

Administrative Resolution No. (12) of 2020
Concerning the Rules and Conditions Regulating the
Navigation of Visiting Vessels in the Emirate of Dubai¹

The Executive Director of the Dubai Maritime City Authority,

After perusal of:

Federal Law by Decree No. (6) of 2011 Establishing the General Authority for the Security of Ports, Borders, and Free Zones; and its amendments;

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; and

Administrative Resolution No. (10) of 2013 Concerning the Conditions and Rules Governing Vessels Visiting 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:

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| UAE: | The United Arab Emirates. |
| Emirate: | The Emirate of Dubai. |
| DMCA: | The Dubai Maritime City Authority. |
| 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. |

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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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| Visiting Vessel: | Any of the foreign Vessels, including yachts of all types and sizes, that visit and navigate the Waters of the Emirate for the purpose of tourism, maintenance, bunkering, obtaining supplies, or participation in maritime exhibitions. |
| Navigation Permit: | A document issued by the DMCA pursuant to this Resolution authorising a Visiting Vessel to navigate within the Waters of the Emirate. |
| Operation Permit: | A document issued by the DMCA pursuant to this Resolution authorising the charter of a Visiting Vessel for tourism purposes within the Waters of the Emirate. |
| Owner: | A natural or legal person who owns, or operates for his own account or for the account of others, a Visiting Vessel. |
| Maritime Agent: | Any company or sole proprietorship licensed to perform duties, on behalf of an Owner, with respect to his Visiting Vessel or any of its crew members, within the scope of the responsibilities and powers stated in the authorisation issued to that company or sole proprietorship. |
| Vessel 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. |
| APIS: | The Advance Passenger Information System adopted by the General Authority for the Security of Ports, Borders, and Free Zones. |

Procedures for Obtaining Navigation Permits Article (2)

- a. A Visiting Vessel may not navigate or anchor within the Waters of the Emirate without first obtaining a Navigation Permit.
- b. For the purpose of obtaining the Navigation Permit, a Visiting Vessel must comply with the following requirements and procedures:
 1. A contract must be concluded with a Maritime Agent and a prior anchorage permit must be obtained from the DMCA or from a marine club, harbour, or shipyard in the Emirate. The marine club, harbour, or shipyard will be deemed as the Maritime Agent of the Visiting Vessel, provided that the agency relationship is expressly stated in anchorage permit.

2. The Maritime Agent must register the Visiting Vessel in the APIS at least forty-eight (48) hours prior to the entry of the Vessel to the Waters of the Emirate; and must determine the port of entry.
3. An application for the Navigation Permit must be submitted within no later than seven (7) days from the date of entry by the Visiting Vessel to the Waters of the Emirate. This application must be submitted, through the service centres or electronic portal of the DMCA, on the form prescribed by the DMCA for this purpose; and must be supported by the following documents:
 - a copy of a certificate of registration, confirming the ownership of the Visiting Vessel, issued by the competent authority in its country of registration;
 - a copy of the Visiting Vessel insurance policy, which must be valid throughout the period of navigation within the Waters of the Emirate;
 - a copy of the licences or training certificates of the Master and crew members of the Visiting Vessel;
 - a copy of a permit for entry through any of the maritime ports of the UAE;
 - a copy of an anchorage permit issued by the DMCA or any marine club, harbour, or shipyard in the Emirate;
 - a copy of the navigation licence of the Visiting Vessel, if any;
 - a copy of the technical conformity declaration of the Visiting Vessel signed by its Owner or Master; and
 - a copy of the UAE visit visas issued to the crew members of the Visiting Vessel.
4. The DMCA will consider the Navigation Permit application from a technical perspective to verify that it meets all relevant conditions and requirements, and that it is accompanied by all required documents.
5. The DMCA will issue a decision approving the application for Navigation Permit within one (1) working day, unless the DMCA has valid reasons to extend this time frame.
6. The applicant will be instructed to pay the prescribed fees, whereupon the DMCA will issue the Navigation Permit stating the type of the Visiting Vessel, name of its Owner or operator, purpose of its visit, and duration of its stay within the Waters of the Emirate.
7. Where the Navigation Permit 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 application.

Procedures for Obtaining Operation Permits

Article (3)

- a. No Visiting Vessel may be chartered for tourism purposes without first obtaining an Operation Permit.
- b. For the purpose of obtaining the Operation Permit, a Visiting Vessel must comply with the following requirements and procedures:
 1. An application for the Operation Permit must be submitted to the DMCA through its service centres or electronic portal, and must be supported by the following documents:
 - a copy of the Navigation Permit issued by the DMCA. The validity period, date of issue, and date of expiry of the Operation Permit will coincide with those of the Navigation Permit;
 - a copy of the technical certificates of the Visiting Vessel issued from its country of registration, including a certificate stating the overall length of the Visiting Vessel, which must not be less than thirty (30) metres; and
 - a copy of the classification certificate of the Visiting Vessel issued by an international maritime classification organisation recognised by the competent authorities in the UAE.
 2. The DMCA will consider the Operation Permit application from a technical perspective to verify that it meets all relevant conditions and requirements, and that it is accompanied by all required documents. The DMCA will also conduct technical inspection of the Visiting Vessel to verify that it meets all the technical requirements and specifications adopted by the DMCA.
 3. The DMCA will issue a decision approving the application for Operation Permit within five (5) working days, unless the DMCA has valid reasons to extend this time frame.
 4. Where an Operation Permit 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 application.
 5. Where a Visiting Vessel, for which a Navigation Permit is issued, wishes to obtain an Operation Permit, it must have its existing Navigation Permit cancelled, reapply for a new Navigation Permit, and submit an application for the Operation Permit.

Obligations of Owners

Article (4)

The Owner of a Visiting Vessel must:

1. comply with all local and federal legislation when navigating the Visiting Vessel within the Waters of the Emirate and the waters of the UAE;
2. not navigate the Visiting Vessel within the Waters of the Emirate without providing the minimum number of crew members stated in the Minimum Safe Manning Document;
3. maintain the automatic identification system (AIS) of the Maritime Vessel in operation at all times;
4. ensure that the Visiting Vessel is operated in accordance with the regulations stipulated in the International Safety Management Code (ISM Code) and the International Ship and Port Facility Security Code (ISPS Code);
5. maintain the Visiting Vessel in a good working condition, and perform periodic maintenance thereof, throughout the period of validity of the Navigation Permit and Operation Permit;
6. ensure that all inspections of the Visiting Vessel are conducted in a timely manner; and renew all permits and approvals issued to the Vessel before their expiry;
7. comply with the safety instructions issued by the DMCA in respect of anchoring within the Waters of the Emirate;
8. immediately report any accident that may compromise the safety of the Visiting Vessel, the safety of its crew members and passengers, or the safety of navigation and the environment; and
9. ensure that the Visiting Vessel leaves the Waters of the Emirate within no later than seven (7) days from the date of expiry or termination of its Navigation Permit or Operation Permit.

Obligations of Maritime Agents Article (5)

A Maritime Agent must:

1. register the Visiting Vessel in the APIS;
2. renew the Navigation Permit and the visit visas of the crew members of the Visiting Vessel before their expiry;
3. pay all fees and fines, and settle any other financial liabilities, that are incurred by him and owed to the DMCA under the applicable legislation; and
4. comply with the tax legislation in force in the UAE when operating the Visiting Vessel.

Validity of Permits Article (6)

- a. A Navigation Permit will be valid for a renewable period of six (6) months, whereas an Operation Permit will be valid for a non-renewable period of six (6) months.
- b. Where a Visiting Vessel leaves the Waters of the Emirate prior to the expiry of the period referred to in paragraph (a) of this Article, its Navigation Permit will be cancelled.

Data and Records of Visiting Vessels Article (7)

All marine clubs, harbours, dry docks, and shipyards in the Emirate must keep the following records and documents for at least three (3) years:

1. a record that contains the dates of entry to, and exit from, the Waters of the Emirate by each Visiting Vessel;
2. a record that contains the names of the Master and crew members of each Visiting Vessel and their personal details and information;
3. the official licensing documents and certificates of Visiting Vessels; and
4. any other records or documents required by the DMCA.

Visiting Vessel Technical Requirements and Specifications Article (8)

In addition to any technical requirements and specifications that must be met by Vessels under the legislation in force in the UAE, a Visiting Vessel must meet the following technical requirements and specifications:

1. The Visiting Vessel must be fitted and equipped with safety, navigation, communication, and environmental protection equipment as required based on its navigation area and the number of its crew members and passengers, in accordance with the licensing requirements prescribed by the country of registration of the Visiting Vessel. This equipment must be replaced, repaired, or maintained when it breaks down.
2. The Visiting Vessel must be fitted with fire detection and fire-fighting equipment. This equipment must be replaced, repaired, or maintained when it breaks down, or upon request by the DMCA inspectors or the inspectors of any other concerned regulatory entities in the Emirate.
3. Any smaller Vessel carried on board the Visiting Vessel to be launched in the Waters of the Emirate will be subject to the safety and permit issuance requirements prescribed by the DMCA.

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. (10) of 2013 is 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 21 September 2020
Corresponding to 3 Safar 1442 A.H.