirty (30) days from the date of fulfilling all the requirements of the application. The application will be deemed rejected if no decision is issued by the Safety Regulatory Entity within this period. The Safety Regulatory Entity may grant the applicant a grace period not exceeding thirty (30) days to redress the deficiencies identified by the Safety Regulatory Entity before issuing its decision in this regard.
5. Where the application is rejected, the Safety Regulatory Entity will notify the applicant of the reasons of rejection. An applicant whose application is rejected may reapply to the Safety Regulatory Entity after the lapse of at least thirty (30) days from the date of rejection.
6. Where the application is approved, the applicant will be instructed to pay the prescribed fees, whereupon the Agency will issue the Operational Safety Certificate.

Validity of Operational Safety Certificates

Article (18)

- a. An Operational Safety Certificate will be valid for a period of five (5) years. The Safety Regulatory Entity may, as prescribed in the Safety Regulatory Entity Manual, reduce this period to three (3) years in any of the following cases:
 1. where the Railway Systems involve the use of a new technology; or
 2. where the Operator does not have sufficient experience as prescribed by the Safety Regulatory Entity.
- b. The Authorised Person who is issued with an Operational Safety Certificate must submit a new application for an Operational Safety Certificate where he wishes to make substantial changes to the Railway Systems or Operations. The Safety Regulating Entity Manual will determine the cases, standards, and conditions based on which a change is deemed substantial.

Cases Warranting Revocation of Safety Certificates or Operational Safety Certificates

Article (19)

The Safety Regulatory Entity may revoke a Safety Certificate or an Operational Safety Certificate in any of the following cases:

1. a present or potential major direct hazard to the Railway Systems;
2. a breach of Safety Conditions;
3. non-compliance with the terms of the certificate;
4. occurrence of a major Accident within the Protection Zone; or
5. failure by the applicant to meet any of the requirements prescribed for issuing the certificate.

Conditions for Issuing Compliance Certificates

Article (20)

A Compliance Certificate will be issued subject to the following:

1. The Contractors and Consultants working on the project must be prequalified by the RTA to perform construction works related to the Private Railway Network.

2. The Owner or his authorised representative must submit a technical report, as prescribed by the Agency, confirming his compliance with the requirements stated in the General Guidelines Manual.
3. The Owner or his authorised representative must submit the plans, designs, and other technical documents relating to the Private Railway Network.
4. All conditions, requirements, or technical specifications prescribed in the General Guidelines Manual must be satisfied.

Procedures for Issuing Compliance Certificates

Article (21)

When issuing a Compliance Certificate, the following procedures will be followed:

1. A Compliance Certificate application will be submitted to the Agency on the form prescribed by it for this purpose, supported by the required documents.
2. The Agency will register the application and notify the applicant of the receipt of his application.
3. The Agency will consider the application from a technical perspective, and ensure that it meets all relevant conditions and requirements and that it is accompanied by all required documents. For this purpose, the Agency may conduct field visits and request any additional documents it deems necessary.
4. The Agency will determine the application within thirty (30) days from the date of fulfilling all the requirements of the application. The application will be deemed rejected if no decision is issued by the Agency within this period. The Agency may grant the applicant a grace period not exceeding thirty (30) days to redress any deficiencies identified by the Agency before issuing its decision regarding the application.
5. Where the application is rejected, the Agency will notify the applicant of the reasons for rejection. An applicant whose application is rejected may reapply to the Agency after the lapse of at least thirty (30) days from the date of rejection.
6. Where the application is approved, the applicant will be instructed to pay the prescribed fees, whereupon the Agency will issue the Compliance Certificate.

Substantial Changes to Railway Systems Article (22)

Substantial changes that may be made to Railway Systems and which require the Authorised Person to apply for a new certificate will be as follows:

1. change of Owner or Authorised Person;
2. replacement of the Operator engaged by the Owner or Authorised Person;
3. change of route or adding new stations or facilities;
4. change in any of the key safety systems such as brake systems, door systems, or automatic operation systems;
5. change of train headway time or increase in train speed (in excess of allowable speed), or any other change in the relevant train operation methods or systems approved by the RTA;
6. change in the specifications of, or adding new, Rolling Stock;
7. change of the maintenance process adopted by the Authorised Person;
8. modification of the safety management system adopted by the Authorised Person;
9. introducing substantial changes to the Railway Infrastructure, Rolling Stock, or to the Authorised Person's asset management system; and
10. introducing new technology or operations to the Railway Systems.

Replacement of Operators Article (23)

- a. The Owner may submit an application to the Safety Regulatory Entity to replace the Operator. The Safety Regulatory Entity will approve this application, subject to the following requirements:
 1. The Owner must state the reasons for the replacement and the process that will be followed to ensure continuity of the Operations stated in the Operational Safety Certificate.
 2. The outgoing Operator must continue to perform his assigned duties until after his replacement application is approved and for the duration prescribed by the Safety Regulatory Entity in order to ensure continuity of safe Operations.

3. The Operator to be appointed by the Owner must submit an Operational Safety Certificate application within six (6) months from the date of approval of the said replacement application in accordance with conditions and procedures stipulated in the Safety Regulatory Entity Manual.
- b. The Safety Regulatory Entity may, upon approval of the Operator replacement application and during his temporary operation period, prescribe new conditions and restrictions on Operations.

Manuals Article (24)

- a. The manuals referred to in this Resolution and the technical conditions, specifications, and standards contained therein will be as follows:
 1. Safety Regulatory Entity Manual which contains specifically the following:
 - a. the safety regulatory strategy;
 - b. procedures and requirements for the licensing of Railways;
 - c. procedures and requirements for regulating Railways;
 - d. procedures and requirements for reporting and investigating Accidents; and
 - e. inspection rules and reporting of violations.
 2. Code of Practice which contains specifically the following:
 - a. a detailed list of Restricted Activities and the ancillary work related to each activity;
 - b. the area of Right of Way of the Private Railway Network and the Public Railway Network and of the surrounding zones, including the Protection Zone and its sub-zones;
 - c. planning requirements for management of the risks associated with Restricted Activities in the Protection Zone and surrounding areas;
 - d. safety requirements;
 - e. the procedures and measures that the RTA deems appropriate for the protection of the Railway Systems;
 - f. the safety requirements, standards, and specifications required for the protection of the Infrastructure;

- g. dimensions of the Railway Protection Zone;
 - h. details of the Restricted Activities;
 - i. the technical requirements that must be met by the Authorised Person when implementing the works specified in the No-objection Certificate depending on the type of work stated in the certificate; and
 - j. the procedures prescribed by the Agency for obtaining the relevant No-objection Certificate in respect of certain activities and works.
3. General Guidelines Manual which contains specifically the following:
- a. the requirements for issuing approvals and certificates;
 - b. the principles and technical requirements for designing private Railways;
 - c. the risk assessment method;
 - d. processes for planning and designing private Railway projects; and
 - e. processes for reviewing submitted designs.
4. Planning and Design Standards Manual which contains specifically the following:
- a. the principles and technical requirements for designing public Railways;
 - b. the technical requirements that must apply to all components of the project;
 - c. the technical requirements for architectural works;
 - d. the technical requirements for civil engineering works;
 - e. the technical requirements for Railway Systems works;
 - f. the technical requirements for electrical and mechanical works; and
 - g. the federal, local, and international legislation, manuals, and specifications that must be observed in designing public Railways projects.
5. Insurance Manual which contains specifically the following:
- a. the general insurance strategy adopted by the RTA and the rules for its implementation and review;
 - b. risk matrix and risk controls;

- c. types of insurance required by the RTA and the coverage prescribed for each type;
 - d. the procedures of the contracts and purchasing department related to following up insurance matters at the RTA;
 - e. procedures for following up insurance matters at the organisational units of the RTA;
 - f. settlements related to insurance contracts;
 - g. standards for the assessment of insurance offers;
 - h. performance evaluation process of insurance companies; and
 - i. the insurance-related forms adopted by the RTA.
6. Supplier Prequalification and Performance Evaluation Manual which contains specifically the following:
- a. general rules for the management of the suppliers' prequalification and performance evaluation processes;
 - b. prequalification categories;
 - c. supplier prequalification standards;
 - d. effects of the prequalification process;
 - e. supplier performance evaluation standards and performance rating scale;
 - f. penalties prescribed for violating suppliers;
 - g. indicators for measuring the impact of implementation of the manual on supplier performance; and
 - h. duties of the online prequalification panel members.
- b. Except for the Planning and Design Standards Manual, the RTA will publish the manuals stated in paragraph (a) of this Article on its official website and on any other media it deems appropriate in order to enable all concerned parties to access and comply with them.

Safety Management System Article (25)

An Operator must prepare a Safety Management System that must meet the following requirements:

1. It must be consistent with the risk management rules stipulated in the Safety Regulatory Entity Manual.
2. It must identify and assess any Safety Conditions risks and Operator-related organisational risks that may result from Operations.
3. It must state the controls implemented by the Operator for managing risks, monitoring the safety and security of Operations in regular or special circumstances including Emergencies.
4. It must determine the procedures required for monitoring and reviewing the safety performance indicators.
5. It must contain a contingency plan for the Railway Systems and for Operations in case of Accident.
6. It must include an occupational safety and health management programme.

Obligations of Operators Article (26)

An Operator must:

1. review the approved safety management system at least once a year;
2. provide the Safety Regulatory Entity with an annual report on the form it prescribes for this purpose. This report must include the following:
 - a. a description and an assessment of the Operations Safety Management System;
 - b. any deficiencies or violations related to the safety of Operations of the Railway Systems; and
 - c. proposals for the improvement of Operations.
3. coordinate with other Operators and with the Safety Regulatory Entity for the development of an Operations coordination plan to be implemented where required to mitigate risks of overlapping Operations, where his Operations overlap with those of other Operators;

4. review the Operations coordination plan on an annual basis, where his Operations overlap with those of other Operators;
5. provide an identification card to any person who works or is involved in the Operations or maintenance of any of his Railway Systems; and
6. develop safety rules for his employees, and have these rules approved by the Safety Regulatory Entity.

Prequalification Article (27)

- a. An Operator, a Contractor, or a Consultant must submit to the RTA a prequalification application before conducting any of the following works in respect of Railway Systems:
 1. design and project management works for Railway Systems or for any part thereof;
 2. implementation works for the Railway Systems or for any part thereof;
 3. Operations;
 4. demolition works related to the Railway Systems or their facilities; or
 5. manufacturing or assembly works or any other activity related to Railway Systems, Infrastructure, Rolling Stock, or Operations.
- b. Operators, Contractors, and Consultants will be prequalified for performing any of the works set out in paragraph (a) of this Article in accordance with the criteria and rules adopted by the RTA under the Supplier Prequalification and Performance Evaluation Manual.

Railway Accidents Article (28)

Where an Accident occurs, an Authorised Person or his authorised representative must:

1. immediately notify the Safety Regulatory Entity of the Accident in the manner it determines in this respect;
2. appoint a qualified natural person to be in charge of the Accident scene and to undertake the following:

- a. taking the necessary action to implement the Accident response plan prepared by the Owner, the Operator, and the Contractor;
 - b. ensuring the integrity of the Accident scene; and
 - c. protecting the evidence at the Accident scene until the Inspector takes over the Investigation or the Inspector authorises him to leave the scene.
3. present to the Safety Regulatory Entity an initial report on the Accident within twenty-four (24) hours from the occurrence of the Accident; and
4. present to the Safety Regulatory Entity a detailed final report on the Accident within the time frame agreed with the Safety Regulatory Entity.

Investigation Article (29)

- a. The Safety Regulatory Entity will appoint one of its Inspectors to conduct the Investigation. The Safety Regulatory Entity may, as it deems appropriate, seek the assistance of any Person, including the Operator, to undertake such Investigation, in accordance with the rules it prescribes in this respect.
- b. The Inspector or any other Person who is assigned the Investigation must deliver to the Safety Regulatory Entity a final report containing the reasons and factors that led to occurrence of the Accident, his recommendations, and the procedures and measures he deems appropriate to prevent recurrence of such an Accident in the future, to mitigate risks, and to improve safety performance.
- c. The Safety Regulatory Entity will review the Accident report and take the necessary action in this respect, including imposing penalties and taking appropriate measures.

Emergencies Article (30)

For purposes of conducting work in Emergencies without obtaining a No-objection Certificate, the competent Government Entity or any other entity it assigns to provide any of its vital services must comply with the following:

1. It must immediately notify the Agency, through the means of communication approved by the Agency, of any Emergency and of the works it will perform.
2. It must have an emergency plan prepared in advance. A copy of this emergency plan must be available at the work site and accessible to the Agency's Inspectors.

3. It must, where required, coordinate with the Operator or service provider before commencing any works.
4. The works must be under the supervision of a Person prequalified by the RTA.
5. The quality of the redress works must meet the specifications approved by the RTA.
6. Works conducted in Emergencies must not last longer than twenty-four (24) hours, unless the RTA approves an application for extension of such duration.

Access to Prohibited Zones Article (31)

The Agency may take any measure it deems appropriate to prevent unauthorised access by persons, machinery, and vehicles to the Prohibited Zone. It may, whether by itself or through a third party, also remove such machinery or vehicles and charge the violator the cost of such removal, in addition to twenty-five percent (25%) of these costs as administrative fees.

Additional Obligations Article (32)

In addition to the obligations stipulated in the Resolution, an Authorised Person must facilitate the work of the RTA Inspectors and assist them to perform the following:

1. searching and inspecting any part of the Railways, Infrastructure, and Rolling Stock;
2. seeking assistance from any person to assist them in the exercise of their duties and powers, including meeting with and interrogating any person the RTA Inspectors deem capable of assisting them in the performance of their duties;
3. implementing the orders of the RTA Inspectors in respect of suspending any works, moving Rolling Stock, or prohibiting the use of any material or equipment;
4. receiving the Improvement Notices, Prohibition Notices, and written warnings issued by the RTA Inspectors;
5. protecting the evidence at the Accident scene throughout the Investigation process;
6. providing access to any Person authorised by the RTA Inspectors to enter the Accident scene;

7. conducting any tests or analyses, or measurements, or compiling any statistics in respect of any part of the Railways, Infrastructure, or Rolling Stock the RTA Inspectors deem necessary and with any tools or equipment they deem appropriate;
8. making copies of any audio or video recordings or taking photographs of any part of the Railways, Infrastructure, or Rolling Stock;
9. providing any paper or electronic documents that the RTA Inspectors deem necessary for performing their duties, or having them translated into Arabic or English;
10. maintaining a copy of any document submitted to them as part of the Investigation process;
11. facilitating collecting and accessing data by all available means including electronic means;
12. facilitating access to the buildings and facilities of the Railways, and access to prohibited areas within the Protection Zone to investigate any incident that is reported at any time in relation to the Railways; and
13. seizing any materials, samples, or evidence that may constitute a hazard to the Railways, Infrastructure, or Rolling Stock, in accordance with the requirements of the Safety Regulatory Entity.

Issuing Implementing Instructions Article (33)

The chief executive officer of the Agency and the official in charge of the Safety Regulatory Entity will, each within his own powers, issue the instructions required for the implementation of the provisions of this Resolution. These instructions must be published on the RTA official website.

Commencement and Publication Article (34)

This Resolution comes into force on the day on which it is issued, and will be published in the Official Gazette.

Mattar Al Tayer

**Director General
Chairman of the Board of Executive Directors**

Issued in Dubai on 25 December 2018
Corresponding to 18 Rabi al-Thani 1440 A.H.