

**Decree No. (1) of 1992**  
**Establishing the**  
**Dubai Electricity and Water Authority<sup>1</sup>**

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**We, Maktoum bin Rashid Al Maktoum, Ruler of Dubai,**

After perusal of:

Decree No. (6) of 1990 Forming a Board to Manage the Affairs of the Dubai Electricity Company and the Dubai Water Department,

**Do hereby issue this Decree.**

**Article (1)**

The following words will have the meaning indicated opposite each of them unless the context implies otherwise:

Ruler:	His Highness the Ruler of the Emirate of Dubai.
Government:	The Government of the Emirate of Dubai.
DWD:	The Dubai Water Department.
DEC:	The Dubai Electricity Company.
DEWA :	The Dubai Electricity and Water Authority.
Board of Directors:	The board of directors of DEWA.

**Article (2)**

1. Pursuant to this Decree, an independent public authority named the “Dubai Electricity and Water Authority” is established. DEWA will be owned by the Government.

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*<sup>1</sup>Every 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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2. DEWA will have legal personality, and financial and administrative autonomy. It may sue and be sued in its own name and appoint any person to represent it in the judicial proceedings in which it is involved.

### **Article (3)**

The objectives of DEWA will be as follows:

1. to own, manage, operate, and maintain power stations, desalination plants, water reservoirs, power transmission lines, water distribution networks, and any other property and assets of the DEC and the DWD;
2. to develop water resources. This includes extraction of groundwater, treatment of water to make it potable, and adoption of appropriate methods for the storage, transportation, and distribution of water to consumers in the Emirate;
3. to undertake projects related to electricity generation and supply of water to meet the needs of the public and the requirements of economic development;
4. to acquire, lease, and manage the premises required for the achievement of the objectives of DEWA;
5. to invest the funds of DEWA as it deems appropriate, and to borrow money with or without security; and
6. in general, to undertake or perform any act which is directly or indirectly related to the achievement of its objectives.

### **Article (4)**

As of the date on which this Decree is issued, all rights, property, and assets of the DEC and the DWD which belong to the Government will be transferred to DEWA. DEWA will be responsible for all liabilities and debts of the DEC and the DWD.

### **Article (5)**

DEWA will be managed by the Board of Directors which will be formed pursuant to a decree of the Ruler.

As of the date on which this Decree is issued, the board of directors formed pursuant to Decree No. (6) of 1991 dated 05 December 1990 and the Order issued on 2 March 1990 to manage the DEC and the DWD, will be deemed the Board of Directors formed to manage DEWA.

## **Article (6)**

The Board of Directors will manage the affairs of DEWA, and will in particular have the powers and functions to:

- a. approve the draft estimated annual budgets;
- b. approve electricity and water service plans and programmes, approve contracts and agreements made to enable the provision of these services, and supervise the implementation of the same;
- c. upon approval of the Ruler, specify electricity and water consumption rates and the conditions for supplying water and electricity to the public;
- d. issue the bylaws regulating the administrative, financial, and technical work, and to supervise the implementation of these bylaws;
- e. approve the organisational structures of DEWA;
- f. issue the employment regulations of DEWA and prescribe the employment terms, rights, and obligations of employees;
- g. borrow funds from any entity and provide all kinds of securities for this purpose, provided that the Ruler's prior approval is obtained;
- h. appoint auditors and determine their remuneration; and
- i. approve financial statements within no later than four (4) months from the end of the financial year.

## **Article (7)**

The Board of Directors will convene at least once every three (3) months at the invitation of the chairman, or the vice chairman if the chairman is absent. Meetings will be valid if attended by a quorum consisting of absolute majority of members.

## **Article (8)**

The Board of Directors will pass its resolutions by absolute majority of votes of its attending members. In the event of a tie, the chairman, or the vice chairman in his absence, will have a casting vote.

## **Article (9)**

The Board of Directors may form permanent or temporary sub-committees to assist it in performing its duties. The Board of Directors will determine the functions and powers of such sub-committees, and may delegate some of its powers to them.

### **Article (10)**

Neither the Board of Directors, nor its chairman, nor any of its members will, in the course of managing DEWA and its operations, be liable to third parties for any act or omission related to such management. DEWA will be solely liable to third parties for any such act or omission.

### **Article (11)**

- a. Without prejudice to paragraph (b) of this Article, the bylaws and regulations issued by the Board of Directors will be binding on all those concerned.
- b. The Ruler may, as he deems appropriate, amend the bylaws and regulations issued by the Board of Directors, develop any new bylaws and regulations, and exempt any party from compliance with such bylaws and regulations in full or in part.
- c. These bylaws and regulations as well as their amendments, whether issued by the Board of Directors or the Government, will come into effect as of the day on which they are issued.

### **Article (12)**

DEWA will be exempt from customs duties on all its imports which are necessary for its operations and for the achievement of its objectives.

### **Article (13)**

This Decree will come into force as of the day on which it is issued, and will be published in the Official Gazette.

**Maktoum bin Rashid Al Maktoum**

**Ruler of Dubai**

Issued in Dubai on 1 January 1992

Corresponding to 26 Jumada al-Thaniyah 1412 A.H.