

# HSE Regulations

2020



## DUBAI MULTI COMMODITIES AUTHORITY HEALTH, SAFETY AND ENVIRONMENT REGULATIONS 2019<sup>1</sup>

### 1. DEFINITIONS AND INTERPRETATION

1.1 In these Regulations, unless the context otherwise requires, the following words and expressions shall have the following meanings:

Word or expression	Meaning in these Regulations
<b>Applicable Laws</b>	all laws, decrees, orders, decisions, instruments, notices, rules, regulations, requirements, codes of practice, directions, guidance, permissions, consents or licenses issued by a Relevant Authority including these Regulations and the HSE Guidelines applicable in the DMCC Free Zone to the Community Users in respect of health, safety and the environment of the Master Community
<b>Community User</b>	All DMCC employees, all stakeholders associated with the Master Community and all and member of the public and visitors to the Master Community
<b>DM</b>	Dubai Municipality
<b>DMCC</b>	Dubai Multi Commodities Centre
<b>DMCC Free Zone</b>	the DMCC free zone, established pursuant to Law No. 4 of 2001 and by virtue of Decision No. 4 of 2002 on Establishing the Dubai Commodities and Metals Centre, each issued in the Emirate of Dubai (and includes any area regulated by DMCCA) and for the purposes of these regulations the DMCC Free Zone includes the Master Community
<b>DMCCA</b>	the authority of DMCC established pursuant to Law No. 4 of 2001 and by virtue of Decision No. 4 of 2002, each issued in the Emirate of Dubai, which authority has governance over the DMCC Free Zone
<b>DMCCA Personnel</b>	any entity or personnel authorised by DMCCA
<b>HSE</b>	health, safety and environment

<sup>1</sup> Effective date 2 of Jan 2020, unless otherwise advised by DMCC

<b>HSE Breach</b>	a contravention of these Regulations, the HSE Guidelines, or other Applicable Laws, as managed and administered by DMCCA
<b>HSE Guidelines</b>	the Health, Safety and Environment Guidelines Version 1.0 issued on 1 July 2018 as may be amended by DMCCA from time to time
<b>Incident</b>	any HSE related incident, including but not limited to a fire, flood or other emergency
<b>Inspection</b>	as defined in Regulation 11.3
<b>Investigation Report</b>	as defined in Regulation 12.1
<b>Master Community</b>	the entire Master Community known as the DMCC Master Community that forms part of the Master Community, developed or to be developed on a portion of the land comprising Plot No. 814, Parcel ID No. 393 Emirates Hill First, Dubai, situated between 5th and 6th Interchanges, Sheikh Zayed Road, Dubai, and includes all or any extensions of or reductions to the Master Community from time to time
<b>Master Community Declaration</b>	the declaration relating to the management, administration, maintenance and control of the Master Community as may be amended by DMCCA from time to time
<b>NOC</b>	no objection certificate
<b>Owners Association</b>	an owners association or building management group in respect of a building within the DMCC Free Zone
<b>Owners Association Managers</b>	with respect to an Owners Association, the association manager appointed by that Owners Association
<b>Previous HSE Regulations</b>	any DMCCA HSE regulations in force prior to the issue of these Regulations
<b>Principal Emergency Contact</b>	as defined in Regulation 12.3
<b>Relevant Authority</b>	the DMCCA, the Government of the UAE, the Government of the Emirate of Dubai, DM, any other ministry, department, local authority or entity having jurisdiction over the Master Community and any service provider approved by DMCCA from time to time as having jurisdiction over the Master Community

<p><b>Regulations</b></p>	<p>these Dubai Multi Commodities Centre Authority Health, Safety and Environment Regulations 2019, which shall include by incorporation the HSE Guidelines</p>
<p><b>Secondary Emergency Contact</b></p>	<p>as defined in Regulation 12.3</p>

1.2 In these Regulations, any term that is capitalised but is not specifically defined shall have the corresponding meaning given to that term in the Master Community Declaration.

1.3 In these Regulations, a reference to:

- (i) a provision of any law, rule or regulation includes a reference to that law, rule or regulation as amended, extended or re-enacted from time to time;
- (ii) a person includes any natural person, corporate entity or unincorporated entity, including a company, partnership, unincorporated association, government or state;
- (iii) an obligation to publish, or to cause to be published, a particular document includes, unless expressly provided otherwise in these Regulations, publishing or causing to be published in printed or electronic form;
- (iv) a calendar year means a year of the Gregorian calendar;
- (v) a word that suggests one gender includes all genders;
- (vi) the singular includes the plural and vice versa, unless the context otherwise requires;
- (vii) these Regulations includes any regulations made under these Regulations, unless expressly provided otherwise in these Regulations;
- (viii) a section, regulation or schedule by number only, and without further identification, is a reference to the section, regulation or schedule of that number in these Regulations; and
- (ix) writing includes any mode of communication that preserves a record of the information contained in it and is capable of being reproduced in tangible form, including electronic means.

1.4 The headings in these Regulations do not affect its interpretation.

## 2. GENERAL DUTY

- 2.1 All Community Users, visiting, working or operating in the Master Community must comply with: (i) these Regulations and any Applicable Laws; and (ii) the HSE Guidelines, to the extent applicable to Community Users.
- 2.2 Each Community User has a duty to, as far as is reasonably practicable, prevent accidents, incidents, ill health, dangerous occurrences and environmental damage within the Master Community.
- 2.3 These HSE Regulations set out the high-level principles of HSE compliance to be adhered to by all Community Users and must be read in conjunction with the HSE Guidelines which provide additional information and clarifications regarding Community Users' obligations under Applicable Laws.

### **3. HSE BREACHES AND SANCTIONS**

- 3.1 A Community User who commits a contravention of these Regulations, the HSE Guidelines, or other Applicable Laws administered by DMCCA will, at the absolute discretion of DMCCA, be deemed to have committed an HSE Breach.
- 3.2 Where DMCCA considers that an HSE Breach has occurred and/or the Community User's HSE performance is unacceptable, DMCCA may issue warnings to that Community User in accordance with the applicable warning procedures prescribed by DMCCA from time to time.
- 3.3 The process identified in the HSE Guidelines, shall be followed with respect to the issue of warnings, and notices and imposition of sanctions.
- 3.4 If, upon expiry of any time frame given in any written notice in respect of an HSE Breach, DMCCA or DMCCA Personnel deem a Community User to have failed to remedy the HSE Breach to their satisfaction, DMCCA or DMCCA Personnel may, in at their absolute discretion, impose whatever sanction they deem appropriate in the circumstances, including but not limited to, suspension of a commercial licence or imposition of a financial penalty by way of written notice in accordance with the DMCCA tariff scheme or Applicable Law.
- 3.5 DMCCA may prescribe the applicable procedures in relation to the imposition, publication, collection and recovery of fines or financial penalties imposed pursuant to these Regulations.
- 3.6 If DMCCA or DMCCA Personnel deem an HSE Breach to be material, serious or otherwise incapable of being remedied, DMCCA or DMCCA Personnel retain the right, in their absolute discretion, to take any measures required by any Applicable Laws, with or without prior notice.

3.7 DMCCA or DMCCA Personnel may, at the cost of the Community User, take all and any other action it deems necessary in order to remedy any HSE Breach.

3.8 In the event that the Community User:

- (a) is issued with three (3) or more HSE warnings in any twelve (12) month period; or
- (b) fails to respond to any written notice within the specified response time,

further sanctions may be imposed by DMCCA.

3.9 In the event that any HSE Breach is discovered during an HSE Inspection, DMCCA may verbally notify the Community User of the HSE Breach at the time of the HSE Inspection and shall provide written notice to the Community User of the HSE at any time after the Inspection.

#### **4. HSE RISKS AND PRECAUTIONARY MEASURES**

4.1 Without limiting the Community User's general duty under Regulation 2, the Community User shall, as far as is reasonably practicable:

- (a) identify all HSE hazards, risks and environmental impacts (collectively, HSE Concerns) related to its activities within the Master Community;
- (b) take mitigation and preventative measures such as adopting and implementing appropriate control measures to suitably manage and prevent any accidents or incidents occurring as a result of the identified HSE Concerns;
- (c) ensure adequate systems are in place that minimise risks to health and safety and the use, handling, storage and transport of dangerous articles and substances;
- (d) provide and maintain adequate and safe access to and from the Master Community; and
- (e) provide any other facilities or meet any other requirements as prescribed in these Regulations or rules, policies or orders issued thereunder.

#### **5. LETTERS OF NO OBJECTION, APPROVALS AND PERMITS**

5.1 A Community User shall obtain all requisite certificates, permits, NOCs or other approvals prior to undertaking any activities within the Master Community, in particular any physical work activities which require the same in accordance with the HSE Guidelines and Applicable Laws.

#### **6. OCCUPATIONAL HEALTH AND WELFARE**

6.1 All Community Users who are employers must demonstrate suitable HSE procedures and keep the same on the commercial premises, shall appoint competent safety and first aid

staff or competent third-party safety consultants, and shall provide access to adequate health and medical facilities.

- 6.2 First aid treatment records must be retained for inspection and audit by DMCCA and any other Relevant Authorities.

## **7. FIRE PREVENTION, PROTECTION AND CONTROL**

- 7.1 All Community Users must adopt fire protection and prevention measures in line with and to the extent they are required by the HSE Guidelines, including not limited to:

- (a) conducting fire safety and awareness training;
- (b) establishing and appointing emergency response teams, fire marshals, fire points and conducting regular drills;
- (c) ensuring fire service vehicle and personnel access and egress are preserved and accessible;
- (d) ensuring all fire protection equipment is maintained and inspected regularly to test standards acceptable to DMCCA or DMCCA Personnel; and
- (e) adopting and maintaining adequate exit signage, emergency lighting, emergency voice and evacuation systems fire detections and alarm systems, fire protection services, smoke control and smoke management systems.

- 7.2 Community Users must immediately report any fire to DMCCA in accordance with the reporting procedures set out in the HSE Guidelines. Any Owners Associations and Owners Association Managers must provide DMCCA with a report highlighting the cause, and corrective and preventative actions.

- 7.3 Every owner of a building within the Master Community must submit to DMCCA an emergency evacuation plan for each building which complies with the HSE Guidelines.

- 7.4 Facilities management companies operating in the Master Community must carry out regular fire drills in accordance with the HSE Guidelines.

## **8. RISK MANAGEMENT AND ASSESSMENT**

- 8.1 Any specific work-related hazards and potentially hazardous activities shall be identified by the relevant Community Users prior to the commencement of any work activities. A risk assessment must be undertaken by a person or entity qualified and competent to do so, which risk assessment shall define the hazards, and recommended control measures and method statement in accordance with the HSE Guidelines and Applicable Laws. A copy



of any such risk assessment shall be made available on site for inspection by all concerned parties.

## **9. ENVIRONMENT**

- 9.1 All Community Users must take steps to minimise noise, dust and other pollution as far as possible in accordance with Applicable Laws.
- 9.2 Construction work must be arranged to minimise noise and dust pollution in accordance with the HSE Guidelines.
- 9.3 Community Users undertaking industrial activities must have an environmental plan to cover environmental impacts in accordance with the HSE Guidelines.
- 9.4 Waste must be recycled or reclaimed wherever possible and to the extent this is not possible, disposed of in accordance with DM requirements. All Community User employers must have a procedure in place to comply with this Regulation.
- 9.5 Any Community User who is or potentially is a source of air pollution must submit to DMCCA an environment impact assessment in accordance with the HSE Guidelines prior to commencing the activity which may cause air pollution.
- 9.6 Any Community Users who is or potentially is a source of emissions and effluents must carry out periodic testing of the same in accordance with the HSE Guidelines and keep records for inspection by DMCCA, DM and any other Relevant Authority.
- 9.7 The use of garden and power tools which generate noise must be limited to between the hours of 7:00am and 8:00pm from Saturday to Thursday (unless a private sector public holiday), and between the hours of 9:00am and 5:00pm on Saturdays and private sector public holidays.
- 9.8 Each employer and owner of property within the Master Community must have an emergency spill kit available in accordance with the HSE Guidelines.

## **10. HSE REPORTING**

- 10.1 All owners and occupiers of buildings, plots or units with the Master Community and DMCC Free Zone licence holders shall monitor and measure Incident counts and frequency rates, and shall each month issue a statistical Security and HSE report (Monthly Statistical Report) to DMCCA, which report shall include key HSE issues and Incident counts/frequency rates and shall otherwise be in accordance with requirements mandated by DMCCA.
- 10.2 An HSE Monthly Statistical Report shall also include, but shall not necessarily be limited to:
  - (a) HSE and Security issues relating to an area located within the Master Community;
  - (b) statistics concerning that Community User or contractor or any other entity in some way associated with that Community User's use of the Master Community; and



- (c) any other information which DMCCA or DMCCA Personnel deems to be relevant and necessary in the circumstances.

## 11. AUDITS, INSPECTIONS AND PERFORMANCE MEASUREMENT

- 11.1 The Community User's compliance with these Regulations, and the HSE Guidelines shall be measured through audits and inspections by DMCCA or DMCCA Personnel.
- 11.2 A Community User must provide DMCCA with a monthly statistical report highlighting key issues identified through such audits and inspections.
- 11.3 Subject to Applicable Laws, DMCCA or DMCCA Personnel may, at any time, have the right to enter all and any areas within the Master Community for the purposes of investigating whether any such area or the use of that area is in compliance with these Regulations, the HSE Guidelines and Applicable Laws or any other DMCCA requirements ("**Inspection**").
- 11.4 All Community Users or their relevant representative(s) shall, on demand, provide DMCCA with immediate access to allow DMCCA or DMCCA Personnel to undertake an Inspection and shall fully co-operate with DMCCA or DMCCA Personnel for such purposes.
- 11.5 No Community User shall, in any way, restrict or hinder DMCCA or DMCCA Personnel's access to any area within the Master Community or performance of an Inspection and shall offer all necessary and appropriate support to enable DMCCA or DMCCA Personnel to undertake the Inspection.
- 11.6 An Inspection may include, but is not limited to, determining whether the relevant area is in compliance with obligations concerning:
  - (a) health and safety;
  - (b) use;
  - (c) cleanliness and maintenance of facilities;
  - (d) appropriate disposal of waste;
  - (e) leasing/sub-leasing; and
  - (f) any other provision contained in these Regulations, HSE Guidelines and Applicable Laws.
- 11.7 An Inspection may involve DMCCA or DMCCA Personnel performing or undertaking any of the below actions:
  - (a) taking photographs or any other form of digitally stored record;
  - (b) requesting certain documents/classes of documents or copies of such from the Community User, including, but not limited to details and information concerning

personnel subject always to compliance with any data privacy laws or regulations in place from time to time; and

- (c) inviting appropriate expert or specialist personnel to assist DMCCA or DMCCA Personnel or otherwise attend any Inspection.

## 12. ACCIDENTS AND INCIDENTS, INVESTIGATION AND REPORTING

12.1 Community Users shall inform DMCCA immediately of any Incident, that occurs or may occur within the Master Community and, that Community User shall:

- (a) in respect of any major, serious or significant Incidents (as categorised in the HSE Guidelines) shall immediately notify DMCCA with appropriate details of any such Incident by telephone and/or email, to the contact details below and immediately notify any national emergency response teams (fire, police, medical):

Telephone: +971 442 32999  
Email: [ccc.ilt@dmcc.ae](mailto:ccc.ilt@dmcc.ae)

- (b) within twenty-four (24) hours of knowledge of the Incident, provide an initial formal written notification of the Incident, emailed to DMCCA's HSE department at: [hse@dmcc.ae](mailto:hse@dmcc.ae);
- (c) within the timeframe specified in chapter 14 of the HSE Guidelines, send a full investigation report of the Incident in written form, together with such ancillary documents as required and updated report and action plan ("**Investigation Report**") to DMCCA's HSE department;
- (d) within seven (7) days of Submission of the Investigation Report, a report containing details of the lessons learned.

12.2 Upon receipt of an Investigation Report, DMCCA or DMCCA Personnel may carry out an appropriate investigation to determine cause of the Incident and whether appropriate corrective action has been taken to prevent future occurrence of a similar Incident.

12.3 All relevant Community Users shall immediately, and in any event upon renewal of their licence, provide DMCCA with written details of two (2) individuals to act as their emergency contacts. One such individual, preferably the relevant Community User's general manager, shall be identified as the principal point of contact in the event of an Incident ("**Principal Emergency Contact**") and the other the secondary point of contact ("**Secondary Emergency Contact**"), contactable when the Principal Emergency Contact is unavailable, in the event of an Incident.

12.4 Either or both of the Principal Emergency Contact and the Secondary Emergency Contact shall be contactable at any time in case of an Incident concerning the Community User they represent.

12.5 DMCCA or DMCCA Personnel may, in their absolute discretion and irrespective of the presence or non-presence of Community User personnel in an area, enter any area if it

has reasonably determined that there is an Incident which may result in a serious HSE risk to any Community User in accordance with the Applicable Laws.

- 12.6 Neither DMCCA nor DMCCA Personnel shall be liable for any damage or loss associated with any such entry to an area

### **13. CONSTRUCTION**

- 13.1 Community Users carrying out any kind of construction works must submit method statements and risk assessments to DMCCA for approval prior to commencing work, in accordance with the HSE Guidelines.
- 13.2 Contractors must provide a detailed HSE plan to DMCCA prior to commencing work, in accordance with the HSE Guidelines.

### **14. ROAD AND ACCESS**

- 14.1 Community Users must not obstruct any road, footpath or other public access point within the Master Community.
- 14.2 If construction work or any other activity will affect vehicle or pedestrian traffic, the Community User which is responsible for such construction work or activity must submit a traffic management strategy to DMCCA prior to commencing work, in accordance with the HSE Guidelines.
- 14.3 An NOC from DMCCA must be obtained for any construction related activity taking place on roads within the Master Community and any closure of a public road within the Master Community, in accordance with the HSE Guidelines.

### **15. DEVELOPMENT AND SUSTAINABILITY**

- 15.1 All Community Users that have purchased or have leased plots of land intended for development within the Master Community are required to comply with green building regulations issued by Relevant Authorities, including but not limited to, DMCCA, in accordance with the HSE Guidelines.

### **16. HAZARDOUS SUBSTANCES**

- 16.1 Community Users must use safe handling and storage procedures for any hazardous substances, as a minimum in accordance with DM guidelines and the HSE Guidelines.
- 16.2 Gas equipment may only be installed and maintained in the Master Community by a qualified person approved by Dubai Civil Defense, in accordance with the HSE Guidelines.
- 16.3 No Community User may use or store liquefied petroleum gas cylinders inside buildings, and all Community Users using such cylinders must do so in accordance with the HSE Guidelines.

**17. MAINTENANCE AND RECORD KEEPING**

- 17.1 Swimming pools must be cleaned and checked regularly in accordance with the HSE Guidelines to prevent the spread of diseases and fungal and bacterial infections and to comply with Applicable Laws.
- 17.2 HVAC systems must be maintained and checked in accordance with the HSE Guidelines to prevent legionnaires disease.
- 17.3 Elevators must be examined every six months by a qualified specialist and records kept of such inspections in accordance with the HSE Guidelines.
- 17.4 Inspection and maintenance log books for mechanical, electrical and plant installations must be maintained for inspection by DMCCA in accordance with the HSE Guidelines.

**18. TITLE**

- 18.1 These Regulations are to be referred to as the Dubai Multi Commodities Centre Authority Health, Safety and Environment Regulations 2019.

**19. LEGISLATIVE AUTHORITY**

- 19.1 These Regulations are issued by DMCCA under Rule No. 4 of 2002 for Organising Operations at the Dubai Metals and Commodities Centre, as amended from time to time.

**20. APPLICATION OF THESE REGULATIONS**

- 20.1 These Regulations are made on and come into force on the effective date of publication by DMCCA.
- 20.2 These Regulations repeal and replace any Previous HSE Regulations.
- 20.3 These Regulations apply to all Community Users.
- 20.4 DMCCA has full power and authority to issue, from time to time, policies, procedures, regulations, standards, guidance, manuals or such other directions or orders in respect of HSE within the DMCC Free Zone.
- 20.5 Except where otherwise provided in these Regulations, anything done or omitted to be done pursuant to or for the purposes of the Previous HSE Regulations (or any regulations made under the Previous HSE Regulations) is treated as being done or omitted to be done pursuant to or for the purposes of these Regulations.
- 20.6 Without limiting the generality of Regulation 20.5, and subject only to Regulation 20.7, such repeal and replacement does not affect:
  - (a) any right, privilege, remedy, obligation or liability accrued to or incurred by any person; or

- (b) any investigation or legal or administrative proceeding commenced or to be commenced in respect of any such right, remedy, privilege, obligation or liability,

under the Previous HSE Regulations (or any regulations made under the Previous HSE Regulations) and any such investigation or legal or administrative proceeding may be instituted, continued or enforced, including any penalty, fine or forfeiture, under these Regulations.

20.7 If:

- (a) a subject matter is not addressed in these Regulations but is addressed in the Previous HSE Regulations (or any regulations made under the Previous HSE Regulations); and
- (b) there is an investigation or legal or administrative proceeding as specified in Regulation 20.6(b),

the relevant provision from the Previous HSE Regulations (or any regulations made under the Previous HSE Regulations) is treated as surviving the repeal and replacement under this Regulation 20.7 until such time as the matter is addressed.

- 20.8 DMCCA may establish any transitional or saving provisions as it deems necessary to give effect to, or to facilitate, the transition from the Previous HSE Regulations (and any regulations made under the Previous HSE Regulations) to these Regulations.