

Law No. (19) of 2009
Establishing the Supreme Council of Energy¹

We, Mohammed bin Rashid Al Maktoum, Ruler of Dubai,

After perusal of Law No. (3) of 2003 Establishing the Executive Council of the Emirate of Dubai,
Law No. (18) of 2006 Concerning the Management and Realisation of the Public Funds of the Government of Dubai,
The Government of Dubai Human Resources Management Law No. (27) of 2006,
Law No. (18) of 2009 Establishing the Department of Oil Affairs,
Decree No. (1) of 1992 Establishing the Dubai Electricity and Water Authority and its amendments,
Decree No. (2) of 1992 Establishing the Dubai Supply Authority,
Decree No. (9) of 2001 Concerning Dubai Aluminum Limited Company, and
Decree No. (26) of 2006 Establishing the Dubai Petroleum,

Do hereby issue the following Law:

Article (1)

This Law shall be cited as "**Law No. (19) of 2009 Establishing the Supreme Council of Energy**".

Article (2)

The following words and expressions, wherever mentioned in this Law, shall have the meanings indicated opposite each of them, unless the context implies otherwise:

Emirate:	The Emirate of Dubai.
Ruler:	His Highness the Ruler of Dubai.
Government:	The Government of Dubai.
Executive Council:	The Executive Council of the Emirate.
Council:	The Supreme Council of Energy.

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¹ *Every effort has been made to produce an accurate and complete English version of this legislation. However, for the purpose of its interpretation and application, reference must be made to the original Arabic text. In case of conflict the Arabic text shall prevail.*

Law No. (19) of 2009 Establishing the Supreme Council of Energy.
Government of Dubai legal affairs Department

Secretary General	The Secretary General of the Council
Advisory Committee:	The Advisory Committee of the Council.
Energy Service Providers:	Any public or private entity licensed to operate in the energy fields, which includes the generation, transmission and distribution of electricity, water, oil products or gas, or provision of central cooling services to end users.
Quality Standards:	The standards used to measure electrical conductivity and availability of electricity sources.
Renewable Energy:	The generation of electricity from primary energy sources that are sustainably renewable in line with the consumption of electrical power, including solar energy, wind power, biomass energy and geothermal power sources.

Article (3)

Pursuant to this Law, a council known as the "**Supreme Council of Energy**" shall be established and shall have the legal personality and legal capacity required to carry out the acts and activities necessary to achieve its objectives.

Article (4)

For the purposes of this Law, the energy sector includes the following:

1. Exploration, production, storage, transmission and distribution of natural gas, liquefied petroleum gas and crude oil, and any related services;
2. Production and transport of oil condensers and products and fuel for public consumption, and any related services;
3. Generation, transmission and distribution of electricity for public consumption, and any related services;
4. Production and cogeneration of electricity from Renewable Energy sources, and any related services;
5. Production of nuclear power for peaceful use, particularly electricity generation and water desalination;
6. Demand management initiatives and programmes for general consumption;
7. Central cooling;
8. Production, storage, transmission and distribution of water for public consumption, and collection, treatment and disposal of sewage water;
9. Any initiatives or programmes related to energy or water.

Article (5)

1. The Council shall be formed of a chairman, a vice chairman and not less than five members of experienced and qualified representatives from the energy sectors in the Emirate appointed pursuant to a decree of the Ruler.
2. The Council shall convene at the invitation of its chairman, or vice chairman if the chairman is absent, at least once each two (2) months period or where necessary. Council meetings shall be valid when attended by the majority of the members of the Council, provided that the chairman or vice chairman is present. The Council shall take its decisions by majority votes of the attending members. In case of a tie, the chairman shall have a casting vote. The decisions of the Council shall be recorded in a minutes of meeting which shall be signed by the chairman and attending members.
3. The Council may seek assistance of any experts and specialists in performing its duties and invite them to attend its meetings, provided that they shall have no votes.

Article (6)

The Council aims to achieve the following:

1. To ensure supplying energy to the Emirate through the following:
 - a. Providing basic energy sources at reasonable cost, and minimising their adverse environmental effects;
 - b. Laying down the Quality Standards and ensuring that Energy Service Providers strictly comply with such standards;
 - c. Guiding and directing Energy Service Providers with regard to priorities of the energy sector policies and its various activities.
2. To set effective plans for the energy sector, including:
 - a. Laying down appropriate plans to meet the future demand of energy in the Emirate;
 - b. Taking part in laying down Dubai strategic energy plan and updating it at least once each three-year period in line with Dubai strategic plan;
 - c. Reviewing and coordinating medium-term energy plans (five-year plan) of Energy Service Providers;

- d. Ensuring the effective coordination of planning and providing the necessary information to all relevant entities.
3. To regulate the rights and obligations of Energy Service Providers and establish effective cooperation and coordination relationships amongst them.
4. To enhance cost efficiency and quality of energy supply services by all available means, including the following:
 - a. Adopting appropriate incentives to achieve the required results;
 - b. Charging unified tariff at cost where necessary.
5. To rationalise energy consumption and ensure environment sustainability through the following:
 - a. Setting the policy and objectives of energy demand management initiatives and programmes, including Renewable Energy and alternative energy initiatives;
 - b. Using incentives to motivate Energy Service Providers to achieve the required results;
 - c. Determining the level and finance sources of Government support for services.
6. To enhance cooperation regarding all energy issues in the Emirate through the following:
 - a. Cooperating, in relation to the energy issues, with the entities and authorities concerned with urban planning and environment and any other entities;
 - b. Cooperating with international and regional organisations and companies operating in the energy field.

Article (7)

For the purposes of achieving its objectives, the Council shall undertake the following:

1. To propose the Dubai strategic energy plan each three-year period;
2. To manage, coordinate, develop and approve the policies related to the energy sector;
3. To share the energy sector development and policy improvement with the entities affected by the Energy Service Providers' operations;

4. To approve the fees and tariffs for the services provided by Energy Service Providers to the public and any amendments thereof;
5. To gather data and information from Energy Service Providers, including those related to the five-year plans, operation plans, financial documents and records and other documents as necessary;
6. To ensure compliance of the Energy Service Providers with the approved energy policies;
7. To review the contracts concluded between Energy Service Providers and international corporations, and any material amendments to such valid contracts;
8. To amicably settle the disputes that may arise among Energy Service Providers;
9. To propose the level of Government support to the energy sector in coordination and consultation with the relevant entities, and submit this to the Executive Council for approval;
10. To evaluate the performance of Energy Service Providers and quality of their services;
11. To hear and settle complaints raised by clients regarding the performance of Energy Service Providers;
12. To submit to the Executive Council annual reports concerning the financial position and performance indices of the Council;
13. To provide consultations, advice and recommendations to the Government in respect of all issues related to the energy sector policies, particularly the effect of financial cost of energy sector on consumption charges of electricity, water, oil and oil derivatives;
14. To secure sufficient and continuous supply of electricity, water and fuel at reasonable rates;
15. To ensure proper storage and distribution of water;
16. To ensure treatment of sewerage water to guarantee the safety, security and integrity of the environment, and enhance proper uses of treated sewage water.

Article (8)

1. The Council shall have a Secretary General appointed by a resolution of the Chairman of the Executive Council.
2. The Secretary General shall coordinate and arrange for the meetings of the Council, supervise its business and follow up implantation of the resolutions of the Council with the relevant sectors and entities in the Emirate.
3. The Council shall have an administrative and technical body appointed by the Secretary General and governed by the Government of Dubai Human Resources Management Law No. (27) of 2006.

Article (9)

The Council shall have an Advisory Committee comprising a chairperson and not less than six (6) members of qualified and specialised persons appointed by a resolution of the Council.

Article (10)

The Advisory Committee shall provide the Council with the necessary consultation with regard to the latest best practices in energy technology industry, and the modern economic and financial trends of the energy sector.

Article (11)

The Advisory Committee shall convene at the invitation of its chairperson at least once each three month period or when necessary. The meetings shall be valid if attended by majority of the members of the Advisory Committee, provided that the chairperson is present. The Advisory Committee shall take its resolutions by the majority of votes of the present members. In case of a tie, the chairperson shall have a casting vote. The resolutions of the Committee shall be recorded in minutes of meeting to be signed by the chairperson and the present members.

Article (12)

The Council shall have an annual budget which shall be approved by a resolution of the Executive Council.

Article (13)

The financial resources of the Council shall comprise the following:

1. The appropriations allocated to the Council in the general budget of the Emirate;
2. Any other resources approved by the Executive Council.

Article (14)

The Chairman of the Executive Council shall issue the regulations and resolutions necessary to implement the provisions of this Law.

Article (15)

Any provision in any other legislation shall be repealed to the extent that it contradicts with the provisions of this Law.

Article (16)

This Law shall come into force on the day on which it is issued and shall be published in the Official Gazette.

Mohammed bin Rashid Al Maktoum
Ruler of Dubai

Issued in Dubai on 28 June 2009
Corresponding to 05 Rajab 1430 A.H.