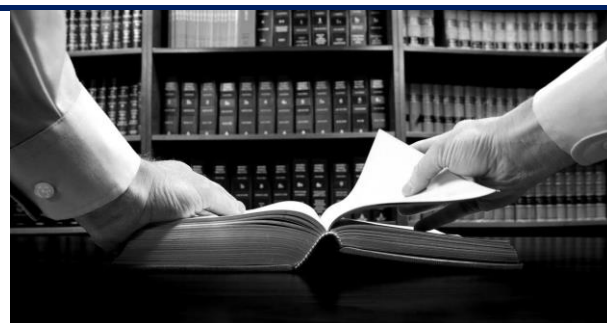


# Legal Alert



## Compliance with official measures to combat COVID-19 made mandatory

29 March 2020

Significant responsibility for ensuring compliance with directives to stop the spread of the Covid-19 virus has been delegated to the law enforcement authorities of the UAE. Last week, the Cabinet promulgated Resolution No. 17 of 2020, requiring all natural and juristic persons to comply with the measures mandated by the concerned authorities to combat Covid-19. The Resolution moreover states that failure to comply would be treated as a violation of law exposing the offender to penalties, including responsibility to bear the costs of any remedial measures, closure of premises, and fines. Investigations and prosecutions are assigned to a bureau in the Federal Ministry of Interior that was created last year by Resolution No. 73 of 2019 of the Minister of Interior on the Establishment of the Federal Prosecution for National Emergency, Crisis and Disasters. Finally, Resolution No. 17 of 2020 delegates to the Attorney General the power to determine the relevant violations and fines.

The UAE Attorney General published that list of violations and fines on Thursday, 26 March 2020, in the form of Resolution No. 38 of 2020.

The Resolution, taking effect from the date of its promulgation, provides for the following fines:

No.	Violation	Fine
1	<ul style="list-style-type: none"> <li>Violating an order for mandatory hospitalisation.</li> </ul>	AED 50,000
2	<ul style="list-style-type: none"> <li>Failing to abide by home quarantine or re-testing instructions.</li> </ul>	AED 50,000
3	<ul style="list-style-type: none"> <li>Failing to close an educational institution, movie theatre, gym, nightclub, commercial center, outdoor market, park, leisure centre, cafe, shopping mall, restaurant or the like, or receiving any visitors in any of such facilities in violation of the instructions.</li> <li>Failing to adhere to measures for the opening of public parks, beaches, gyms, public swimming pools, and hotel swimming pools.</li> <li>Failing to temporarily suspend sailing cruises.</li> </ul>	AED 50,000 for whoever is in charge of the facility, closure of the facility, and a fine of AED 500 for each visitor
4	<ul style="list-style-type: none"> <li>Violating prohibitions or restrictions on gatherings, meetings, private and public celebrations, and on gathering or being present at public locations, private farms, or agricultural estates.</li> </ul>	AED 10,000 for whoever invites or organises the same, and AED 5,000 for participants
5	<ul style="list-style-type: none"> <li>Violating measures of the Ministry of Health &amp; Prevention regarding those coming to the UAE from countries infected by any communicable diseases.</li> </ul>	AED 2,000

6	<ul style="list-style-type: none"> <li>Failing to take the appropriate health procedures regarding the regulation of markets, roads, and other public locations exempt from temporary closure.</li> <li>Failing to implement an order for removal of any temporary structure or the disposal of goods, clothes, or other items are believed to have been contaminated or potentially contaminated with any disease agent and cannot be disinfected.</li> </ul>	<b>AED 3,000</b>
7	<ul style="list-style-type: none"> <li>Failing to take precautionary measures for the crew of accommodation vessels.</li> </ul>	<b>AED 10,000</b>
8	<ul style="list-style-type: none"> <li>Leaving home for unnecessary reasons, or for purposes other than work or the purchase of basic needs.</li> </ul>	<b>AED 2,000</b>
9	<ul style="list-style-type: none"> <li>Violating the provisions of the Implementing Regulations for the Law on the Prevention of Communicable Diseases as regards the burial or transport of the body of any person who dies from a communicable disease.</li> </ul>	<b>AED 3,000</b>
10	<ul style="list-style-type: none"> <li>Exceeding the maximum permitted number of passengers in a car by more than three persons.</li> </ul>	<b>AED 1,000 for the vehicle's driver</b>
11	<ul style="list-style-type: none"> <li>Failing to wear medical facemasks in closed places or failing to observe the safe distance between individuals.</li> </ul>	<b>AED 10,000</b>
12	<ul style="list-style-type: none"> <li>Failing to take sterilisation procedures in means of public transport.</li> </ul>	<b>AED 5,000</b>
13	<ul style="list-style-type: none"> <li>Approaching or going to healthcare facilities in cases other than the prescribed ones.</li> </ul>	<b>AED 1,000</b>
14	<ul style="list-style-type: none"> <li>Refusing to undergo a medical test upon demand.</li> </ul>	<b>AED 5,000</b>

Over the weekend, the Ministry of Interior made a statement clarifying the requirement to wear a medical facemask, stating that it applied only to persons suffering from chronic illnesses or with flu symptoms.

The Resolution further provides that the penalty shall be doubled upon repetition of the violation, and that the violator shall be referred to the Federal Prosecution for National Emergency, Crisis and Disasters if the violation is committed for the third time. The Federal Prosecution for National Emergency, Crisis and Disasters is entrusted generally with the task of implementing the provisions of the Resolution, and of investigating and taking action in respect of all offenses under Federal Law No. 14 of 2014 on the Prevention of Communicable Diseases and its Implementing Regulations. ■

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