

Executive Council Resolution No. (53) of 2023
Amending Executive Council Resolution No. (1) of 2017
Regulating Railways in the Emirate of Dubai¹

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

After perusal of:

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

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

Do hereby issue this Resolution.

Superseded Articles
Article (1)

Articles (1), (4), (6), (7), (10), (15), (17) and (18) of the Original Resolution are hereby superseded by the following:

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.

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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.

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| Agency: | The Rail Agency of the RTA. |
| 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 and corporations; Government councils; public authorities, including the authorities supervising special development zones and free zones; or other public entities affiliated to the Government of Dubai. |
| 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: | The 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. |
| Public Railway Network: | The Railway Systems of the RTA. |
| Private Railway Network: | Railway Systems that are not owned by the RTA. |
| Railway Systems: | The Railways, Infrastructure, and Rolling Stock. |
| Vehicle: | Any motorised machine, Pedal Cycle, Motorcycle, Carriage, or other machine designed to run on Roads, whether mechanically propelled or otherwise. This includes tractors. |
| Operations: | The development and maintenance of Railway Systems, and the operation and movement of Rolling Stock or participation in their operation or movement. |
| Person: | A natural or legal person. |
| Owner: | A Person who owns Railway Systems in whole or in part. |

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| Operator: | A Person authorised by the RTA to perform Operations pursuant to this Resolution. |
| Contractor: | A Person who is 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 work related to Railway Systems. |
| Consultant: | A Person who is 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. |
| Permit Holder: | A Person to whom a Compliance Certificate, a Safety Certificate, an Operational Safety Certificate, or a No-objection Certificate is issued pursuant to this Resolution. |
| 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 Vehicles or Persons is prohibited. |
| Critical Zone: | The Railway Right of Way and its surrounding area, as demarcated by the RTA. |
| Protection Zone: | 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 Agency. |
| 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 any construction works or activities within the Protection Zone. |
| Review Completion Certificate: | A document, issued by the Agency to an Owner or his authorised representative, which certifies that the design and construction plans for a Private Railway Network or for any of its components have been reviewed by the Agency, and that they meet the conditions and |

requirements prescribed by this Resolution and the General Guidelines Manual.

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 eliminate the 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 hereto.

Safety Proofs: A set of documents submitted by an Owner, Operator, or Contractor proving that the Railway Systems and adopted 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, or 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: Any physical harm sustained by a natural person and resulting from a fault or negligence related to Railway Systems.

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| Inspector: | Any person who is granted law enforcement capacity pursuant to this Resolution, and who is working 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 requiring that Person to cease performing any work or to take any measure required to avert endangering Railway Systems. |
| Notice of Remedy: | A written notice served by an Inspector on a Permit Holder who violates the provisions of this Resolution, the resolutions issued in pursuance hereof, Safety Proofs, or Safety Conditions, requiring him to take any actions or measures required to manage 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. |
| Railway Protection Rules Guide: | A document that contains the standards, requirements, and procedures required for issuing No-objection Certificates. |
| Noise: | The sounds or other audible oscillations that cause nuisance or harm to public health. |
| Vibrations: | The oscillating movement of particles around a certain point causing harm or damage to public health and Infrastructure. |

Functions of the RTA

Article (4)

For the purpose of achieving the objectives of this Resolution, the RTA will have the duties and powers to:

1. plan, design, and develop the Public Railway Network in the Emirate;
2. regulate the construction, operation, and maintenance of Private Railway Networks in the Emirate;
3. approve the conditions, procedures, rules, standards, and specifications adopted by the Agency and the Safety Regulatory Entity;
4. approve the conditions, rules, and procedures based on which the Agency and the Safety Regulatory Entity issue the certificates set out in this Resolution;

5. ensure that the certificates issued by the Agency and the Safety Regulatory Entity, and that the Investigations conducted by Inspectors, are free from any conflict of interests and that they are issued or conducted independently from the Owners, Operators, Contractors, and other Persons to whom this Resolution applies;
6. cooperate and coordinate with the concerned entities in the Emirate and in neighbouring emirates to achieve the objectives of this Resolution, including to achieve integration between Railway Systems and other transport systems;
7. conclude contracts and agreements related to Railway Systems;
8. take the necessary measures to protect Railway Systems;
9. approve the policies, plans, and programmes submitted to it by the Agency and the Safety Regulatory Entity in relation to this Resolution and the resolutions issued in pursuance hereof; and
10. exercise any other duties or powers required for the achievement of the objectives of this Resolution.

Functions of the Agency

Article (6)

For the purpose of achieving the objectives of this Resolution, the Agency will have the duties and powers to:

1. propose the policies, plans, and programmes required for planning and designing the Public Railway Network, including those related to Operations; submit the same to the Director General for approval; and supervise implementation of the same upon their approval;
2. approve the Railway Protection Rules Guide, the General Guidelines Manual, and the Planning and Design Guidelines. This includes determining the Noise and Vibration levels permitted during the design of Railway Systems and performance of construction works and Operations;
3. prescribe the standards and criteria for the pre-qualification and accreditation of Contractors, Consultants, and Operators;
4. issue No-objection Certificates and Compliance Certificates, and verify compliance with their terms;
5. determine, in coordination with the concerned Government Entities, the areas of Railway Right of Way of the Public Railway Network and the surrounding areas, in accordance with the provisions of this Resolution; and submit the area details to the Director General for approval;

6. coordinate with the developers and concerned entities to determine the areas of Railway Right of Way of Private Railway Networks and the surrounding areas, and submit the area details to the Director General for approval;
7. approve the Restricted Activities in coordination with the concerned Government Entities; and
8. exercise any other duties or powers falling within its functions and assigned to it by the Director General, as required for the implementation of this Resolution and the resolutions issued in pursuance hereof.

Construction and Operation of Railway Systems

Article (7)

- a. No Person may perform the construction work or Operations of Railway Systems in the Emirate, or conduct any activities or work related to the same, without first obtaining any of the following certificates, as the case may be:
 1. Safety Certificate;
 2. Operational Safety Certificate;
 3. Review Completion Certificate; or
 4. Compliance Certificate.
- b. An Owner, Contractor, or Operator must submit a comprehensive insurance policy issued by an insurance company licensed to operate in the Emirate prior to commencing construction works or Operations. The Director General will, pursuant to a resolution he issues in this respect, prescribe the rules and requirements related to the insurance policy.

No-objection Certificate

Article (10)

- a. No Person may conduct any work or activities, including the Restricted Activities, within the Protection Zone without first obtaining a No-objection Certificate. This certificate will be issued in accordance with the relevant conditions and procedures adopted by the RTA.
- b. Notwithstanding the provisions of paragraph (a) of this Article, the following will apply:
 1. A competent Government Entity may, in emergencies, perform any works, including those classified as Restricted Activities, before obtaining a No-objection Certificate, provided that the Agency is notified prior to the commencement of such works.
 2. The Agency may waive the requirement to obtain a No-objection Certificate for performing works or conducting activities in the Protection Zone if they do not compromise the safety

of the Railway Systems. This waiver will be granted in accordance with the relevant procedures prescribed by the Agency.

Penalties and Administrative Measures

Article (15)

- a. Without prejudice to any stricter penalty stipulated in any other resolution, a Person who commits any of the violations mentioned in Schedule (5) and Schedule (6) attached to this Resolution will be punished by the fine indicated opposite that violation.
- b. Notwithstanding the provisions of paragraph (a) of this Article, imposing a fine on a Person who commits any of the violations prescribed by a resolution of the Director General must be preceded by serving a written warning on that Person requiring him to redress and remedy the violation within a time frame determined by the Agency or the Safety Regulatory Entity. Where the violator fails to do so, the fine will be imposed on him.
- c. Upon repetition of the same violation in the same location or project within one (1) year from the date of the previous violation, the amount of the relevant fine set forth in either of the two schedules referred to in paragraph (a) of this Article will be doubled. A doubled fine must not exceed five hundred thousand dirhams (AED 500,000.00).
- d. In addition to the penalty of a fine prescribed in paragraph (a) of this Article, the Director General or his authorised representative may take one or more of the following measures against a violator:
 1. suspension of works until the violation is remedied;
 2. revocation of the certificate issued to the violator; and/ or
 3. ordering the violator to remedy the violation he has committed within a time frame prescribed by the Director General, failing which the RTA may remedy the violation using its own resources or through engaging any other entity, and hold the violator liable for all costs incurred, in addition to administrative charges of twenty-five percent (25%) of these costs. The RTA's estimate of these costs will be final.

Law Enforcement

Article (17)

The RTA employees and the personnel of the corporations and companies contracted by the RTA, who are nominated pursuant to a resolution of the Director General, will have the capacity of law enforcement officers to record the acts committed in breach of the provisions of this Resolution and the resolutions issued in pursuance hereof. For this purpose, they may issue the necessary violation reports; and, where necessary, seek the assistance of police personnel.

Grievances
Article (18)

Any affected party may submit a written grievance to the Director General against the decisions, procedures, and measures taken against him under this Resolution within thirty (30) days of being notified of the contested decision, procedure, or measure. The grievance will be determined, within thirty (30) days from the date of its submission, by a committee formed by the Director General for this purpose; and the decision on the grievance will be final.

Superseded Schedules
Article (2)

Schedules (4) and (6) attached to the Original Resolution are hereby superseded by the Schedules attached hereto.

Publication and Commencement
Article (3)

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

Hamdan bin Mohammed bin Rashid Al Maktoum
Crown Prince of Dubai
Chairman of the Executive Council

Issued in Dubai on 19 June 2023
Corresponding to 1 Thu al-Hijjah 1444 A.H.

Schedule (4)
Certificate Issuance and Service Fees

| SN | Description | Fee (in dirhams) |
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| 1 | Issuing a Safety Certificate | 2,000,000.00 |
| 2 | Issuing a Safety Certificate for Rolling Stock | 2,000,000.00 per type of Rolling Stock |
| 3 | Issuing a Safety Certificate for a warehouse | 200,000.00 |
| 4 | Issuing a Safety Certificate for a Station | 75,000.00 |
| 5 | Issuing a Safety Certificate for an operation control centre | 40,000.00 |
| 6 | Issuing a Safety Certificate for a railway track | 20,000.00 per kilometre |
| 7 | Issuing an Operational Safety Certificate | 2,000,000.00 |
| 8 | Issuing an Operational Safety Certificate for Rolling Stock | 40,000.00 (plus twenty-five percent (25%) of the fee, to be paid annually) for each Rolling Stock |
| 9 | Issuing an Operational Safety Certificate for a warehouse | 400,000.00 (plus twenty-five percent (25%) of the fee, to be paid annually) |
| 10 | Issuing an Operational Safety Certificate for a Station | 2,000.00 (plus twenty-five percent (25%) of the fee, to be paid annually) |
| 11 | Issuing an Operational Safety Certificate for an operation control centre | 200,000.00 (plus twenty-five percent (25%) of the fee, to be paid annually) |
| 12 | Issuing an Operational Safety Certificate for a track | 2,000.00 per kilometre (plus twenty-five percent (25%) of the fee, to be paid annually) |

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| 13 | Issuing a No-objection Certificate | 2,000.00 |
| 14 | Renewal of a No-objection Certificate | 1,000.00 |
| 15 | Issuing an authorisation for an Independent Safety Assessor | 50,000.00 |
| 16 | Reviewing preliminary designs of a Station | 24,000.00 per Station |
| 17 | Reviewing final designs of a Station | 98,000.00 per Station |
| 18 | Issuing a Compliance Certificate for a Station | 98,000.00 per Station |
| 19 | Reviewing preliminary designs of a Depot | 24,000.00 per Depot |
| 20 | Reviewing final designs of a Depot | 108,000.00 per Depot |
| 21 | Issuing a Compliance Certificate for a Depot | 108,000.00 per Depot |
| 22 | Reviewing preliminary designs of an operation control centre | 21,000.00 per operation control centre |
| 23 | Reviewing final designs of an operation control centre | 85,000.00 per operation control centre |
| 24 | Issuing a Compliance Certificate for an operation control centre | 85,000.00 per operation control centre |
| 25 | Reviewing preliminary designs of a track | 8,000.00 per kilometre |
| 26 | Reviewing final designs of a track | 40,000.00 per kilometre |
| 27 | Issuing a Compliance Certificate for a track | 40,000.00 per kilometre |
| 28 | Issuing a Compliance Certificate for a Railway System of operational capacity not exceeding nine thousand (9,000) Passengers in one direction during Peak Hours | 1,063,000.00 |
| 29 | Issuing a Compliance Certificate for a Railway System of operational capacity exceeding nine thousand (9,000) | 1,304,000.00 |

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| | passengers in one direction during Peak Hours | |
| 30 | Reviewing preliminary designs for the construction of a connection to Stations or other Railway facilities | 30,000.00 Per connection |
| 31 | Reviewing final designs for the construction of a connection to Stations or other Railway facilities | 40,000.00 Per connection |
| 32 | Reviewing preliminary designs for the construction of an additional Station in a Railway System | 50,000.00 Per Station |
| 33 | Reviewing final designs for the construction of an additional Station in a Railway System | 128,000.00 Per Station |
| 34 | Issuing a Compliance Certificate for a connection to Stations or to other Railway facilities | 430,000.00 Per connection |
| 35 | Issuing a Compliance Certificate for an additional Station in a Railway System | 1,130,000.00 Per Station |
| 36 | Using the right of way on which a connection to Stations or to other Railway facilities is constructed | A variable annual fee ranging between five percent (5%) to twelve percent (12%) of the value of the land on which the connection is constructed |
| 37 | Issuing the Railways Planning and Design Guidelines | 5,000.00 Per each volume of the guidelines |

Schedule (6)
Violations and Fines Imposed by the Agency

| SN | Violation | Fine (in dirhams) | |
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| 1 | Conducting or attempting to conduct activities, by any Person, within the Critical Zone without first obtaining a No-objection Certificate | 50,000.00 | |
| 2 | Conducting or attempting to conduct activities, by any Person, outside of the Critical Zone, but within the Protection Zone, without first obtaining a No-objection Certificate | 10,000.00 | |
| 3 | Failure to comply with the terms of a No-objection Certificate | 20,000.00 | |
| 4 | Causing an Accident that results in damage to Infrastructure | 50,000.00 | |
| 5 | Committing or allowing others to commit any act that may cause damage to, or compromise the safety of, Infrastructure | 10,000.00 | |
| 6 | Failure by a Permit Holder to report an Accident to the Agency | 20,000.00 | |
| 7 | Preventing or obstructing an Inspector, or any other Person authorised by the RTA, from performing his duties in any way whatsoever | 50,000.00 | |
| 8 | Failure to comply with any legal notice issued by the Agency within the prescribed time frame | Notice of Prohibition | 100,000.00 |
| | | Notice of Remedy | 20,000.00 |
| 9 | Constructing or operating Infrastructure or performing any work related to Railway Systems without obtaining a Compliance Certificate from the Agency | 500,000.00 | |
| 10 | Conducting or attempting to conduct any activity in violation of the Compliance Certificate | 300,000.00 | |

| SN | Violation | Fine (in dirhams) |
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| 11 | Suspending Infrastructure construction works or any other works related to Railway Systems without obtaining a No-objection Certificate | 300,000.00 |
| 12 | Exceeding the maximum permitted limits of Noise or Vibrations | 20,000.00 |
| 13 | Parking a Vehicle in a Prohibited Zone | 200.00 |