

Decree No. (61) of 2023
Regulating
Smallholdings in the Emirate of Dubai¹

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

After perusal of:

Federal Law No. (6) of 1979 Concerning Veterinary Quarantine and its amendments;

Federal Law No. (24) of 1999 Concerning the Protection and Development of the Environment and its amendments;

Federal Law No. (16) of 2007 Concerning Animal Welfare and its amendments;

Federal Law No. (8) of 2013 Concerning the Prevention and Control of Contagious and Epidemic Animal Diseases;

Federal Law No. (22) of 2016 Regulating the Possession of Dangerous Animals;

Law No. (1) of 2016 Concerning the Financial Regulations of the Government of Dubai, its Implementing Bylaw, and their amendments;

Law No. (8) of 2019 Concerning His Highness the Ruler of Dubai's Court;

Law No. (16) of 2023 Concerning Urban Planning in the Emirate of Dubai;

Law No. (26) of 2023 Concerning the Executive Council of the Emirate of Dubai;

The Order of 1961 Establishing the Dubai Municipality;

Local Order No. (2) of 1999 Concerning Classification and Regulation of Land Use in the Emirate of Dubai and its amendments;

Local Order No. (3) of 1999 Regulating Construction Works in the Emirate of Dubai and its amendments;

Local Order No. (11) of 2003 Concerning Public Health and Community Safety in the Emirate of Dubai and its amendments; and

Executive Council Resolution No. (36) of 2007 Concerning Livestock Enclosures in the Emirate of Dubai,

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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.

Do hereby issue this Resolution.

**Definitions
Article (1)**

The following words and expressions, wherever mentioned in this Decree, will have the meaning indicated opposite each of them unless the context implies otherwise:

Emirate:	The Emirate of Dubai.
Ruler:	His Highness the Ruler of Dubai.
HHRC:	His Highness the Ruler's Court.
PFO:	The Office of H.H. Sheikh Mohammed bin Rashid Al Maktoum for Procurement and Logistics affiliated to the HHRC.
DM:	The Dubai Municipality.
CEO:	The chief executive officer of the PFO.
Directorate:	The Wildlife Directorate within the PFO.
Committee :	The Smallholdings Regulatory Committee formed pursuant to this Decree.
Smallholding:	A Government Land Plot allocated to a Beneficiary for use as an enclosure for rearing and breeding animals as legally authorised or for any other authorised purpose.
Beneficiary:	A natural person who is granted a usufruct right on a Smallholding.

**Objectives of the Decree
Article (2)**

This Decree aims to:

1. regulate the affairs of Smallholdings in the Emirate in accordance with clear and specific rules and procedures;
2. preserve the aesthetic appearance and urban identity of the Emirate and curb the proliferation of unplanned agricultural holdings therein;
3. encourage the development and promotion of livestock in the Emirate in accordance with highest standards of safety and Public Health; and

4. contribute to supporting local livestock production in line with the food security strategy of the Emirate.

Scope of Application

Article (3)

- a. The provisions of this Decree apply to the Smallholdings allocated to Beneficiaries by the effective date of this Decree, as well as those to be allocated to the citizens of the Emirate thereafter, in accordance with the requirements, conditions, and rules stipulated in this Decree and the resolutions issued in pursuance hereof.
- b. The provisions of this Decree do not apply to:
 1. Smallholdings designated for the camel racing sport and subject to the oversight by the Dubai Camel Racing Club;
 2. winter campsites and Smallholdings designated by the DM for social and recreational activities and events; and
 3. any other category of Smallholdings determined by a resolution of the Ruler upon the recommendation of the CEO.

Establishment of Smallholdings

Article (4)

No natural or legal person may establish or permit the establishment of any Smallholding or erect, in any way or manner or form whatsoever, fences around a land plot in the Emirate that is not owned by him, unless this is done in compliance with the provisions of this Decree and other legislation in force in the Emirate.

Functions of the PFO

Article (5)

The PFO is the competent entity in the Emirate responsible for overseeing and supervising the affairs of Smallholdings. For this purpose, the PFO will, through the Directorate and in coordination with the DM, have the duties and powers to:

1. propose suitable zones in the Emirate for establishing Smallholdings, including their necessary service facilities; specify their area; and present these proposals to the DM for approval;
2. determine the species and number of Animals that may be housed in the Smallholdings, depending on the total area of each Smallholding;

3. take the necessary action to relocate the Beneficiaries whose Smallholdings are affected by Urban Planning projects or other circumstances to alternative Smallholdings;
4. monitor and control non-compliant practices and violations in Smallholdings;
5. receive, investigate, and take appropriate action in respect of, complaints filed against Smallholdings and Beneficiaries;
6. coordinate with the concerned entities in the Emirate on all matters related to Smallholdings. This includes exchanging information, reporting violations, connecting utilities, and issuing Smallholding worker cards;
7. verify compliance by Beneficiaries with the provisions of this Decree and the resolutions issued in pursuance hereof; record their violations; and impose the penalties and measures prescribed by this Decree and the resolutions issued in pursuance hereof against violators; and
8. exercise any other duties or powers assigned to it by the Ruler upon the recommendations of the CEO.

Functions of the DM Article (6)

For the purposes of this Decree, the DM will, in coordination with the PFO, have the duties and powers to:

1. approve the zones and area of the land plots designated as Smallholdings in the Emirate;
2. devise alternative solutions for rezoning the Smallholdings existing as of the effective date of this Decree, including unplanned holdings;
3. monitor the livestock within the Smallholdings, conduct regular examinations, follow up on their health conditions; and provide the necessary veterinary preventive and curative services;
4. register and tag Animals and issue the permits required for possessing, keeping, rearing, or monitoring these Animals, in accordance with legislation in force in the Emirate;
5. designate a waste disposal site within the Smallholdings zone and supervise the disposal of waste outside of Smallholdings;
6. remove, in accordance with the relevant resolutions issued by the Committee, any Smallholdings that fail to comply with the building requirements adopted under the applicable legislation, as well as the conditions, rules, and requirements prescribed by this Decree and the resolutions issued in pursuance hereof;

7. enable Beneficiaries to sell livestock in the DM markets if they wish to do so;
8. identify Diseases and epidemics related to livestock, prescribing the measures that Beneficiaries must take if an Animal is found to be infected with any of these Diseases; and take the necessary action to control these Diseases and epidemics;
9. approve, as per its adopted criteria, a standard design for the livestock enclosures within Smallholdings, ensuring compatibility with the urban appearance of the Emirate; and
10. exercise any other duties or powers assigned to the DM by the Ruler.

Formation of the Committee

Article (7)

- a. Pursuant to this Decree, a permanent committee named the "Smallholdings Regulatory Committee" is formed under the chairmanship of the director of the Directorate and with the membership of representatives from the following entities:
 1. the HHRC;
 2. the DM;
 3. the Dubai Police; and
 4. the Dubai Electricity and Water Authority PJSC.
- b. The representatives of the entities referred to in paragraph (a) of this Article will be nominated by the officials in charge of these entities. These representatives must be experienced and specialised in the fields that are relevant to Smallholdings.
- c. The CEO will issue a resolution determining the terms of reference of the Committee, the matters related to its governance and to passing its resolutions and recommendations, and all other matters that enable the Committee to achieve the objectives of this Decree.
- d. A rapporteur will be appointed to the Committee by the director of the Directorate from amongst its employees. The rapporteur will be responsible for sending meeting invitations to the Committee members, preparing its meeting agendas, recording its minutes of meetings, following up on the implementation of its resolutions and recommendations, and performing any other duties assigned to him by the head of the Directorate.

Functions of the Committee

Article (8)

The Committee will have the powers to issue the resolutions required to reclaim, remove, or cancel the allocation of, Smallholdings, in addition to any other duties or powers related to the achievement of the objectives of this Decree, as assigned to it under this Decree and the resolutions issued in pursuance hereof, or by the CEO.

Obligations of Beneficiaries

Article (9)

A Beneficiary must:

1. comply with the applicable federal and local legislation, including the provisions of this Decree and the resolutions and instructions issued in pursuance hereof;
2. rear only the types of Animals specified by the PFO; register, tag, and have them vaccinated at the DM;
3. own no more and no less than number of Animals permitted by the PFO based on the total area of the Smallholding;
4. obtain the relevant permits and approvals from the DM to construct service facilities and structures designated for housing and rearing Animals, in addition to any other permits or approvals required by the competent entities in the Emirate;
5. use the Smallholding for the purpose for which it is allocated within no later than six (6) months from the date of allocation, and not leave it vacant;
6. not use the Smallholding for any commercial activity, except through the sales outlets of the DM markets;
7. not assign or lease out the Smallholding, or use it as a family residence or for conducting any noise-generating recreational activities;
8. report epidemics and contagious Diseases contracted by Animals within the Smallholding, and follow the relevant prevention instructions approved by the DM;
9. not plant any trees on the Smallholding other than *Ghaf* (*Prosopis Cineraria*), *Sidr* (Wild Jujube), *Samar* (*Acacias Tortilis*), and other wild trees;
10. preserve the environment, maintain public cleanliness, and refrain from the open burning of waste within the Smallholding;

11. transport Smallholdings waste to the waste disposal sites designated by the DM;
12. provide a number of workers proportional to the number of Animals to be housed and reared in the Smallholding; provide suitable accommodation for these workers; and educate them on safety procedures, and measures for prevention of fire and epidemics;
13. not dispose of Animal carcasses in open areas or public places, but rather dispose of the same in accordance with the relevant procedures adopted by the DM;
14. not keep or rear Dangerous Animals prohibited under the legislation in force in the Emirate;
15. ensure homogeneity of the Animals placed within the same enclosure in terms of species, breed, age group, and productive status;
16. periodically inspect and examine Animals to ensure that they are free from Animal Diseases;
17. provide isolation rooms for infected Animals, ensuring they are kept at a sufficient distance from healthy Animals;
18. design Animal enclosures to protect them from seasonal climatic fluctuations throughout the year, in accordance with the Standard Designs prescribed by the DM;
19. provide a camel herder to herd camels when grazing at pasture areas to ensure their safety and prevent them from reaching residential areas, public roads, and nature reserves;
20. take the necessary measures and precautions to control the spread of odours generated by Animals, their waste, and the permitted activities conducted on the Smallholding;
21. not dig wells, create water ponds, or construct water features on the Smallholding;
22. comply with the requirements and regulations for building on Smallholdings, prescribed in this Decree, the resolutions issued in pursuance hereof, and other legislation in force in the Emirate;
23. slaughter Animals in abattoirs and other facilities approved by the DM; and
24. perform any other obligations prescribed under the relevant resolution issued by the CEO.

Building Requirements and Rules for Smallholdings

Article (10)

A Beneficiary may construct service facilities and structures for housing and rearing Animals within the Smallholding, subject to the following:

1. erecting a 2.5-meter high fence around the Smallholding that is not harmful to Animals;

2. constructing service facilities for the Beneficiary and staff within the Smallholding. The area of these facilities must not exceed ten percent (10%) of the total area of the Smallholding;
3. constructing facilities for the service and housing of Animals, including feed storage, manure collection points, enclosures or shelters, and isolation rooms for infected Animals. The area of these facilities must not exceed sixty percent (60%) of the total area of the Smallholding;
4. adhering to the setbacks and building standards prescribed by the DM in accordance with legislation in force in the Emirate;
5. ensuring that all Buildings and structures within the Smallholding are portable or temporary, with a maximum height of one storey; and that they are removable without causing damage to the land on which they are situated;
6. erecting temporary shelters and fencing for Animals, limited to a maximum height of one storey; and
7. complying with any other standards or rules prescribed under the relevant resolution issued by the CEO.

Removal of Smallholdings Article (11)

- a. Where a Beneficiary fails to comply with any of his obligations under this Decree, the resolutions issued in pursuance hereof, and other legislation in force in the Emirate, he must, at his own expense, remove the Smallholding, including all Buildings, facilities, enclosures, and structures thereon; and restore the site to its original condition within the time frame prescribed by the Committee.
- b. The PFO may, where this is mandated by planning and Construction regulations or traffic safety requirements, or required for preserving the aesthetic appearance of the Emirate, modify the area of a Smallholding, change its location, or recommend its removal to the Committee. In this case, the Beneficiary must, at his own expense, take the appropriate action to implement the relevant instructions issued to him by the PFO or the Committee, including removing the Smallholding and restoring the site to its original condition, within the time frame prescribed by the Committee or the PFO, as applicable.
- c. A Beneficiary, whose allocated Smallholding is relocated, resized, or removed under the provisions of paragraph (b) of this Article, may be compensated by being allocated an alternative Smallholding in another location, subject to availability. The Beneficiary will not be entitled to any in-kind or cash compensation for the value of the Buildings, facilities, and structures erected on the Smallholding. The Beneficiary may, at his own expense, relocate these Buildings, facilities, and structures to the alternative Smallholding, provided they are

suitable for relocation and re-used without causing damage to the land on which they are situated.

- d. Where a Beneficiary fails to remove the Smallholding within the time frame prescribed by the Committee in accordance with the conditions stipulated in this Article, the DM will remove the Smallholding and any Buildings and structures thereon and restore the site to its original state at the expense of the Beneficiary. Additionally, the Beneficiary will be charged administrative and supervision fees of twenty-five percent (25%) of the removal costs. The Committee's assessment of these costs will be final.
- e. The procedures for the removal of Smallholdings will be governed by the provisions of the relevant resolution drafted by the PFO, in coordination with the DM, and approved by the CEO.

Fees and Security Deposits **Article (12)**

In return for providing services to Beneficiaries under this Decree, the PFO will collect the fees and security deposits prescribed by the relevant resolution of the Chairman of the Executive Council.

Violations and Administrative Penalties **Article (13)**

- a. Without prejudice to any stricter penalty stipulated in any other legislation, a person who commits any of the violations stipulated in this Decree or the resolutions issued in pursuance hereof will be punished by a fine of no less than one thousand dirhams (AED 1,000.00) and no more than one hundred thousand dirhams (AED 100,000.00).
- b. The Chairman of the Executive Council will issue a resolution determining the acts that constitute violations of the provisions of this Decree and the resolutions issued in pursuance hereof, as well as the fine prescribed for each violation.
- c. Upon repetition of the same violation within one (1) year from the date of the previous violation, the amount of the fine imposed on the violator will be doubled. A fine must not exceed two hundred thousand dirhams (AED 200,000.00).
- d. In addition to the penalty of a fine prescribed under this Article, the PFO may take one or more of the following measures against a violator:
 - 1. notice;
 - 2. written warning;

3. warning of service disconnection from the Smallholding;
4. service disconnection from the Smallholding;
5. reclamation of the Smallholding and re-allocation to another Beneficiary;
6. removal, in coordination with the DM, of the Smallholding and any Buildings, structures, and enclosures erected thereon; and
7. any other measures determined by the relevant resolutions issued by the CEO.

Law Enforcement Article (14)

The Directorate's employees and the DM inspectors nominated pursuant to a resolution of the Director General of the DM will have the capacity of law enforcement officers to record the acts committed in breach of the provisions of this Decree and the resolutions issued in pursuance hereof. For this purpose, they may access the authorised areas; issue the necessary violation reports; and, where necessary, seek the assistance of police personnel.

Grievances Article (15)

Any affected party may submit a written grievance to the CEO against the decisions, procedures, and measures taken against him in accordance with the provisions of this Decree and the resolutions issued in pursuance hereof, within fifteen (15) days from the date of being notified of the contested decision, procedure, or measure. The grievance will be determined by a committee formed by the CEO for this purpose, within thirty (30) days from the date of its submission, and the decision issued by the committee on the grievance will be final.

Providing Support and Cooperation Article (16)

All Government Entities and non-government entities in the Emirate must fully cooperate with the PFO, the DM, and the Committee to enable them to achieve the objectives of this Decree and to perform their functions under this Decree, the resolutions issued in pursuance hereof, and other legislation in force in the Emirate. These entities must, upon request, provide the PFO, the DM, and the Committee with all forms of support.

Payment of Revenues
Article (17)

Fees, fines, costs, and security deposits collected pursuant to this Decree and the resolutions issued in pursuance hereof will be paid to the Public Treasury of the Government of Dubai.

Compliance
Article (18)

Beneficiaries using Smallholdings by the effective date of this Decree must comply with its provisions within a period not exceeding three (3) months from its effective date. The CEO may, where required, extend this grace period once for the same period.

Issuing Implementing Resolutions
Article (19)

With the exception of the resolutions which the Chairman of the Executive Council is authorised to issue under this Decree, the CEO will issue the resolutions required for implementing the provisions of this Decree.

Repeals
Article (20)

Any provision in any other legislation is hereby repealed to the extent that it contradicts the provisions of this Decree.

Publication and Commencement
Article (21)

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

Mohammed bin Rashid Al Maktoum
Ruler of Dubai

Issued in Dubai on 14 December 2023
Corresponding to 1 Jumada al-Thaniyah 1445 A.H.