



**MINISTERIAL DECREE NO. 817 OF 2017
ON THE ESTABLISHMENT AND LICENSING OF
CENTER TO COLLECT INFORMATION ON ESTABLISHMENTS
REGISTERED WITH THE MINISTRY
(TAQIEEM SERVICE CENTERS)**

The Minister of Human Resources and Emiratization:

- Having reviewed Federal Law No. (1) for 1972 and the amendments thereto regarding ministry competencies and ministerial powers,
- Federal LAW NO. (8) of 2010 Concerning the Regulation of Labor Relations, as amended,
- Cabinet RESOLUTION NO. (25) of 2016 Concerning the Organizational Structure of the Ministry of Human Resources and Emiratization and
- At the presentation of the Undersecretary of Human Resources Affairs,

Decrees:

Article 1

Wherever they occur in this Decree, the following words and expressions shall have the meanings assigned against each, unless the context requires otherwise:

State:	United Arab Emirates
Ministry:	The Ministry of Human Resources and Emiratization
Minister:	The Minister of Human Resources and Emiratization
Undersecretary:	The Ministry of Human resources and Emiratization's Undersecretary for Human Resources



- Establishment:** Every economic, technical, industrial or commercial unit where workers are employed, aiming at producing or marketing goods or providing services of any kind and is governed by the provisions of the Law on the Regulation of Labor Relations No 8 of 1980, as amended.
- Taqieem Center** A center with the mandate of providing the Ministry with the data and information on establishments (such as the effectiveness of trade licenses, estimation of the volume of work, labor accommodation and any other data, information / services set out in the service guide of these centers) to enable the provision of the Ministry's services to customers.
- Establishment Details:** A set of information on the establishment related to the evaluation process (including, names of partners, establishment domicile, site, activity, shareholding, nationality, license number, capacity, phone numbers, post office box ... etc.)
- Licensee:** A natural or legal person obtaining a license from the Ministry to establish and operate a Taqieem Center according to the provisions of this Decree and the Ministry's applicable regulations.
- Licensing Approval:** The approval issued by the Ministry to advise the licensee to commence the establishment and fit out of the Center in preparation for operation.
- Operating Approval:** The approval issued by the Ministry to advise the licensee to commence the operations of the Center and deal with the public to provide the service.



- Licensing Guide:** The guide that contains all the details of the conditions and procedures established by the Ministry to grant Taqieem Center licenses.
- Specification Guide:** The main reference that defines all technical and other specifications that must be met in a Taqieem Center, both inside and outside.
- Operation Guide:** The guide that contains all the details of conditions, procedures and controls required to ensure the quality of the service provided by the center and follow up its activities and ensure the governance of the relationship between the worker and the employer in the center.
- Visual Identity Guide:** The guide that determines the special and distinct character of the Center in terms of interior decorations, furniture and logo.
- Service and Fee Category Guide:** The main reference for defining all the services provided by the centers and the categories of the fees applicable for each service.
- Ministry's Applicable Regulations:** The regulations and laws already applied by the Ministry to the category of support service workers. They include the laws, regulations, decisions and circulars valid on the effective date of this Decree and those that may be issued in future, whether they are originally issued for this specific category or for another category of workers registered with the Ministry but whose provisions are applied to this category of workers or Taqieem centers, being establishments registered with the Ministry.

Article 2



- a- Centers shall be established under the name “Taqieem Centers” to conduct the activity provided for in Article 1 hereof and according to the Ministry’s applicable regulations.
- b- The guides provided for in Article 1 hereof, as well as service fees, shall be issued by the Undersecretary. These guides may include provisions additional to those included herein. To grant a preliminary approval, the applicant must receive a complete copy of these guides and sign a receipt thereof and an undertaking to strictly observe them and any amendments that may be made to them. The Ministry shall keep Taqieem centers of any amendments thereon. These guides shall be an integral part hereof.
- c- Taqieem centers shall be classified under Category (1), according to the applicable establishment classification decree, provided Emiratization percentages provided for in item (b) of this Article are met.

Article 3

None of Taqieem center activities may be conducted without a license issued by the Ministry.

Article 4

The following requirements must be met by any applicant for an approval of Taqieem center license:

- 1- The natural person must be Emirati, has completed 21 years, having full capacity and with good reputation and behavior. If the applicant is a legal person, then it must bear the UAE nationality.
- 2- The natural person, or any of the partners of the legal person, may not have been convicted in a dishonoring, distrust or trafficking crime, unless he was rehabilitated, if the sentence is a penalty



restricting freedom, or unless one year lapsed from the date of the sentence, if it is a fine.

- 3- The license applicant (whether owner or partner) may not be a Ministry employee in relevant operational sectors, or one of their first-class relatives, including husbands and wives.
- 4- The applicant must submit a feasibility study prepared by an approved office in the state, in the cases and according to the standards required by the Ministry.
- 5- The applicant may not be the owner of or a partner in an establishment meeting one of the requirements of establishment suspension provided for in the Ministry's applicable regulations.
- 6- The applicant must submit an undertaking, according to the undertaking form approved by the Ministry, that he agrees and shall observe the contents of the Guides provided for in Article 2 hereof.
- 7- The applicant must provide any financial guarantees or securities required by the Ministry for such license according to the controls, requirements and procedures set out in the Guides provided for in Article (1) hereof.
- The Ministry **may** disapprove the issuance of the required license in any of the following cases:
 - a- If the applicant was already granted a license that was terminated for any reason.
 - b- If it is established that the applicant has repeatedly violated the Ministry's applicable regulations.
 - c- If the Ministry finds that granting the license may adversely affect the conduction of this activity or the provision of this service to customers by already established centers.

Article 5



The applicant shall be granted the licensing approval by a decision from the Minister to complete the works according to the operating guides, within the time frame set out by the competent authorities in the Ministry. The operating approval shall be granted by the undersecretary based on a report raised by the competent authorities in the Ministry to the effect that the center has met all the requirements set by the Guides for operation, including the provision of the required guarantees.

Article 6

The licensee may not assign or sublet his license to third parties or change the partnership structure through addition or deletion without the Ministry's written approval.

Article 7

- a) The licensee shall appoint an Emirati national approved by the competent authorities in the Ministry, to be the manager of the center, provided this manager shall have full legal capacity, be of good reputation and behavior and appropriately qualified.
- b) The center's owner or partner may be its manager, according to the controls set by the Ministry, if the said person meets the requirements for such position.

Article 8

Without prejudice to any harsher penalties applicable to Taqieem centers that may be provided for in other regulations, the center's license may be cancelled, by a decision from the Minister based on a recommendation from the undersecretary, if it is established to the competent authorities in the Ministry that any of the following conditions is satisfied:

- a- If any of the documents or information provided for licensing purposes is found untrue.



- b- If the center violates any of the provisions of this Decree or the guides issued by the Ministry in this regard.
- c- If the center stops meeting any of the requirements upon the satisfaction of which the license was issued.
- d- If the center commits any of the gross violations set out in the Operating Guide.

Article 9

If the center's license is cancelled, the following actions must be taken:

- a- The center must be advised of the cancellation decision using the Ministry's applicable notification methods, stating the reasons behind the decision.
- b- All fines due on the center up to the date of cancellation must be collected.
- c- All economic activity licensing authorities in local governments (economic departments and municipalities) and departments of residency and foreigners affairs must be advised to take their actions according to the suspension or cancellation decision, including the cancellation of any licenses, permits or authorizations issued to the center.
- d- Owners of cancelled centers must be obliged to settle the dues of their workers during the period determined by the Ministry.

All this shall be without prejudice to any other harsher measures that may be applicable by the Ministry against any violating establishments.

This Decree shall be published in the Official Gazette and become effective as of the day following to the date of its publication.

Article 10

The center shall maintain the strict confidentiality of all the data and information that comes to its knowledge in the course of performing its



duties. These data and information may be used, disseminated or supplied to other parties only with the prior written consent of the Ministry.

Article 11

This Decree shall be published in the Official Gazette and shall become effective as of the date of its issuance, except for Articles 8 and 9 hereof, which shall become effective as of the day following the date of the publication hereof.

Nasser Bin Thani Al Hamili
Minister of Human Resources and Emiratisation

Issued on 1/11/2017