

## Regulation PM-1.0: Scope

- 1.1 The provisions of these regulations establish minimum environment, health and safety requirements / prescriptive criteria for ports and maritime operations within Trakhees / Ports, Customs & Free Zone Corporation (PCFC) jurisdiction. The requirements / criteria reflect the need for the protection of life and property while taking into account the assessed risks associated with the ports and maritime operations, facilities or structures, their contents and permitted activities and quality assurance including management of changes and safeguards before, during and after usage of port facilities.
- 1.2 The provisions of these regulations shall be applicable to port operational and maritime activities, all new and all types of existing buildings, facilities or structures , their contents ,alteration, repair, equipment, use and occupancy, maintenance and permitted activities whether considered permanent or temporary, mobile & stationary equipment, waterfront facilities and shore protection for ships within Trakhees / PCFC jurisdiction.
- 1.3 The provisions primarily address those ports and maritime operations features necessary to minimize danger to life & property.
- 1.4 All provisions are mandatory and based almost on functional requirements and do not encompass detailed dimensional and technical specifications.
- 1.5 Trakhees / PCFC has adopted by reference UAE Law under Ministerial Decision No. (32) of 1982, The Cooperation Council for The Arab States of The Gulf Rules and Regulations for Seaports- always as amended, International Maritime Organization (IMO) Conventions, Protocols, Resolutions, Codes always as amended, ILO Code of Practice on Safety & Health in Ports including their official definitions, for application of their prescriptive environment protection, health and safety criteria & requirements within Trakhees / PCFC jurisdiction. Accordingly, relevant provisions of those adopted references shall apply normally to the extent as prescribed.
- 1.6 Enforcement of these regulations is the responsibility of Trakhees' -Ports & Maritime unit as represented by its officers including Manager, Senior Management representatives. The responsibility includes enforcement of (i) provisions of these regulations (ii) requirements including but not limited to procedures,



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approvals of Ports & Maritime unit and (iii) applicable statutes and regulations of UAE / Dubai Government (iv) the requirements of The Cooperation Council for The Arab States of The Gulf Rules and Regulations for Seaports (GCC), International Maritime Organization (IMO) Conventions, Protocols, Resolutions, Codes and ILO Code of Practice on Safety & Health in Ports .

- 1.7 Manager, of Trakhees' CED -Ports & Maritime unit, can reverse, rescind or modify any approval(s) / decision(s) taken and communicated by any officer below his rank in case such approval or decision is subsequently found to be erroneous on the face of the record. No party shall be entitled to the benefits of any such erroneous approval or decision.
- 1.8 The stakeholder, ship, vessel/ person who contravene a provision of these regulations is guilty of an offence and liable to appropriate sanction including a fine/prohibition. During these visits, unsatisfactory circumstances maybe found, then the CED -Ports & Maritime unit will be constrained to take necessary actions /apply appropriate sanctions to ensure a safe and clean environment.
- 1.9 Certain requirements and recommendations [that may not be covered in these regulations/adopted references] that are necessarily recommended by the Trakhees-Ports & Maritime unit on a case-by-case basis shall be complied with notwithstanding mere compliance with GCC, IMO publications/standards.
- 1.10 In the event of any conflict between the text of the references cited herein in regard to GCC, IMO publications/standards, the text of the relevant and applicable codes, standards and publications shall take precedence.
- 1.11 Where the situation and the context warrants, the stakeholders, including the port users, shall be obligated to gather the explicit interpretation of the words of any provisions of these regulations from Ports & Maritime unit / AHJ and not from what they profess it to be when they have translated their self-assumption or intention into requirements.
- 1.12 Where appropriate relevant and current statutes and regulations of UAE/Dubai Governments shall be applicable which includes but not limited to National Transport Authority, Ministry of Environment, Ministry of Energy , Dubai Maritime City Authority
- 1.13 The provisions of these regulations shall be read in conjunction with PCFC- Trakhees-Ports & Maritime unit: Design and Development Regulations, Industrial Operations Regulations, Environmental Control Rules &



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Requirements, Fire Protection, Fire Prevention & Fire Emergency Control Regulations, Construction Safety Regulations, Green Building Regulations and Food and Hygiene Regulations and relevant Guidelines (all separately published).

- 1.14 Insurance: The stakeholders are required to have their lands and premises insured against Fire, Explosion and peril.
- 1.15 Operational Fitness Certificate/NOC: The concerned stakeholders shall be obligated to obtain Operational Fitness Certificate/NOC to start/continue their operations in their allotted facilities within the PCFC jurisdiction. It is mandatory to renew the Operational Fitness Certificate/NOC annually.
- 1.16 Offences: **Appendix 1** (Regulation PM-13.0) contains the list of offences against which appropriate financial penalties are liable to be imposed.
- 1.17 Accreditation: Accreditation of the Shipping agents, Ports users, Ship Surveyors, Ship Repair contractors by Trakhees is mandatory.
- 1.18 Precedence: These regulations shall take precedence over any conflicting situation.
- 1.19 If any section, subsection, sentence, clause or phrase of these regulations is, for any reasons, held to be unenforceable for any reason whatsoever, it shall not affect the remaining portions of these regulations.