

Federal Decree Law No. 5

Issued on 14/08/2019

Corresponding to 13 Dhu Al-Hijjah 1440 H

**ON THE ESTABLISHMENT OF THE FEDERAL GEOGRAPHIC DATA
CENTRE**

We, Khalifa bin Zayed Al Nahyan President of the United Arab Emirates

After perusal of the Constitution,

Federal Law no. (1) of 1972 on the Competencies of Ministries and Powers of Ministers, and its amendments;

Federal Law no. (3) of 1987 promulgating the Penal Code, and its amendments;

Federal Law no. (35) of 1992 promulgating the Penal Procedure Law and its amendments;

Federal Decree-Law no. (6) of 2007 on the establishment and organisation of the National Meteorological Centre, and its amendments;

Federal Decree-Law no. (11) of 2008 on Human Resources in the Federal Government, and its amendments;

Federal Law no. (1) of 2011 on the general revenues of the UAE;

Federal Law no. (8) of 2011 on the re-organisation of the State Audit Institution;

Federal Decree-Law no. (5) of 2011 on the Regulation of the Boards of Directors, Boards of Trustees and Committees in the Federal Government;

Federal Decree-Law no. (8) of 2011 on the Rules for the Preparation of the Public Budget and Final Accounts;

Federal Decree no. (98) of 2009 on the Establishment, Formation and Competencies of the Border Affairs Council;

And according to the suggestion of the Minister of State for Defence Affairs, and the approval of the Cabinet,

Issued the following Decree-Law:

Article 1 - Definitions

In the implementation of the provisions of this Decree-Law, the following words and expressions shall have the meanings stated beside them unless the context requires otherwise:

State: The United Arab Emirates.

Centre: Federal Geographic Data Centre.

Board of Directors: Centre's Board of Directors.

Chairman of the Board of Directors: Centre's Chairman of the Board of Directors.

Director General: Director General of the Centre.

Concerned Entities: Federal or local government entities specialised in the management, creation, collection, use, publication, distribution and storage of Geographic Data, and any other entity of any nature creating, collecting, publishing, distributing or storing Geographic Data.

Geographic Data: Information, data, knowledge and activities related to the sites and places, and including spatial and marine information, in the form of Maps, drawings, lists, aerial or space photos or databases whether in two-dimensional or three-dimensional form.

Geographic Data Systems: Collecting, entering, processing, showing and extracting geographic and descriptive data for specific purposes, storing, retrieving and analysing the same in any way including spatial and statistical analysis, and displaying them on a computer screen, on paper or on a website.

Geographic Databases: Database containing Geographic Data and linking digital Maps to the Features they represent.

Features: Data, specifications and properties associated with the landmarks stored in separate tables.

Surveying: All operations consisting on the representation and measurement of the Earth surface and the landmarks thereof.

Field Survey: All technical works related to the collection, classification and measurement of natural or industrial landmarks, locating sites and Surveying points in the State.

Aerial Survey: All technical works related to collecting spatial data and information from the air using planes, cameras or special Aerial Survey devices for the purpose of producing information and data on the surface of the earth or inside it.

Marine Survey: All technical works related to the measurement of water depths, marine currents and tides, and collecting marine information using ships and planes or any other means for the purpose of producing marine Maps or information tables containing the characteristics of water, seabed, shipping lanes or all scientific and technical activities that take place in the State's marine areas.

Geodetic Survey: Selection and determination of the ground control locations on the surface of the earth and use of astronomical observation methods to specify the observer position on the surface of the earth to fix the locations of points in relation to longitude and latitude. Studying the tides and the bottom of the sea to set the level of comparison and making Maps, preparing accurate budgets to set the heights of the points in relation to the average sea level, conduct magnetic observations and preparing stations to study the amount of magnetic deviation, determining the distances using electronic measurement devices, including any survey work related to the creation of the geodetic points or creation of geodetic networks in unified coordinates, covering the State or at the level of the UAE borders, considered the main reference of the survey projects.

Maps: Engineering drawing of the natural and non-natural landmarks of a specific location of the earth surface. The Maps shall show the symbols and spatial relationships between these landmarks.

Aerial Photography: Aerial Photography with a camera attached to an airplane or any other platform for a specific location.

Satellite Images: Earth images taken through a satellite.

Survey Station: A fixed reference station that is constantly related to satellites to determine the geographic locations and to transmit and correct readings in order to enable surveyors or survey devices to complete the survey measurements and take the horizontal and vertical coordinates.

Geographic Names: Name given to a site or landmark to refer to a specific place, landmark or region, including the cities, neighbourhoods, natural or constructed landmarks.

Article 2 - Establishment and Headquarters of the Centre

A centre shall be established under the name (Federal Geographic Data Centre) having legal entity. The Centre shall have independent budget and full capacity to undertake the necessary works and legal acts to carry out its tasks and exercise its competencies. It shall report to the Cabinet.

Article 3 – Headquarters

The headquarters of the Centre shall be based in the city of Abu Dhabi and a decision may be issued by the Board of Directors to establish branches or offices thereof inside the State.

Article 4 - Objectives of the Centre

The Centre aims to coordinate efforts, procedures and policies related to Geographic Data with all Concerned Entities and unify the metrics, standards, specifications and procedures at the State in a way serving the requirements of such entities and supporting the decision-making process.

Article 5 - Official Reference for Geographic Data

1- The Centre is considered the official reference at the State concerning Geographic Data and issuance of official Maps related thereto, in coordination with the concerned government entities at the State.

2- Subject to the provisions of Clause (1) of this Article, each Emirate of the State shall, within its own competence, consider any local government entity in the Emirate or any approved centre, an official source of Geographic Data in such Emirate.

Article 6- Competencies of the Centre

Taking in consideration the competence of the Concerned Entities in the Geographic Data affairs or data protection, as stipulated in the laws and legislation, the Centre shall:

1- Set the necessary strategic plans, frameworks, policies, standards, specifications and procedures in order to manage, collect, publish, integrate and protect the confidentiality of the biogeographic Data.

2- Issue the official Maps of the State after their approval by the concerned authority and provide the basic Geographic Data and information to the Concerned Entities using Geographic Data Systems.

3- Set and standardise the standards, policies, specifications, governance frameworks and procedures related to Geographic Data, including geographic titling and names at the State level.

4- Organise, manage and issue the necessary licences and permits to the Concerned Entities on the creation, collection, limitation, use, survey, distribution and storage of Geographic Data and information.

5- Set and develop the technical specifications of all Geographic Data through survey, Aerial Photography or Satellite Images, by coordinating the programmes and projects between the Concerned Entities.

6- Spread awareness of the importance and confidentiality of Geographic Data, and qualification of national cadres in the field of Geographic Data.

7- Represent the State in international agreements, programmes and forums related to field of Geographic Data, in coordination with the Concerned Entities.

8- Hold conferences, seminars and workshops and build and manage partnerships in cooperation with the international and regional organisations concerned with Geographic Data Systems.

9- Create and maintain a federal Geographic Database.

10- Carry out any type of Field, Aerial, Marine or Geodetic Surveys.

11- Any other tasks and competencies entrusted to the Centre by the Cabinet.

Article 7

1- The Concerned Entities shall provide the Centre with the required Geographic Data and information and update the same, and shall provide it with information and knowledge support.

2- The Centre shall classify the Geographic Data and information and the methods of dealing therewith according to the degrees of confidentiality subject to a Board decision.

Article 8 - Board of Directors

The Centre shall be managed by a Board of Directors formed by a Cabinet decision. The formation decision shall determine the Chairman of the Board of Directors and his Deputy, the duration of the Board, the remuneration of the members thereof and the mechanism for holding its meeting and taking its decisions.

Article 9 - Competencies of the Board of Directors

The Board of Directors shall have the jurisdiction to:

1- Propose the policies, strategies and legislation related to Geographic Data in the State and submit them to the Cabinet.

2- Propose the general policy of the Centre and the necessary strategic plan, programmes and projects and supervise the implementation thereof after their approval by the Cabinet.

3- Propose the federal standards and technical specifications of the Geographic Data Systems and submit them to the Cabinet for approval.

4- Propose the conditions and rules related to the exercise and exchange of works related to Geographic Data at the State, and submit them to the Cabinet for approval.

5- Propose the unified geographic titling and names at the State level and submit them to the Cabinet for approval.

6- Approve the Centre's technical, administrative and internal regulations.

7- Approve the organisational structure and submit it to the Cabinet for approval.

8- Approve the draft annual budget and final account of the Centre and submit them to the Ministry of Finance to include within the Law of Consolidated Budget and Final Account.

9- Propose the fees for the services provided by the Centre and submit them to the Ministry of Finance to be presented to the Cabinet for approval.

10- Accept the donations, subsidies and grants according to the Centre's competencies and objectives.

11- Any other functions assigned by the Cabinet.

Article 10 – Director General

The Centre shall have a Director General whose appointment and grade are determined by a federal Decree upon the recommendation of the Chairman of the Board of Directors. He shall represent the Centre before the judicial authorities and in its relationship with third parties and shall be liable before the Board of Directors for the implementation of the Centre's policies and strategies and proper management of its technical, administrative and financial affairs, and may, in particular:

1- Prepare business plans and programmes as well as the projects related thereto and submit them to the Board of Directors for approval and follow-up of the implementation thereof.

2- Prepare the organisational structure and submit it to the Board of Directors for approval.

3- Prepare the administrative and internal regulations of the Centre and present them to the Board of Directors for approval.

4- Prepare the Centre's draft annual budget and final accounts and present them to the Board of Directors for approval.

5- Appoint the Centre's employees and issue decisions related to the employees' affairs at the Centre, within the limits of the capacities prescribed under the rules and regulations in force at the Centre.

6- Implement and follow the decisions, policies, plans and programmes set by the Board of Directors.

7- Submit the periodic and annual reports related to the workflow at the Centre and present them to the Board of Directors.

8- Manage the Centre, supervise the work system thereof, follow the implementation of the rules and regulations in force at the Centre and work on the development thereof.

9- Any other functions or tasks assigned by the Board of Directors.

Article 11 - Financial Resources

The Centre's financial resources shall be formed of:

- 1- Annual financial allocations specified for the Centre in the State's budget.
- 2- The grants, subsidies and donations offered to the Centre and approved by the Board of Directors.
- 3- Revenues collected by the Centre from the exercise of its competencies and tasks.

Article 12 – Fiscal Year

The Centre's fiscal year shall start on the first of January and end on the thirty-first of December of every year, except the first fiscal year that starts on the date of entering into effect of the provisions of this Decree-Law and ends on the thirty-first of December of the following year.

Article 13- Centre's Funds and Redemption of Tax

- 1- The Centre's funds are considered public funds.
- 2- The Centre shall have the right to redeem the input tax paid according to the mechanisms set forth in the tax laws and legislation in force at the State.

Article 14 – Penalties

Whoever commits any of the following acts shall be sentenced to imprisonment for a period not less than two years and/or a fine not less than AED fifty thousand and not exceeding AED one hundred thousand Dirhams:

- 1- Giving data or information or providing services related to Geographic Data without obtaining the prior approval of the Centre or the concerned local entity, as the case may be.
- 2- Establishing Survey Stations or operating survey devices or Aerial Photography cameras without obtaining the permit of the Centre or the concerned local entity.
- 3- Collecting Geographic Data or information through Aerial Photography or Surveying of all forms, Surveying devices, Aerial Photography or navigation systems and positioning for the purpose of issuance, publication or sale of geographic Maps or information without obtaining the prior approval of the Centre or the concerned local entity.

Article 15

Whoever violates any other provision of this Decree-Law shall be sentenced to imprisonment and/or a fine.

Article 16

The imposition of the penalties set forth in this Decree-Law shall not prejudice any other more severe penalty stipulated in another Law.

Final Provisions

Article 17

The Centre shall be subject to legislation on human, financial, accounting and procurement resources in force at the Federal Government.

Article 18

The Centre's employees specified by a decision from the Minister of Justice, under agreement with the Chairman of the Board of Directors, shall have the capacity of judicial officers to prove the crimes occurred in violation of any Laws and regulations related to Geographic Data and that the Centre is concerned with the implementation thereof, within the jurisdiction of each.

Article 19

Taking into consideration the competencies of the Cabinet set forth in Article (9) of this Decree-Law, the Chairman of the Board of Directors shall, after coordination with the Concerned Entities, issue the regulations and decisions necessary to implement the provisions thereof.

Article 20 - Abrogation

Any text or provision violating or contradicting the provisions of this Decree-Law shall be abrogated.

Article 21 – Publication and Entry into Force

This Decree-Law shall be published in the Official Gazette and shall enter into effect on the day following the date of publication thereof.

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in Abu Dhabi: On: August 14, 2019

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Khalifa bin Zayed Al Nahyan

President of the United Arab Emirates State

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