

Administrative Resolution No. (4) of 2021
Regulating the
Activity of Chartering Vessels in the Emirate of Dubai¹

The Executive Director of the Dubai Maritime City Authority,

After perusal of:

Law No. (11) of 2007 Establishing the Dubai Maritime City;

Law No. (11) of 2010 Concerning the Licensing of Vessels in the Emirate of Dubai;

Executive Council Resolution No. (11) of 2013 Issuing the Implementing Bylaw of Law No. (11) of 2010 Concerning the Licensing of Vessels in the Emirate of Dubai and its amendments;

Administrative Resolution No. (8) of 2013 Regulating the Business of Tourist Vessel Chartering and Operating Establishments in the Emirate of Dubai; and

Administrative Resolution No. (35) of 2013 Regulating the Business of Personal Watercraft and Water Sports Vessel Rental Establishments in the Emirate of Dubai,

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:

UAE: The United Arab Emirates.

Emirate: The Emirate of Dubai.

DMCA: The Dubai Maritime City Authority.

Executive Director: The executive director of the DMCA.

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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.

Vessel:	Any vessel of any type or structure whatsoever operated on the Waters of the Emirate to transport Passengers or Goods for personal, commercial, sports, or tourism purposes.
Activity:	Chartering and renting Tourist Vessels and Sports Vessels.
Establishment:	A company or sole proprietorship authorised to conduct the Activity in the Emirate.
Permit:	A document issued by the DMCA authorising an Establishment to conduct the Activity in the Waters of the Emirate.
Trainer:	A natural person who is licensed by the DMCA to train individuals on practising water sports in accordance with the provisions of the above-mentioned Resolution No. (11) of 2013 and this Resolution.
Licence:	A document issued by the DMCA authorising a Trainer to train individuals on practising water sports.
Waters of the Emirate:	The waters of the Emirate lying between the Dubai-Sharjah border and the Dubai-Abu Dhabi border and extending to the exclusive economic zone, including the internal waters of the Emirate and all ports, marinas, canals, and waterways.
Prohibited Areas:	Areas demarcated by the DMCA and concerned entities in the Emirate where the use of Vessels is prohibited.
Berths:	Vessel anchorage and berthing facilities, including marinas, water sport clubs, fishing harbours, private harbours, marine stations, and other permanent or temporary berths within the Waters of the Emirate.

Conducting the Activity

Article (2)

- a. No natural or legal person may conduct the Activity in the Emirate unless that person is authorised to do so by the DMCA.
- b. No natural person may conduct the activity of water sports training in the Emirate unless he is so licensed by the DMCA.

Requirements for Issuing Permits

Article (3)

The issuance of a Permit will be subject to the following requirements:

1. holding a valid commercial licence issued by the competent licensing authority in the Emirate;
2. obtaining the approval of the DMCA for the plan of the area where the Activity will be conducted, which includes an area for the operation and berthing of Vessels. The approval of this plan will be subject to the relevant requirements prescribed by the DMCA;
3. submitting a copy of valid supporting official documents issued by the competent entities in the UAE which are related to the owners or partners of the Establishment wishing to obtain the Permit; and
4. submitting a copy of a Berth ownership certificate or lease agreement concluded with one of the hotels, clubs, or Berth owners in the Emirate.

Procedures for Issuing Permits

Article (4)

- a. The following procedures will be followed when issuing a Permit:
 1. The applicant for the Permit must submit his application, accompanied by the required supporting documents, on the form prescribed by the DMCA for this purpose and using the methods it adopts in this respect.
 2. The DMCA will consider the application from a technical perspective to verify that it meets all relevant conditions and requirements.
 3. The DMCA will issue its initial approval of the Permit application within two (2) working days. The applicant must, within a period not exceeding six (6) months from the date of the initial approval, meet the following requirements:
 - A. obtaining Licences from the DMCA for the Vessels that will be used in conducting the Activity. The applicant must have at least one (1) Vessel at the time of submitting his Permit application;
 - B. obtaining permits from the DMCA for the Vessel crews. The applicant must have at least one (1) Vessel crew at the time of submitting his Permit application;

- C. obtaining at least one (1) Trainer Licence for every five (5) Vessels used in water sports;
 - D. providing a complaint and suggestion system available in Arabic and English;
 - E. providing information signs demonstrating the safe use of the Vessels used in conducting the Activity and displaying service timings and tariffs in Arabic and English; and
 - F. providing navigation guide maps and protection, safety, rescue, and first-aid equipment in the areas where the Activity is conducted.
- 4. The DMCA will issue the Permit within ten (10) working days from the date of submission of the application and meeting all the requirements, after conducting a field inspection of the Establishment and its facilities to verify that it meets all prescribed requirements and technical standards for conducting the Activity. The DMCA will then instruct the applicant to pay the prescribed fees.
 - 5. Where the application is rejected, the DMCA will notify the applicant of the reasons for rejection. An applicant whose application is rejected may submit to the DMCA another Permit application.
- b. A Permit will be valid for a period of one (1) year, renewable for the same period. A renewal application must be submitted within thirty (30) days from the date of expiry of the Permit validity.

Safe Operation Requirements

Article (5)

An Establishment which is authorised by the DMCA to conduct the Activity must ensure the safety of lives and property, and the security and safety of maritime navigation in the Waters of the Emirate; conserve the environment; and meet all the requirements of safe operation specified in the reference technical check-lists adopted by the DMCA. These requirements include, without limitation, the following:

- 1. the reference check-list of requirements for chartering and operating Tourist Vessels; and
- 2. the reference check-list of requirements for renting Personal Watercraft and water sports craft.

Conditions and Procedures for Issuing Trainer's Licence
Article (6)

- a. A Trainer's Licence will be issued subject to the following requirements.
 - 1. The Trainer must be at least twenty (20) years of age.
 - 2. The Trainer must produce a certificate confirming that he has assistance, rescue, and first aid skills.
 - 3. The Trainer must have obtained a training certificate for the use of Vessels designated for water sports, issued by a training centre recognised by the DMCA, and must have at least one (1) year experience in training.
 - 4. The Trainer must be acquainted with local maritime navigation rules, speed limits, and Prohibited Areas.
 - 5. The Trainer must pass the medical tests prescribed by the DMCA for this purpose.
- b. The Trainer must submit his Licence application on the form prescribed by the DMCA for this purpose and using the methods it adopts in this respect. The application must be accompanied by the following supporting documents:
 - 1. a copy of valid official supporting documents issued by the competent entities in the Emirate;
 - 2. a recent passport-size photograph with a white background;
 - 3. a certificate confirming that an Establishment wishes to appoint the applicant as a Trainer;
 - 4. a copy of any documents or certificates required by the DMCA;
 - 5. a medical fitness certificate, as per the standards specified in the MED2 form adopted by the DMCA in this respect; and
 - 6. a certificate of good conduct issued by the competent entities in the Emirate.
- c. A Licence will be valid for a period of five (5) years, renewable for the same period. A renewal application must be submitted within thirty (30) days prior to the date of expiry of the Licence validity.

Exemption from Certain Requirements
Article (7)

The DMCA may, in special and justifiable cases as dictated by the public interest and pursuant to a resolution of the Executive Director, exempt an Establishment from any requirements stipulated in this Resolution for obtaining the Permit. This exemption must not compromise the security and safety of maritime navigation, the environment, or public safety in the Emirate.

Compliance
Article (8)

All Establishments must comply with the provisions of this Resolution within one (1) year from its effective date. Where necessary, the Executive Director may extend this grace period once for the same period.

Penalties
Article (9)

Any person who violates the provisions of this Resolution will be punished by the penalties and fines stipulated in the above-mentioned Executive Council Resolution No. (11) of 2013.

Repeals
Article (10)

The above-mentioned Administrative Resolution No. (8) of 2013 and Administrative Resolution No. (35) of 2013 are hereby repealed. Any provision in any other administrative resolution will also be repealed to the extent that it contradicts the provisions of this Resolution.

Publication and Commencement
Article (11)

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

Saeed bin Ahmed bin Khalifa Al Maktoum
Executive Director

Dubai Maritime City Authority

Issued in Dubai on 4 March 2021

Corresponding to 20 Rajab 1442 A.H.