

Law No. (4) of 2023
Concerning the Dubai Ports Authority¹

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

After perusal of:

Law No. (5) of 1995 Establishing the Department of Finance;

Law No. (1) of 2001 Establishing the Ports, Customs, and Free Zone Corporation and its amendments;

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

Law No. (22) of 2015 Regulating Partnership between the Public Sector and the Private Sector in the Emirate of Dubai;

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

Law No. (8) of 2022 Regulating the Public Debt of the Government of Dubai;

Decree No. (3) of 1983 Establishing an Authority Named the "Dubai Dry Docks Authority" and its amendments;

Decree No. (1) of 1990 Establishing the Dubai Ports Authority and its amendments;

Decree No. (2) of 1990 Concerning the Dubai Dry Docks Authority;

Decree No. (4) of 1991 Concerning the Dubai Ports Authority;

Decree No. (29) of 2005 Affiliating the Dubai Dry Docks Authority to the Ports, Customs, and Free Zone Corporation; and

Resolution No. (10) of 2022 Assigning the Executive Director of the Dubai Ports Authority the Duty to Supervise the Dubai Dry Docks Authority; and

Commercial Licence number (1089546) issued to Dubai Ports World LLC by the Department of Economy and Tourism in the Emirate of Dubai on 15 August 2022,

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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.*

Do hereby issue this Law.

**Title of the Law
Article (1)**

This Law will be cited as "Law No. (4) of 2023 Concerning the Dubai Ports Authority".

**Definitions
Article (2)**

The following words and expressions, wherever mentioned in this Law, 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.
Government:	The Government of Dubai.
Executive Council:	The Executive Council of the Emirate of Dubai.
PCFZC:	The Ports, Customs, and Free Zone Corporation.
DPA:	The Dubai Ports Authority.
Chairman:	The chairman of the PCFZC.
Executive Director:	The executive director of the DPA.
Vessel:	Any vessel of any type or structure whatsoever operated on water to transport persons or Goods for personal, commercial, sports, or tourism purposes.
Maritime Port:	A natural or man-made facility that is designated for the mooring of Vessels and in which the services required for the preparation for or conclusion of Vessel voyages are provided. This includes quays, buildings, and other facilities, whether they are located in, above, or adjacent to the water, as well as the land required for their use. Maritime Ports include all commercial ports and other ports established for the departure and arrival of passengers and the loading and unloading of goods in the

	Emirate, such as Dry Ports, Dry Docks, Port Facilities, container Handling Terminals, Operations, and related activities. Among Maritime Ports are Port Rashid, Al Hamriya Port, and Jebel Ali Port.
Dry Port:	An inland intermodal terminal that is directly connected by road or rail to a Maritime Port and is operating as a centre for the transshipment of sea cargo to various destinations. Dry Ports have facilities for storing goods in warehouses, shipping goods, maintenance of cargo and transportation vehicles, customs clearance services, and container receiving functions. Dry Ports include Handling Terminals and railway stations.
Dry Dock:	A facility designated for the construction, repair, and maintenance of Vessels; and for providing various services to these Vessels. It takes the form of a basin or a narrow passage that can be flooded with water to allow a loaded Vessel to float, after which water is drained to provide the Vessel with the required services.
Port:	This includes Maritime Ports, Dry Ports, and Dry Docks.
Port Facilities:	Any site located within Ports or the navigational passages leading thereto, where services related to Vessels, goods, and passengers are provided.
Handling Terminal:	An inland site in the Emirate, other than Ports, designated by the Government for the handling of commercial and industrial goods, and containers, and for performing all Operations and related activities.
Operations:	All activities and services performed by the DPA within Ports and Handling Terminals.
Operator:	Dubai Ports World (LLC) and any other entity designated by the DPA.

Applicability of the Law to the DPA
Article (3)

The provisions of this Law apply to the Dubai Ports Authority established pursuant to the above-mentioned Decree No. (1) of 1990, as a public authority, having legal personality, financial and administrative autonomy, and the legal capacity required to undertake all acts and dispositions that ensure the achievement of its objectives and performance of its functions under this Law. The DPA is affiliated to the PCFZC.

Head Office of the DPA
Article (4)

The head office of the DPA will be located in the Emirate. Other offices of the DPA may be established within and outside of the Emirate pursuant to a resolution of the Chairman.

Objectives of the DPA
Article (5)

The DPA will have the following objectives:

1. to promote the Emirate as a distinguished global model in the management and operation of Ports and Handling Terminals, and the performance of Operations;
2. to regulate and develop the Ports sector in the Emirate, in accordance with the adopted strategic plans and general policies in this regard;
3. to support the Emirate's vision of becoming a prominent global centre for maritime trade; and enhance the import, export, and re-export movement through the Ports of the Emirate;
4. to create a pro-investment environment that attracts international companies specialised in the maritime shipping and logistics sector; and
5. to support the maritime sector and encourage investment in maritime industries and services.

Functions of the DPA Article (6)

For the purpose of achieving its objectives, and without prejudice to the applicable international conventions and treaties, the DPA will have the duties and powers to:

1. develop the strategic plans and devise the general policies for supervising Ports and Handling Terminals in the Emirate;
2. regulate, operate, and manage Ports and Handling Terminals in the Emirate;
3. construct, develop, maintain, and oversee the infrastructure and superstructure in Ports; and provide them with the necessary services;
4. issue the regulations required for management of Ports and Handling Terminals, and performing Operations therein; and for supervising and auditing the same;
5. determine and regulate the business, activities, and professions authorised within Ports and Handling Terminals; and issue the certificates and permits required for the same in coordination with the concerned entities in the Emirate;
6. promote Ports locally, regionally, and globally, in coordination with the concerned entities;
7. investigate incidents, excluding traffic accidents, that occur at Ports and Handling Terminals; and issue the relevant technical reports, in coordination with the concerned entities in the Emirate;
8. audit and inspect all the activities that are conducted within Ports and Handling Terminals; and record the acts committed in breach of the provisions of this Law and the resolutions issued in pursuance hereof;
9. organise the security aspects of Ports, Handling Terminals, and Operations and activities in coordination with the competent security authorities;
10. establish the rules and procedures to ensure the safety of passengers and goods, and eliminate any hazards that may jeopardise their safety at the expense of the liable person;
11. establish the procedures for implementing the security requirements issued by the International Maritime Organisation;

12. follow up on the approved security plans of Ports and Port Facilities, which comply with the International Ship and Port Facility Security Code of the International Maritime Organization, in order to enhance maritime security;
13. collaborate and coordinate with the entities concerned with the DPA functions, within and outside of the Emirate;
14. establish companies and corporations, solely or in partnership with other persons; and invest in, enter into partnerships with, or hold shares in companies that conduct activities related to the functions of the DPA;
15. finance its projects or those of any of its affiliates through borrowing or providing guarantees; or through issuing shares, bonds, or any other financial instruments. The DPA may also provide, or authorise its affiliates or subsidiaries to provide any financial guarantee, mortgage security, or concession, in accordance with the legislation in force in the Emirate;
16. purchase, own, sell, and lease out land, real property, and any other property as required to enable it to achieve its objectives and perform its functions;
17. organise, and participate in, exhibitions and conferences specialised in all matters related to managing and operating Ports and Handling Terminals; and
18. exercise any other duties or powers assigned to the DPA under the legislation in force in the Emirate, or required for the achievement of the DPA objectives as assigned to it by the Ruler or the Chairman of the Executive Council.

Organisational Structure of the DPA Article (7)

The organisational structure of the DPA will consist of the following organisational levels:

1. the Chairman; and
2. the executive body.

Functions of the Chairman Article (8)

- a. The Chairman will undertake general supervision of the DPA. For this purpose, the Chairman will have the duties and powers to:

1. approve the strategic plans, general policies, and work programmes of the DPA;
 2. approve the services, work, projects, and activities that the DPA intends to undertake;
 3. approve the organisational structure of the DPA and submit the same to the Chairman of the Executive Council for final approval;
 4. approve the draft annual budget and Financial Statements of the DPA and submit the same to the competent authority in the Emirate for final approval;
 5. approve the resolutions, bylaws, and regulations governing the administrative, financial, and technical work of the DPA;
 6. approve the fees and charges for the services provided by the DPA to customers, including the use of Port Facilities, subject to coordination with the DOF before approval of the same;
 7. approve the fines and penalties for the acts committed in violation of this Law and the resolutions issued in pursuance hereof, and submit the same to the Chairman of the Executive Council for final approval;
 8. approve the establishment of any affiliate or subsidiary of the DPA, as required for the achievement of the objectives for which the DPA is established; and
 9. exercise any other duties or powers required for the achievement of the DPA objectives, as assigned to him by the Ruler or the Chairman of the Executive Council.
- b. The Chairman may delegate any of his powers under sub-paragraphs (a)(2) and (a)(5) of this Article to the Executive Director, provided that such delegation is specific and in writing.

Executive Body of the DPA Article (9)

The DPA will have an executive body comprised of the Executive Director and a number of administrative, finance, and technical employees whose terms of employment, rights, obligations, termination, and other related matters will be determined pursuant to a regulation issued by the Chairman in this respect.

Appointment and Functions of the Executive Director
Article (10)

- a. The Executive Director will be appointed pursuant to a resolution issued by the Chairman of the Executive Council based on the recommendation of the Chairman.
- b. The Executive Director will manage the DPA in accordance with the provisions of this Law, the resolutions issued in pursuance hereof, and other legislation in force in the Emirate. The Executive Director will be directly responsible to the Chairman for performing the duties assigned to him. In particular, the Executive Chairman will have the duties and powers to:
 1. propose the strategic plans, general policies, and work programmes of the DPA; submit them to the Chairman for approval; and follow up the implementation of the same upon their approval;
 2. propose the services, work, projects, and activities to be performed by the DPA; and submit the same to the Chairman for approval;
 3. propose the resolutions, bylaws, and regulations governing the financial, administrative, and technical work of the DPA; and submit the same to the Chairman for approval;
 4. prepare the draft annual budget and Financial Statements of the DPA, and submit the same to the Chairman for approval;
 5. propose fees and charges for the services provided by the DPA to its customers, including the use of Port Facilities; and coordinate with the DOF in respect thereof prior to their submission to the Chairman for approval;
 6. propose fines and penalties for the acts committed in violation of this Law and the resolutions issued in pursuance hereof, and submit the same to the Chairman for approval;
 7. prepare the organisational structure of the DPA, and submit the same to the Chairman for approval;
 8. supervise the executive body of the DPA and monitor its administrative, technical, and financial performance;

9. represent the DPA before third parties; and conclude the contracts, agreements, and memoranda of understanding required for the achievement of the objectives of the DPA;
 10. open and manage bank accounts in accordance with the legislation in force in the Emirate;
 11. prepare annual reports on the performance of the executive body of the DPA and submit the same to the Chairman to give the relevant directives as he deems appropriate;
 12. identify the Operations that the DPA intends to outsource to Operators, and submit all relevant information to the Chairman to give the relevant directives as he deems appropriate;
 13. follow up the implementation of the work, projects, and activities of the DPA, and oversee the phases of completion of the same;
 14. coordinate with the local and federal concerned entities on all matters related to the objectives and functions of the DPA; and
 15. exercise any other duties or powers related to the achievement of the objectives of the DPA, as assigned or delegated to him by the Chairman.
- c. The Executive Director may delegate any of his powers under sub-paragraphs (b)(6), (b)(7), (b)(8), and (b)(12) of this Article to any of the DPA employees, provided that such delegation is specific and in writing.

Outsourcing Operations Article (11)

The DPA may outsource to an Operator any of the Operations assigned to it under this Law, and the resolutions issued in pursuance hereof, pursuant to an agreement concluded for this purpose. This agreement will state its term and the rights and obligations of both parties.

Law Enforcement Article (12)

The employees of the DPA nominated pursuant to a resolution of the Executive Director will have the capacity of law enforcement officers to record the acts committed in breach of the

provisions of the resolutions issued in implementation of this Law. For this purpose, they may issue the necessary violation reports; inspect the establishments operating within the Ports, the Port Facilities, and the Handling Terminals; and seek, where necessary, the assistance of police personnel.

Financial Resources of the DPA Article (13)

The financial resources of the DPA will consist of:

1. movable and immovable property allocated to the DPA by the PCFZC;
2. fees and charges collected by the DPA in return for its services;
3. returns on the investment of the property of the DPA; and
4. any other resources approved by the Chairman.

Budget and Accounts of the DPA Article (14)

- a. The DPA will have an Independent Budget which reflects its actual financial position.
- b. In managing its accounts and records, the DPA will apply the rules and principles of commercial accounting in accordance with the relevant recognised international standards.
- c. The Financial Year of the DPA will commence on 1 January and will end on 31 December of each year.

Transfer of the Dubai Dry Docks Authority Article (15)

- a. As of the date on which this Law comes into force, the following will be transferred to the DPA:
 1. all the duties and powers assigned to the Dubai Dry Docks Authority under the above-mentioned establishing Decree No. (3) of 1983;
 2. all the employees of the Dubai Dry Docks Authority, without prejudice to their existing rights; and

3. the movable and immovable property owned by the Dubai Dry Docks Authority.
- b. The DPA hereby succeeds the Dubai Dry Docks Authority in respect of all its rights and obligations.

Article (16)

In addition to the assets owned by the DPA, including Port Rashid, Al Hamriya Port, and Jebel Ali Port, the following assets are hereby transferred to the DPA as of the effective date of this Law:

1. the assets owned by the PCFZC at Deira Wharfage and Creek Harbour;
2. the assets of the Dry Port affiliated to the PCFZC;
3. Plot No. (5916624), located in Jebel Ali First Area, as shown on the Plan attached hereto; and
4. Plot No. (9813524), located in Maqtara area, as shown on the map attached hereto.

Cooperation with the DPA

Article (17)

All Government Entities in the Emirate must, upon request, fully cooperate with the DPA to enable it to achieve its objectives and to exercise the functions assigned to it under this Law, the resolutions issued in pursuance hereof, and other legislation in force in the Emirate.

Non-liability

Article (18)

- a. Neither the Government nor the PCFZC will be liable to third parties for any debts or obligations claimed from the DPA. The DPA will be solely liable for such debts or obligations.
- b. The DPA will not be liable to third parties for any debts or obligations owed by Operators. An Operator will be solely liable to third parties for such debts or obligations.
- c. Except in cases of fraud and gross fault, neither the Chairman, nor the Executive Director, nor any of the employees of the executive body of the DPA will, in the course

of managing the DPA and its operations, be liable to third parties for any act or omission committed by him in connection with this management. The DPA will be solely liable to third parties for any such act or omission.

Issuing Implementing Resolutions Article (19)

With the exception of the resolutions which the Chairman of the Executive Council is authorised to issue under this Law, the Chairman will issue the resolutions required for implementing the provisions of this Law. These resolutions will be published in the Official Gazette.

Supersession and Repeals Article (20)

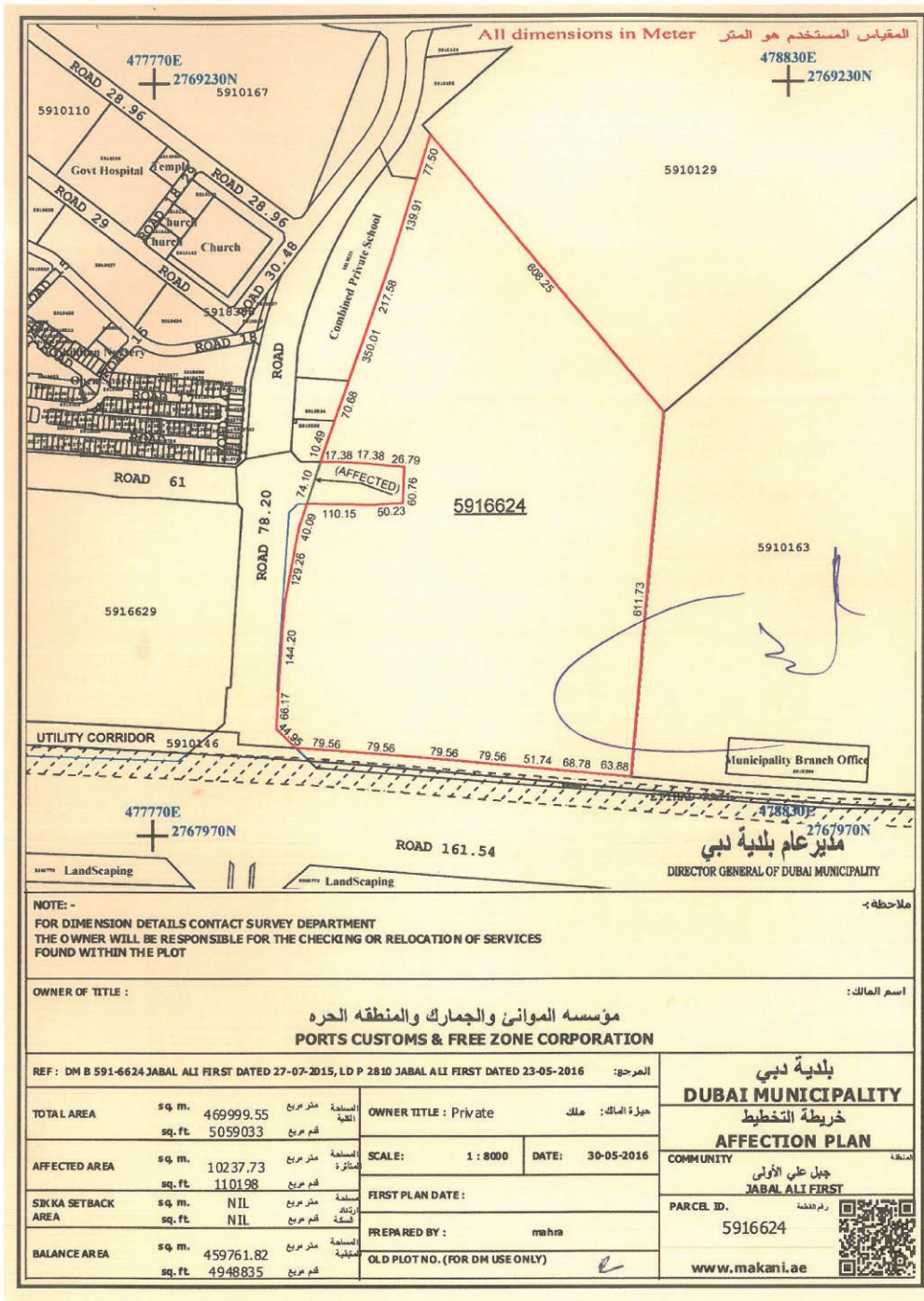
- a. This Law supersedes the above-mentioned Decree No. (1) of 1990 and Decree No. (4) of 1991.
- b. The above-mentioned Decree No. (3) of 1983, Decree No. (29) of 2005, and Resolution No. (10) of 2022 are hereby repealed. Any provision in any other legislation is also hereby repealed to the extent that it contradicts the provisions of this Law.
- c. The resolutions, bylaws, and regulations issued in implementation of the legislation mentioned in paragraphs (a) and (b) of this Article will continue in force, to the extent that they do not contradict this Law, until new superseding resolutions, bylaws, and regulations are issued.

Publication and Commencement Article (21)

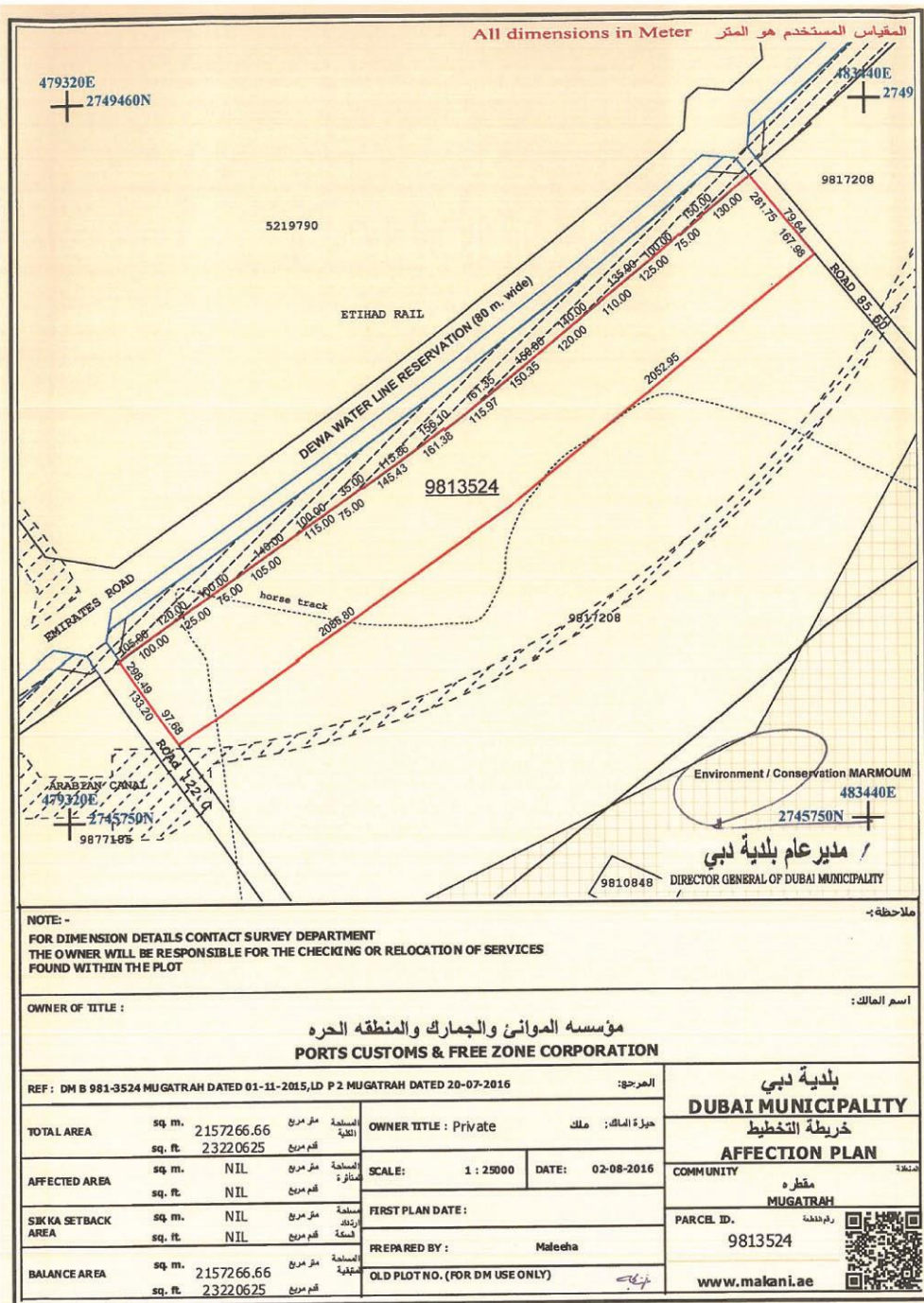
This Law will be published in the Official Gazette and will come into force on the day on which it is published.

Mohammed bin Rashid Al Maktoum
Ruler of Dubai

Issued in Dubai on 6 February 2023
Corresponding to 15 Rajab 1444 A.H.



الموقع العام	تصنيف استعمالات الأرض
<p>المعلومات التخطيطية لقطعة الأرض رقم 5916624 كما يلي :</p>	
موانئ بحرية و خدماتها	SP : الاستعمال
--	SP : الارتفاع
--	SP : المواقف
--	SP : الارتداد
يراعى تقديم تصميم أولى للدراسة من قبل إدارة التخطيط	SP : ملاحظات
رئيس قسم التشريعات والإحصاء التخطيطي	مهندس التخطيط
تجديد (2)	تجديد (1)
<p>هذه المعلومات التخطيطية سارية المفعول ما لم تتعارض مع القوانين التخطيطية المعمدة و يجب التأكد من صلاحيتها و مراجعة إدارتي التخطيط و المساحة قبل البيع أو الشراء.</p>	



الموقع العام	تصنيف استعمالات الأرض															
<p>المعلومات التخطيطية لقطعة الأرض رقم 9813524 كما يلي :</p> <table border="1"> <tr> <td>الاستعمال :</td> <td>PUD</td> <td>--</td> </tr> <tr> <td>الارتفاع :</td> <td>PUD</td> <td>--</td> </tr> <tr> <td>المواقف :</td> <td>PUD</td> <td>--</td> </tr> <tr> <td>الارتداد :</td> <td>PUD</td> <td>--</td> </tr> <tr> <td>ملاحظات :</td> <td>PUD</td> <td>يراعى تقديم تصميم أولي وتفصيل استعمالات الأراضي ومخططات المشروع ككل و مراحل التنفيذ بالإضافة الى دراسة التأثيرات المرورية و البنية و موافقة كافة جهات الخدمات و هيئة دبي للطيران المدني لإعتمادها قبل المباشرة بالتنفيذ.</td> </tr> </table> <p>(يجب الحصول على شهادات عدم الممانعة من مكتب خدمات حرم القطارات بمؤسسة القطارات في هيئة الطرق و المواصلات قبل القيام بأية أعمال على الأرض أو المنشآت القائمة عليها)</p>		الاستعمال :	PUD	--	الارتفاع :	PUD	--	المواقف :	PUD	--	الارتداد :	PUD	--	ملاحظات :	PUD	يراعى تقديم تصميم أولي وتفصيل استعمالات الأراضي ومخططات المشروع ككل و مراحل التنفيذ بالإضافة الى دراسة التأثيرات المرورية و البنية و موافقة كافة جهات الخدمات و هيئة دبي للطيران المدني لإعتمادها قبل المباشرة بالتنفيذ.
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تجديد (2)	تجديد (1)															