

DMCC SHISHA POLICY

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1. Purpose

The Purpose of this Policy is to outline the general arrangements for Health and Safety within the DMCC Free Zone (“**Free Zone**”) in relation to the use and smoking of shisha (Water Pipes) or any other smoking appliance of a similar nature.

2. Scope

This Policy applies to any establishment, retail unit or any other property or premises that are located within the Free Zone and which intend to provide shisha for commercial use in either indoor or outdoor areas – for both new applicants and existing licensees (“**Units**”). Units (or companies) may not operate commercial shisha operations within the Free Zone without a valid permit obtained from DM along with a permit issued by DMCC.

3. Reference to Legislation

- Local Order No (11) of 2003
- Local Order No (1) of 2006
- Local Order (61) of 1991
- Administrative Resolution No (92) of 2009
- Executive Bylaw No (173) of 2007
- Dubai Multi Commodities Centre Free Zone Rules and Regulations

4. Responsibilities

Owners or leaseholders of Units must adhere to and comply with this Policy and any instructions or directions stated herein, by ensuring that the appropriate measures are put in place in order to ensure, not only one’s own safety but in addition, the safety of other members of the public.

5. General Provisions

- 5.1 The maximum number of Shisha Units, whether indoors or outdoors, shall be one Unit per cluster, served on first-come-first-served basis, subject to the presentation of a valid permit from Dubai Municipality (DM) (as a regulator of this activity), Dubai Civil Defense (DCD) and fulfillment of all requirements, conditions and rules according to applicable laws and regulations related to this activity and subject to DMCC approval.

- 5.2 Units which intend to provide shisha, whether indoors or outdoors, must follow the provisions set forth within this Policy, including but not limited to the following:
- a) Shisha smoking is prohibited unless the company holds a valid and applicable DMCC trade license with an activity of restaurant, coffee shop, or any other activity deemed appropriate by the authority;
 - b) Persons under the age of 18 years are strictly prohibited from entering designated smoking areas. A warning notice must be clearly posted at the entrance of the area for this purpose. A prescribed form of this notice is available free of charge from DMCC and DM.
 - c) The Unit's entrance must be located at least 10 metres from the main entrance of any nearby building or any neighboring Unit;
 - d) The Unit may not be located within 150 metres of any child care nursery or school;
 - e) The Unit may not be located within 100 metres of any mosque;
 - f) Every Unit should have a separate external entrance in accordance with its approved design. Alternatively, the interior entrance to the Unit must be at a separating distance of no less than 10 meters from any common area inside the Unit, and should not have direct line of sight to the remaining facilities and shops located inside the Unit;
 - g) The designated smoking area (including shisha preparation, storage and serving areas) should not be larger than 50% of the total indoor dining area. Occupant density should not be more than 20 Sq. Ft/ person.
 - h) No part of any other plot is to be used when shisha is allowed outside;
 - i) DMCC emergency Control Centre numbers are to be displayed in case of an emergency situation; and
 - j) DMCC reserves the right to apply penalties, including but not limited to, the levying of fines (in accordance with the DMCC Free Zone Rules and Regulations (3rd Edition), dated March 2012 "**Rules**") and termination of a trade license, in the event that a Unit / company is found to be in breach of the Policy.

6. Documentation and Requirements

Please refer to the "Application Guideline 2.3.2.1 – Request for Shisha Permit" available on DMCC website.

7. Indoor Shisha

- 7.1 The business activity on the DMCC trade license must be either a restaurant or a coffee shop.
- 7.2 The designated indoor smoking area should be separated from all non-smoking areas by walls from floor to ceiling. Ceiling height must not be less than 9 Ft.
- 7.3 The total area of the Unit should be a minimum of 1500 Sq. Ft (excluding the common areas which include, but are not limited to, hand washing facilities and toilets).
- 7.4 The total kitchen area should be a minimum of 500 Sq. Ft (excluding the common areas which include, but are not limited to, hand washing facilities and toilets). The storage area should occupy a minimum of 25% of the kitchen area.
- 7.5 The designated smoking area (including shisha preparation, storage and serving areas) should not be larger than 50% of the total indoor dining area. Occupant density should not be more than 20 Sq. Ft/ person.
- 7.6 The total dining area (including the designated smoking and designated non-smoking areas) should be a minimum of 1000 Sq. Ft (excluding the common areas which include, but are not limited to, hand washing facilities and toilets).
- 7.7 The designated smoking area should not include any service or facility that may be required for use by non-smoking customers such as the waiting area, lobby, elevator, toilet room, kitchen, any telephone space or area allocated for entertainment or gaming.
- 7.8 A separate approval must be obtained for any live entertainment as per DMCC and DTCM rules and regulations.
- 7.9 Clear signs shall be posted at all entrances clearly displaying the area that has been designated for smokers and for non-smokers. A prescribed form of notice is available free of charge from DM.
- 7.10 The designated smoking area shall not be used as an access route that non-smoking customer may have to use in order to have access to another area.
- 7.11 All doors should automatically close and must remain closed at all times except during the point of entry and exit to the Unit.
- 7.12 Any indoor smoking area must include self-closing door(s) that are equipped with

an alarm that will be activated if the door remains open for more than 60 seconds.

- 7.13 A space of not less than 50 Sq. /Ft. should be provided for the cleaning and preparation of shisha pipes and associated equipment, which must be separated from the area in which food and drinks are being prepared. The methods and conditions of cleaning and maintaining shisha equipment must be in line with the requirements set out by Dubai Municipality Public Health and safety Department.
- 7.14 The following requirements must also be complied with:
- a) The provision of a table for preparing shisha, which is to be made of rustproof material (e.g. stainless steel).
 - b) The provision of an area dedicated for washing shisha equipment.
 - c) The provision of a charcoal platform inside the Unit, which is to be connected to a mechanical ventilation system for expelling polluted air (exhaust) directly outward.
 - d) The designated smoking area must be separated from the area in which shisha or beverages are prepared.
 - e) Disposable type mouth pieces only shall be used.
 - f) Separate lavatories should be provided for both men and women.
 - g) All workers/employees should have valid vocational health cards as required by Local Order (61) of 1991.
 - h) Fire escapes routes should be clearly highlighted and kept clear of any obstruction.
 - i) Fire extinguishers specific to the type of fire are to be provided and placed in clearly marked areas.
 - j) A first-aid kit shall be provided with a trained first aider present within the Unit at all times.
 - k) Consumed and non-consumed charcoal shall be stored in a safe manner by placing it in fireproof containers (metal or porcelain) away from any flammable materials at a distance not less than 10 Ft. In addition, a warning sign shall be placed on the container showing that it contains hot and dangerous charcoal.

- l) Floors must not be covered with flammable materials or materials that are difficult to be cleaned.
- m) Emergency exits and signage must be at all times be present within the unit as per Dubai Civil Defense requirements.
- n) The Unit should not cause any inconvenience to its neighbouring and adjacent buildings.
- o) Shisha must not be served inside cabins that are closed from three sides or more.
- p) A hall or space maybe allocated for families of area no less than 300 sq/ft which must also have a suitable entrance as per requirements set within this policy.
- q) Shisha delivery to (offices, homes, cars or other public areas) is not permitted.
- r) Any changes in the layout of the Unit must be carried out in accordance with all relevant rules and regulations. All approvals from the relevant authority must be obtained prior to any such changes.

8. Ventilation

- 8.1 The interior air pressure of the designated smoking area should be below the interior air pressure that is found in adjacent areas between (5-7) Pascal, i.e. equivalent to (0.02 to 0.03) inches of water.
- 8.2 Supply air provided to the designated smoking area must not be less than 60 cfm. For each person (design must be based on the maximum occupant density).
- 8.3 Air from the designated smoking area must be mechanically exhausted to the outside and no air from designated smoking area may be re-circulated to a non-smoking area through the air conditioning and ventilation system. The mechanical exhaust system must be on at all working times to create negative pressure within the designated smoking area and the negative pressure must be maintained while any door(s) to the room are open.
- 8.4 Ventilation and air conditioning systems for smokers must be separated from other systems. The air shall not be re-circulated with adjacent no smoking areas. Exhausted air must be a minimum separation distance not less than 10 meters from the entrances or exits of the building, windows, and pedestrians walkways and the fresh air intake of the ventilation and air conditioning system.

9. Outdoor Shisha

9.1 In addition to the conditions set forth in relation to indoor shisha establishments, the following must also be complied with in relation to outdoor shisha establishments:

- a) The area allocated for smokers must be at a distance of at least 10 Meters from the windows or louvers of ventilation and air-conditioning systems using external air and building entrances and exits
- b) External areas may not be used for storing charcoal or its preparation or the preparing or cleaning shisha pipes and associated equipment.
- c) The external areas may not be used for displaying shisha or for the advertisement of the sale or consumption of shisha.
- d) The seats allocated for smokers must not exceed 75% of total number of seats in the Unit.
- e) Seats allocated for smokers must be located away from the seats allocated to non- smokers by a distance of at least three feet.
- f) Clear signboards should be placed indicating the areas allocated for both smokers and non-smokers.
- g) The location of the external area should not cause any inconvenience to any neighboring buildings or the surrounding area in general including traffic movement, public car parks, and pedestrian walkways.
- h) Compliance with all conditions relevant to the occupation of sidewalks, external plazas of buildings and commercial shops in the Emirate of Dubai, in accordance with Order No.(1) of 2006, in respect of the occupation of sidewalks and external plazas of buildings and commercial shops in the Emirate of Dubai and its executive by Law No. (173) of 2007.
- i) No shisha is to be consumed outside approved dedicated smoking area.
- j) Suitable and sufficient ventilation is to be provided near to common areas or where there is contact or integration with non-smoking customer or members of the public.
- k) Suitable and sufficient protection is to be placed on the boundaries of the outside perimeter to block the view of shisha smoking to the public and

common areas.

- l) Noise must be contained in all outside areas as per the parameters set out in Local Order (61) of 1991.
- m) Complaints from neighboring establishments for any disturbance from outdoor shisha establishments may result in revoking of the license or fines being imposed by DMCC.
- n) Fire precautions must be taken with suitable fire extinguishers presence.
- o) Flammable materials are to be stored away from areas where shisha is consumed.
- p) Areas of fire and safety escape are to be kept clear at all times.
- q) Outdoor area cooling units, fans and heaters must initially be approved by DMCC as part of the Outdoor Leasing Agreement, and then positioned in a safe and suitable manner distant to customers smoking shisha.

10. Statutory Interpretation

- 10.1 Shisha is also known as and is classified the same as: a Waterpipe, Hookah, Narghile, Hubbly Bubbly, Ghelyoon, Ghalyan, Goza and Arghile. Therefore, the above rules and conditions apply to any type of charcoal and water smoking apparatus excluding electronic Shisha devices, which are strictly prohibited.
- 10.2 Conditions and controls will be monitored by random and unannounced inspections conducted by DMCC Compliance Inspectors, Concordia Food Safety & Health Inspectors and DM.
- 10.3 The owner of the Unit is fully responsible to instruct and train their staff on the contents of this Policy. The owner of the Unit will not be exempted from a violation of this Policy in his / her absence and shall remain liable for any breach and subsequent sanction under this Policy.
- 10.4 Unapproved areas within the Unit in which customers, employees and or any other person(s) found smoking Shisha, will also be the sole responsibility of the registered Business Owner(s), thereby representing a violation in this Policy.
- 10.5 If the owner(s) of this Unit can establish all of the following:
 - Neither they nor any member of their staff provided smoking paraphernalia in the unapproved area;

- Neither they nor their staff could reasonably have known that there was a person or persons smoking in the unapproved area;
- As soon as either they or their staff found out about the person smoking in the unapproved area, the person was asked to stop smoking;
- The person was informed that they were committing a violation;
- And if the person continues to smoke after having been asked to stop, the person is requested to leave the area,

Only then, the owner of the shisha business may be exempted from sanction under this Policy, which remains in the absolute discretion of DMCC.

11. Enforcement

- 11.1 In accordance with the Rules, DMCC reserves the right, in its sole discretion to cancel or revoke the Shisha Permit and or the DMCC Trade License of the company (and /or levy any fines, penalties or tariffs as stipulated in the DMCC Tariff of Penalties), should the Unit be found to be in violation of this Policy. Please refer to the relevant and applicable sections of the Rules, a copy of which may be found on the DMCC website.

For further clarification or related enquiries, please contact us on the below contact details:

- Please visit our DMCC Help Centre at www.dmcc.ae/helpcentre.
- Contact us at 600 54 DMCC (600 54 3622) or +971 4 4249600.