Local Order No. (5) of 1999
Concerning Accreditation of Fish Production Facilities Exporting to the European Union Countries[1]

We, Hamdan bin Rashid Al Maktoum, Chairman of the Dubai Municipality,

After perusal of:

The powers legally vested in Us pursuant to the Order Establishing the Dubai Municipality; and

The presentation of the Director General of the Dubai Municipality; and

For purposes of achieving the public interest,

Do hereby issue this Order.

Article (1)

This Order will be cited as "Local Order No. (5) of 1999 Concerning Accreditation of Fish Production Facilities Exporting to the European Union Countries."

Article (2)

In implementing the provisions of this Order, the following words and expressions will have the meaning indicated opposite each of them unless the context implies otherwise:

Emirate:	The Emirate of Dubai.
DM:	The Dubai Municipality.
Director General:	The director general of the DM.

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[1] *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.*

Competent Department:	The Public Health Department of the DM.
EU:	A union of European countries comprising the states of Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden, and the United Kingdom; and any other country joining that union.
European Commission:	A body of the EU responsible for drafting the EU policies and legislation, including laws, directives, decisions, and regulations in various fields.
Fishery Products:	All seawater or freshwater animals or parts thereof, including their roes, excluding marine mammals, frogs, and the marine animals protected by other EU legislation.
Aquaculture Products:	Fishery Products, including seawater or freshwater fish and crustaceans, that are caught or farmed under controlled conditions until they reach the desired size or weight and then are offered on markets for sale. This does not include fish or crustaceans of commercial size caught and kept alive to be sold at a later date, without any attempt being made to increase their size or weight.
Establishment:	Any public or private legal person licensed in the Emirate to conduct the activity of preparing, processing, chilling, freezing, canning, storing, or packaging Fishery Products. This includes any vessel on which Fishery Products undergo any of the above-mentioned processes.
Accreditation:	Recognition by the DM of the competence of an Establishment, and its compliance with the EU laws, decisions, and directives in respect of the production of Fishery Products.

Article (3)

The provisions of this Order apply to all Establishments operating in the Emirate and wishing to obtain Accreditation from the Competent Department for the purpose of exporting its Fishery Products to the EU member countries.

Article (4)

For the purpose of obtaining the Accreditation referred to in the preceding Article, an Establishment must comply with the laws, directives, and decisions of the European Commission in respect of health safety of Fishery Products and consumer protection, as set forth in the Schedule attached hereto, and with any relevant laws, directives, or decisions issued by the European Commission.

Article (5)

An Accreditation certificate will be issued by the Director General or his authorised representative on the form prepared by the Competent Department for this purpose. The Accreditation will be valid for a period of two (2) years, renewable for the same period.

The implementing bylaw of this Order will determine the procedures for issuance, renewal, and revocation of the Accreditation; and the information that must be stated in the Accreditation certificate.

Article (6)

The provisions of this Order will apply without prejudice to any supervisory or oversight powers or functions, related to producing and exporting Fishery Products in the Emirate, vested in any other Government Entity under any other law or legislation.

Article (7)

The Competent Department must prepare and issue a guide explaining all the laws, directives, and decisions referred to in Article (4) hereof, with which Establishments must comply for the purpose of exporting Fishery Products to the EU member countries.

Article (8)

The Director General will prescribe the fees that must be collected for the issuance and renewal of Accreditation certificates, and for any other procedure for which fees are payable. In any event, the collected fee may not exceed five hundred dirhams (AED 500.00).

The fees and fines collected pursuant to this Order and its implementing bylaw will be paid to the DM.

Article (9)

For the purpose of implementing the provisions of this Order, the DM may seek assistance from other local Government entities in the Emirate, including police personnel. Upon request, these entities must provide support to the DM.

Article (10)

Employees and inspectors of the Competent Department and the DM employees assigned by the Director General for this purpose will have the capacity of law enforcement officers to record the acts committed in breach of the provisions of this Order, and to issue the relevant violation reports. For this purpose, they may access all the sites and facilities of the Establishments governed by this Order, and review their records and entries.

Article (11)

Without prejudice to any stricter penalty stipulated in any other legislation, any person who violates the provisions of this Order or its implementing bylaw will be punished by a fine of not less than five thousand dirhams (AED 5,000.00) and not more than fifteen thousand dirhams (AED 15,000.00).

In addition to the prescribed fine, the Director General may, upon repetition of the same violation, issue a resolution suspending the Accreditation of the violating Establishment for a period of not less than one (1) week and not more than six (6) months, or permanently revoke the Accreditation, as the case may be.

Article (12)

The Director General will issue the bylaws and resolutions required for the implementation of the provisions of this Order.

Article (13)

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

Hamdan bin Rashid Al Maktoum

Chairman of the Dubai Municipality

Issued in Dubai on 27 December 2000

Corresponding to 19 Ramadan 1420 A.H.

Schedule
Numbers and Contents of the Relevant Laws, Directives, and Decisions Issued by the European Commission

EC Regulation No. 1093/94	Concerning Direct Landing by Third Country Fishing Vessels at European Community Ports.
EEC Regulation No. 2406/196	on Taste Standards
EEC Directive No. 80/778/EEC	Quality of Water Intended for Human Consumption- Water Tests and Guidelines for Fishery Establishments
EEC Directive No. 88/320/EEC	on Good Laboratory Practice
EEC Directive No. 91/493/EEC	On Fishery Products
EEC Directive No. 92/48/EEC	Fishing Vessels - Vessels Equipped for Chilling of Fishery Products
EEC Directive No. 93/51/EEC	on the microbiological criteria applicable to the production of cooked crustaceans and molluscan shellfish
EEC Directive No. 93/140/EEC	on Visual Inspection for the Purpose of Detecting Parasites in Fishery Products
EEC Directive No. 94/356/EEC	Amending EEC Directive No. 91/493/EEC
EEC Directive No. 95/2/EC	on Food Additives
EEC Directive No. 95/71/EEC	Amending EEC Directive No. 91/493/EEC
EEC Directive No. 96/23/ EEC	Amending EEC Directive No. 91/493/EEC
EEC Directive No. 98/72/EEC	Amending Council Directive No. 95/2/EC
EEC Directive No. 99/12/EEC	Amending EEC Directive No. 88/320/EEC
Decision No. 93/25/EEC	Heat treatment - live bivalve molluscs and marine gastropods
Commission Decision No. 93/351/EEC	Mercury
EEC Decision No. 93/383/EEC	Marine Biotoxins - Laboratories

Decision No. 94/356/EEC	HACCP
EEC Decision No. 95/149/EEC	TVBN
EEC Decision No. 95/328/ EEC	Health Certification for Fishery Products
Commission Decision No. 97/275/EEC	Commission Decision No. 39/25/EEC

Hamdan bin Rashid Al Maktoum

Chairman of the Dubai Municipality