



صندوق معاشات ومكافآت التقاعد لإمارة أبوظبي

Abu Dhabi Retirement Pensions & Benefits Fund

**APROPOS CIVIL RETIREMENT
PENSIONS AND BENEFITS IN THE
EMIRATE OF ABU DHABI**

LAW No. 2 OF 2000
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Abu Dhabi Retirement Pensions & Benefits Fund

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LAW NO. 2 OF 2000
APROPOS CIVIL PENSIONS AND BENEFITS IN THE EMIRATE OF ABU DHABI (1)

We, Khalifa Bin Zayed Al Nahyan, Deputy Ruler of Abu Dhabi
By virtue of the Powers vested in us by the Ruler of Abu Dhabi, and

After perusal of Law No 1/1974 to re-organize the government body in the Emirate of Abu Dhabi and the amendments thereto, and

Law No. 2/1971 apropos the National Consultative Council and the amendments thereto, and

Law No. 1/1975 apropos the civil service in the Emirate of Abu Dhabi and the amendments thereto, and

Law No. 2/1975 apropos the retirement pensions and benefits for civil service in the Emirate of Abu Dhabi and the amendments thereto, and

Law No. 10/1975 apropos retirement pensions and benefits of the President of the Executive Council, his Deputy, the heads of departments, and members of the council and the amendments thereto, and

Law No. 2/1978 apropos the retirement pensions and benefits of the citizens working at oil companies operating in the Emirate of Abu Dhabi, and the amendments thereto, and

Federal Law No.4/1984 apropos Retirement pensions and benefits of citizens operating at the General Industry Corporation, and

Law No. 1/1985 apropos the Abu Dhabi Audit Authority and amendments thereto, and

Law No. 2/1990 apropos Municipal Councils in the Emirate of Abu Dhabi, and

Federal Law No. 17/1972 apropos the Naturalization and Passports and amendments thereto, and

Federal Law No. 8/1980 apropos the organization of Labor Relations and the amendments thereto, and

Federal Law No. 3/1983 apropos the Federal Judicial Authority and the amendments thereto, and

Federal Law No, 5/1985 to promulgate the Code of Civil Procedures and the amendments thereto, and

(1) See Official Gazette, year 29 issue 3 March, 2000.

Federal Law No. 3/1978 to promulgate the Criminal Law and the amendments thereto, and

Federal Law No. 11/1992 apropos the Procedures at Civil Courts, and

Federal Law No. 35/1992 apropos the Penal Procedures, and

Law No.6/1999 apropos some provisions of the laws of retirement pensions and benefits in the Emirate of Abu Dhabi, and

Law No. 1/2000 apropos the amendment to the salaries of the President of the Executive Council, Deputy President and Members, and following the proposition of the Chairman of Finance Department and approval of the Executive Council, Promulgate the following Law

SECTION ONE
SCOPE OF LAW ENFORCEMENT AND DEFINITIONS

Article One

The provisions of this law shall apply to the UAE nationals who work for an employer or for their own account in the Emirate, and is considered an employee an individual who is bound by a training contract that binds the employer to make him join the work or binds the trainee to work with the employer on successful completion of the training period. Insurance of such trainee is mandatory.

Article Two

In the implementation of the provisions hereof, the words and expressions hereunder shall have the meanings set forth each of them unless the context otherwise requires:

Ruler	: Ruler of Abu Dhabi or his deputy.
State	: The United Arab Emirates.
Emirate	: Emirate of Abu Dhabi.
Government	: The government of Abu Dhabi.
Executive Council	: The Executive Council of Abu Dhabi.
Competent Authorities	: The Executive Council or its authorized parties.
Fund	: The retirement pensions and benefits fund.
Board	: The Board of Directors of the retirement pensions and benefits fund.
Chairman	: The chairman of the fund.
Director	: The director general of the fund.
Citizen	: Each individual who holds the UAE nationality as per the Law of Naturalization and Passports.
Nationality	: The UAE nationality.
Employer	: Every natural and legal person who employs persons and makes his works a trade or profession. The governmental and semi-governmental bodies wherein the government contributes, and authorities, and public corporations with budgets subordinate to the budget of the Emirate or with independent budgets of the Emirate or any other concern which the fund's board of directors may choose to subject to the law after the consent of the Executive Council.
Government Sector	: The Ruler's crown's departments and courts and Ruler's representatives courts, government departments and legislative, executive, and municipal council's, public corporations, boards, companies, banks, associations, and committees subject, owned, and financed by the general budget for any of the objective serving their facilities.

Semi-governmental Sector	: Every authority, corporation, bank or company where the government contributes.
Private Sector	: Every concern in the Emirate that is not encompassed by the two aforesaid definitions or is not subject to the laws of social securities and pensions applicable in the State.
Concern	: Any local concern owned by the Emirate and its branches inside or outside the UAE.
Secured Person	: Every person subject to the provisions of this law.
Work Injury	: The injury due to an accident occurring at work or because of work itself or any occupational disease defined by the Chairman in agreement with the Minister of Health. The injury sustained due to an accident occurring while going to or returning from work on the usual road is deemed to be a work injury. The demise due to stress and fatigue from work is considered a work injury as long as it involves the conditions and rules, which are determined by a resolution from the Chairman in agreement with Minister of Health.
Injured	: Any secured person who sustains a work injury.
Total Disability	: Any impairment that prevents the secured completely and permanently from practicing his profession or occupation where from he earns his living. The same shall be established by a decision from the medical committee. The cases of loss of sight, loss of both arms, or both legs or one arm and one leg or cases of mental, chronic and incurable illnesses defined by a decision from the Chairman in agreement with the Minister of Health, are considered total disability cases.
Partial Disability	: Any impairment that has a permanent effect on the ability of the secured to perform his original occupation or to earn his living in general, arising from a work injury and established by a decision from the medical committee.
Disease	: The disease that attacks the secured and prevents him from practicing his profession. The same shall be established by a resolution from the medical committee.
Occupational Disease	: The disease that spreads only among the practitioners of a given profession or group of professions, as specified in Schedule 1 annexed to Federal Law No. 8/1980 apropos the organization of labor relations and the amendments thereto. The evaluation of the degree of disability pertains to the medical committee.

SECTION ONE

- Disabled to Earn** : The person suffering from a total disability that would reduce his capacity to work by 50% at least, the same shall be proved at the knowledge of the medical committee.
- Natural Demise** : The demise that is not classified occupational injury.
- Medical Committee** : The medical committee formed by a decision from the Minister of Health to establish each of the cases stipulated herein.
- Salary** : **1- for the secured working in the governmental sector :**
- A)** The Average basic salary the secured has been drawing for the last three years of service before he was superannuated, in addition to the allowances, i.e. the cost of living or similar allowance, the children social allowance, the UAE national's social allowance, accommodation and Federation's allowance.
- B)** For Under-Secretaries, Assistant Under-Secretaries, and categories :
alike: average basic salary that the secured has been drawing for the last three years, before he was superannuated, in addition to his allowances such as the cost of living and similar allowances, children social allowance, UAE National's social allowance, the Federation's allowance, the representation allowance, the accommodation allowance allocated to his grade. Such allowances shall be estimated on monthly basis, to the persons who get such allowance on annual basis by dividing them into the number of months of the year.
- C)** For the Executive Council President, his Deputy, and Heads of Departments and alike categories:
the basic salary in addition to the accommodation, furniture allowance, representation allowance, maids allowance, and other monthly and annual allowance. The annual allowances shall be assessed on monthly basis by dividing them into the number of months of the year.
- D)** For the Members of the National Consultative Council and Municipal Council:
the membership benefit.
- 2- For the secured working in the semi-governmental sector:**
the average basic salary he has been drawing during the last three years in addition to the monthly allowances as long as they are similar to the allowances granted to secured working in the government sector.

3- For the secured working in the private sector :

The average basic salary he has been drawing for the last three years in addition to profits, allowances and bonuses varying between AED. 3.000 and AED. 15000. The Chairman, after the approval of the board of directors may change this ceiling.⁽ⁱ⁾

4- For the trainees:

The monthly benefit as prescribed in the training regulation.

Remuneration	: The cash or in kind monies paid to an employee in consideration of his work and by virtue of the employment contract, monthly, annually, weekly, daily, by hour, by piece pro rata the production, or in the form of commission. The remuneration includes the cost of living allowance, all the bonuses granted to the employee for his trust worthiness or caliber if such amounts are prescribed in the employment contracts or in the company's by laws, or has become customary and the employees consider it part of the remuneration and not a donation.
Basic Remuneration	: The remuneration stipulated in the employment contract while still valid between the parties. Any kind of allowances whatsoever shall not be included in such remuneration.
Term of Contribution	: The term of service for which the secured and the employer pay the quota prescribed herein.
Retired	: The person whose service has expired and has been granted a pension or benefit by virtue hereof.
Retirement pension	: The regular pension due to the retired or his beneficiaries monthly by virtue hereof.
Beneficiary	: Any person entitled to a share in a pension following the demise of the secured or the pensione.
Term of service	: Each period of service that the secured has spent working while subject to the Law of Retirement, as well as the periods that he may adjoin thereto as per the provisions hereof.
Age of Retirement	: Fifty-five years for females and sixty for males.
Person	: The natural person or legal entity.
The Singular	: Shall include the plural, and vice versa.
Masculine gender	: Shall include the feminine and vice versa.
Child	: Shall imply the boy or the girl.
Year and Month	: The year and month of the Gregorian calendar.

(i) the maximum limit of the pension was raised to AED 60,000 in according with the Chairman's decision and the approval of the board of directors (meeting 3/2005) dated 27/2/2005

SECTION TWO

SECTION TWO ESTABLISHMENT OF THE RETIREMENT PENSIONS AND BENEFITS FUND AND MANAGEMENT THEREOF

Article Three

A public institution, having an independent budget, called Abu Dhabi Retirement Pensions and Benefits Fund shall be incorporated. It shall have a legal entity and financial and managerial independence. The government shall bear the costs of the incorporation thereof. The headquarters of the fund shall be in the Emirate of Abu Dhabi. The Board may decide to establish branches and offices inside the Emirate.

Article Four

The fund shall implement the provisions of Retirement Pensions and Benefits issued hereby.

(1) Article Five

- The management of the fund shall be assumed by a board of directors, not be less than five members and not be more than seven including the chairman, with appointment by Emiri Decree and Executive Council shall determine their remuneration.
- The chairman shall appoint a deputy chairman from among the members to replace him in his absence.
- The term of office on the board shall be three years which is renewable.

(2) Article Six

Article Seven

The board, when exigency so necessitates, shall seek help of experts, to participate in its meetings, however they will not have a voting right.

Article Eight

The Executive Council shall issue a resolution whereby it defines the cases of the renunciation of membership, the board's work regulation, the rules, the procedures, dates of meetings, the majority required to have a valid quorum for passing resolutions, as well as the benefits of the members and members of the sub-committees thereof.

Article Nine

The board of directors shall be the competent authority to look into the fund's affairs and take over its activity. It shall set out its general policy particularly:

1) Accordingly article (5) of the law has been amended vide law No (7) of 2009 amending some provision of law No (2) of 2000 apropos Civil Retirement Pension and Benefits in the emirate of Abu Dhabi.

2) Article (6) of the law has been cancelled vide law No (7) of 2009 amending some provision of law No (2) of 2000 apropos Civil Retirement Pension and Benefits in the emirate of Abu Dhabi.

- A) It shall approve the draft budget and final account before submission to the competent authorities.
- B) It shall propose the bills related to pensions and social securities and present the same to the Executive Council for approval.
- C) It shall approve the general annual report about the fund's activities.
- D) It shall draft the general plan for the investment of the fund's assets and ratify the fields of investment
- E) It shall issue the resolutions and regulations related to the financial, managerial, and technical affairs of the fund, and set out the salaries of the employees thereat as well as all the rules related to them.
- F) It shall appoint an auditor for the fund's accounts, who shall submit his report to the board within two months from the end of the financial year.
- G) It shall appoint expert(s) or actuary (s).

Article Ten

The chairman shall put up the fund's affairs to the Executive Council, and brief it on its activities and functions within three months from the end of each financial year.

Article Eleven

A director general shall assume the management of the fund, who shall have one deputy or more. The chairman shall decide on their appointment and determine their remuneration. Such appointment shall be valid for five years renewable.

In the absence of the director general, the Chairman shall appoint one of his deputies to replace him to exercise his authorities. The director general shall establish the different departments of the fund and their areas of jurisdiction.

Article Twelve

The director general shall represent the fund in its relations with third party and before courts. He shall have the competencies hereunder, namely:

- A) Execute the general policy as defined by the board of directors.
- B) Execute the resolutions of the board of directors, being directly answerable before the same.
- C) Manage the fund, develop the work system thereat and follow it up.
- D) Study and approve the financial, administrative, and technical affairs provided for in the laws, resolutions and regulations.
- E) Present the draft budget and final accounts of the fund to the board of directors within three months from the end of the financial year. Enclosed there with shall be detailed statements on the items of assets and liabilities and a general account of the revenues and expenses, a general report on the fund's business, its financial situation, and the investment aspects of its reserves.

SECTION TWO

- F) Notify the competent authorities about the final account of the fund within one month from the board of directors' approval and ratification thereof.
- G) He may authorize one of his deputies to practice some of his competencies.

Article Thirteen

After obtaining the Board's approval, the chairman shall resolve to form a panel committee having the director general among its members and presided by the chairman, to invest the fund's assets.

The committee shall have full authority to determine the rules and programs for the investment of the fund's assets and issue the required investment resolutions.

The resolutions of the committee and its deliberations are confidential, they may not be disclosed and they shall be notified to the board at its first meeting for perusal.

Article Fourteen

The financial situation of the fund shall be examined at least once every three years. This period shall start as of the date of enactment of this law with the knowledge of an actuary to be appointed by the board. Such examination shall assess the value of the existing obligations.

If any deficit in the fund's assets is observed, and the different reserves were not sufficient to cover it, the actuary shall show the reasons for such deficit and the means to avoid the same.

SECTION THREE

METHOD OF FINANCING THE FUND ENTITLEMENT TO PENSION AND REMUNERATION AND CALCULATION OF THE SERVICE TERM

Chapter One

Method of Financing the Fund

Article Fifteen

The fund's resources shall be formed of the following assets:

- First:** monthly contributions deducted from the secured salary or remuneration at 5% monthly for the account of the fund.
The deduction shall start from the date of enactment of this law until the date of the secured expiry of service.
- Second:** the 15% monthly contributions paid by the employer from the salary or remuneration of the secured.
- Third:** the 6% annual contributions deducted from the salary of the secured and allocated for the fund in the general budget of the Emirate.

- Fourth:** the net current value of the nominal obligations of the retirement pensions and benefits in the Emirate's budget. These obligations are evaluated based on the same actuarial principles as used for the evaluation of the rates in the first and second clauses mentioned above. Following the approval of the board, the Chairman shall issue a resolution on the collection of these monies as of the date of enactment of this law.
- Fifth:** the benefits due on the service periods prior to the enactment of the provisions hereof, for the UAE nationals who are still in service or those who have been naturalized prior to the enactment of this law, who are still carrying out their duties. Such benefits shall be calculated as of the date of the recruitment for the UAE national and as of the date of naturalization for the naturalized person, assuming that their service expires on the date of enactment of this law.
- Sixth:** the amounts due on the working secured due to the addition of the former periods of service, by refunding the benefit already granted to them, in addition to the contribution quota prescribed herein, if still unpaid, based on the salary or remuneration of the secured at the time of requesting the addition.
- Seventh:** the revenue of the investment of the fund's assets.
- Eighth:** the additional amounts due on the delay in the payment of monthly quotas.
- Ninth:** Subsidies, donations and bequests that the board of directors may decide to accept.
- Tenth:** adjudged fines and amounts resulting from the breach of the law. The chairman shall decide on the expenditures there from.

Chapter Two

Computing of the Contribution Term

Article Sixteen

Without prejudice to the provisions of the following articles, each period that the secured has served with the employer including all types of leave periods, training, added periods, and internal and external seconding shall be computed in the contribution term.

Article Seventeen

For the purpose of calculation of the pension or benefit the secured may adjoin the periods hereunder :

- A)** The former period of service spent at the Federal Government the Development Council, Kuwait Bureau, any public authority or corporation, banks or companies, wherein the Federal Government holds or has held shares in their capital.
- B)** The period of former service spent at the governmental, semi governmental or private sector in the Emirate.

SECTION THREE

- C) The former period of service spent at a local department in the different emirates, an authority, public corporation, bank, or company wherein one of the governments of the emirates holds or held shares in their capital.
- D) The period of military service in the UAE.
- E) The periods of service spent at any concern the Executive Council may decide upon the proposal of the Board.

Chapter Three

Calculation of the Former Periods of Service And Addition of Nominal Periods

Article Eighteen

The following are prerequisites for addition of the periods of service referred to in Article (17) hereof:

- A) The secured should have applied for the addition of such periods in writing, before his end of service and should enclose with his application the required certificates and documents.
- B) The former period of service, to be added, should not have been terminated due to any of the reasons of forfeiture of the full pension or benefit.
- C) The secured should refund the benefit for the periods to be adjoined had he already received the same. He shall also pay the contribution due thereon based on the amount of the salary drawn at the time of the submission of application at the rate prescribed in Clause 1 of Article 15 hereof, if it is still unpaid.

In both cases, the payment shall be made all at once. However, the chairman may accept settlement in installments provided that it should not extend beyond retirement period qualifying for pension, or before he reaches the age of retirement, whichever is earlier. In all cases, obligation to refund and pay the whole or part of it shall cease to be valid if the service of the secured expires by demise.

Article Nineteen

The periods of service for the individuals who are still in service, prior to the enactment of this law shall be calculated as part of the period for which they are entitled to gratuity as per the provisions of the applicable laws with the employer upon the enactment of this Law.

The employer shall pay the value of the benefit for the account of the fund. The chairman shall issue a resolution on the collection thereof.

Article Twenty

The provisions of this Law shall apply to the secured who is naturalized during the period of service as of the date of naturalization. He shall not be entitled to apply for the addition of the period of service prior to the naturalization.

Article Twenty-One

The secured whose period of service expires as he reaches the age of retirement may add a complementary nominal period of service to receive the pension, provided that such period shall not exceed five years.

Article Twenty-Two

The secured, subject hereto, may apply for the addition of nominal periods of contribution that do not exceed the actual period of service, provided that the total periods of service should not exceed the period qualifying for pension. The secured may not apply for the addition of a nominal period if he had obtained a retirement benefit for former periods of service, unless he has added such periods.

Article Twenty-Three

To complete the period of service entitling to a retirement pension, the secured who resigns from service prior to the enactment hereof, or his beneficiaries, may apply for the addition of a nominal period of service of five years maximum, provided that, he should refund the retirement benefit that he has already received all at once or if the board approves- in monthly installments for three years.

Chapter Four

Rules for the Calculation of Contributions

Article Twenty-Four

Contributions are payable for the periods hereunder according to the rules and provisions set forth against each of them:

1) Periods of Unpaid External Seconding or Unpaid Leaves

The secured should pay his and his employer's contribution quotas' to the fund all at once within one year from the end of the seconding or leave. He may pay it in installments over a period equal to the period of leave or seconding at the approval of the director.

2) Periods of Unpaid Study Leaves

The employer should pay his contribution quota at regular dates and the secured should pay his as per Clause (1).

3) Periods of Internal Seconding

If the concern whereto the employee is seconded bears the remuneration or salary, it should pay the quota of the employer and the secured should pay his quota based on the remuneration or salary drawn at the said concern, at regular dates.

SECTION THREE

4) Periods of Sick Leaves

The secured should settle his contribution quota due on the actual remuneration or salary. On his part, the employer should settle his quota for the whole package, whether the leave is paid or unpaid.

Article Twenty-Five

Contributions are payable as of the beginning of the month following the month whereon they are due, the payment delay may be extended until the twentieth.

Contributions are non-refundable.

Article Twenty-Six

The employer shall forward the due contributions to the fund. In case of delay of payment, he shall be bound to pay an additional amount calculated at 0.1 % daily, of the due contributions value for each delay day without any warning or notice.

The board shall set the conditions and cases of exemption from such additional amount.

Chapter Five

Entitlement to Old Age, Disability and Death Pension

Article Twenty-Seven

Pension shall be payable in the following cases:

- A)** Expiry of the service of the secured because of demise, total disability or medical unfitness whatever his period of contribution in the fund. The competent medical committee shall prove the total disability or medical unfitness.
- B)** Expiry of the service of the secured for reaching the age of retirement, once his period of contribution in the fund totals ten years.
- C)** Expiry of the service of the married lady, divorced or widowed, who has children, for a reason other than those stated in clauses (one) and (two) above, if, her period of contribution in the fund should have totaled fifteen, or ten years, if she reaches fifty years of age or more. ⁽¹⁾
- E)** Expiry of the service of the secured by an Emiri Decree, or by a resolution from the Executive Council to superannuate him.
- F)** Expiry of the service of the secured at his request if the period of contribution in the fund totals fifteen years and reached, upon fine enactment of this law fifty years for males and forty-five years for females, in the five following years the age will be increased year by year for both sexes, and by two years thereafter until they reach the age of retirement.
- G)** Expiry of the service of the secured due to a disciplinary decision or court judgment, if the period of contribution in the fund totals fifteen years.

⁽¹⁾ clause (D) hereof has been cancelled vide law No (6) of 2005 effective from 1/5/2005 amending some provision of law No(2) of 2000 apropos civil Retirement Pensions and Benefits in the Emirate of Abu Dhabi.

- h) Expiry of the service of the secured for a reason other than those stipulated in the former clauses if the period of contribution in the fund is twenty-five years. In the cases stipulated in the foregoing clauses, the retirement pension shall be computed according to a fifteen-year contribution period or to the actual contribution period, whichever is longer. Three nominal years or a number of years that completes the age of fifty-five for females and sixty for males, whichever is shorter shall be added to the computed contribution period, in case the service had expired by demise or total disability.

Article Twenty-Eight

In case of a judgment deeming the secured missing, a temporary monthly pension shall be paid to his beneficiaries, equal to the pension they would have been entitled to should he pass away during service. If later the missing person proved to be still alive, payment of pension to the beneficiaries shall cease. His status will then be settled in the light of the outcome of the investigations. Should his status proved to be improper, the fund might redeem all the amounts paid.

However, if his status proved to be true a compensation shall be carried out between his entitlements and what has been paid to his beneficiaries. If his entitlements exceed the value of the payments they received, he will be paid the difference.

Article Twenty-Nine

If the service of the secured has expired because of demise or total disability as a repercussion of a work injury, the pension shall be settled assuming that the period of his service has reached twenty-five years or according to his actual period of service, whichever is longer.

Article Thirty

The retirement pension is calculated monthly at 48% of the salary or remuneration for a period of contribution in the fund totaling fifteen years, and shall be increased by 3.2% for each additional year thereafter, with a maximum of 80% of the salary or remuneration.

If the actual period of service exceeded twenty-five years, the secured shall receive a benefit for the additional period equal to a three-month salary or remuneration for each year, based on the value of the last salary he has drawn, provided that, the secured and the employer should be still paying the contribution.

Article Thirty-One

For the purpose of calculation of the period of service, the month is one part of twelve parts forming a year, and part of the month is a one full month. Part of the year is considered one full year if the secured so requests and if such adjustment qualifies him for entitlement of pension.

SECTION THREE

Article Thirty-Two

The value of the retirement pension may not exceed the remuneration except in case where the shares of the beneficiaries are increased to the minimum value.

Article Thirty-Three

The pension of the secured may not be less than AED. 6,000 monthly.

The provision referred to in the foregoing paragraph shall apply to any pension that has been paid or become payable before the enactment of this law.

Article Thirty-Four

The retirement pension payable to the beneficiary of a secured may not be less than AED. 1,000 per month, in case the share of a beneficiary has devolved to another one, it shall be calculated according to his share before raise to the minimum limit took place.

Chapter Six

Beneficiaries and Conditions of Entitlements

Article Thirty-Five

Beneficiaries listed hereunder, be they UAE. nationals or other fulfilling the following entitlement conditions, upon the demise of the secured or pensioner, are entitled to shares in the pensions as per Schedule No. (1) enclosed herewith. The same is payable as of the beginning of the month following the date of demise.

1. Husbands or widows
2. Children
3. Parents
4. Brothers and sisters
5. Grandsons and Granddaughters

Article Thirty-Six

Conditions of Entitlement: ⁽¹⁾

B- For a son: to be less than twenty-one years old.

Shall be exempted:

1. The person unable to earn his living.
2. The student at any level above the secondary school provided his age does not exceed twenty-six.
3. The holder of a university degree or the equivalent or higher thereto, who did not get a job or does not practice an activity in the private sector, provided he did not reach twenty-six years of age.

C- For the daughter: to be unwed

D- For the father: to have been depending on his deceased son.

⁽¹⁾ clause (A) hereof has been cancelled vide law No. (25) of 2000 effective from 10/9/2005, some provision of law No. (2) of 2000 apropos civil retirement pensions and benefits in the Emirate of Abu Dhabi

E- For the mother: to be divorced or widowed.

F- For the brothers and sisters: to have been depending on the deceased and fulfilling the conditions set out in paragraphs B and C.

G- For grandsons: If their father is dead or died after becoming entitled to the pension. Their father share shall devolve to them as per the conditions set out in paragraphs B and C hereof.

Article Thirty-Seven

The dependence referred to in the previous article shall be proved by a certificate from the concern defined by a decision from the Chairman after approval of the board.

Article Thirty-Eight

The payment of the share in a pension shall cease in the following two cases:

A- the entitled has joined work save the widow and daughter of the deceased.

B- the marriage of the female.

The daughter, sister, and granddaughter, when married for the first time shall receive a benefit equivalent to her share in the pension for six months.

Article Thirty-Nine

The entitlement to a share shall cease in the following cases:

A- Death of the beneficiary.

B- Entitlement of the secured or pensioner's widow to a share in the pension of her last husband.

C- When son, brother, or grandson reaches the age of twenty-six

Shall be exempted:

1- The person unable to earn a living.

2- The student at an educational level above the secondary school until he becomes twenty-six years old.

The share will be paid throughout the year of study until its end.

3- The holder of a university degree or the equivalent thereto who did not get a job or does not practice an activity in the private sector until he reaches the age of twenty-six.

Article Forty

If the daughter, sister or mother got divorced or became a widow for the first time, or, if the son or brother lost the capacity to earn after the demise of the secured or pensioner, each of them shall receive the share he or she is entitled to in the pension assuming that he has become entitled thereto at the date of demise without prejudice to the right of other beneficiaries.

SECTION THREE

Article Forty-One

if the share of one of the entitled persons mentioned in Article (35) hereof was stopped or ceased, the retirement pension shall be redistributed among other beneficiaries receiving shares as per schedule No. (1) enclosed herewith. If the reason for the cessation of payment stopped are distribution process is to be carried out anew.

The re-distribution takes place at the beginning of the month following the incident. In all cases, all amounts illegally paid to the beneficiary whose share was stopped or ceased, shall be deducted from the entitlement of other beneficiaries held due to the stopping or cease, until the date of knowledge of the fund about the incident, pro rata the entitlement of each of them, without prejudice to the responsibility for the amounts unrightfully paid or without recourse to right of the remaining beneficiaries to claim the party who has benefited from such amounts deducted from their shares.

Article Forty-Two

Neither the pensioner nor his beneficiary may combine two pensions or more from the fund, in such a case he shall receive whichever is higher.

Moreover, neither of them may combine a retirement pension with any other salary or remuneration receivable from a concern, subject to the provisions hereof, in which case, the pension pay shall be stopped and resumed when the salary or remuneration ceases.

Article Forty-Three

Save the provisions restricting the combination of two pensions or more, or the combination of a retirement pension and the salary or remuneration, the same is allowed in any of the following cases:

- A) Cases of combination between two pensions, or the retirement pension and salary or remuneration occurred before the enactment of this law.
- B) In case the sums of both pensions, and the retirement pension and salary or remuneration he draws do not exceed AED. 9,000. Should they exceed this total, his right shall be confined to this limit.
- C) In case the pension is payable to the widow of the pensioner. She has the right to draw her own retirement pension and her husband's.
- D) In case the pension is payable to the daughter of the pensioner. She has the right to draw her own retirement pension and her father's.
- E) If the salary, the remuneration or benefit is paid in consideration of the pensioner experiences or his assignment to carry out functions that require a special efficiency that he has. The same requires the approval of the board.

Chapter Seven Retirement Benefits

Article Forty-Four

The secured, who is not entitle at the expiry of his service to a retirement pension according to the provisions of this law shall receive a retirement benefit. The cases of reaching the age of retirement, demise and total disability shall be exempted from the foregoing.

Article Forty-Five

Retirement benefit shall be calculated at the rate of one and a half-month salary based on the value of the last salary for each year of service during the first five years provided that the term of service should not be less than one year, and at the rate of two months salary for each year during the next five years, then at the rate of three months salary for each year thereafter. For the purpose of calculation of the period of service, part of the month shall be deemed full month.

Article Forty-Six

In case of demise of the secured, the benefit payable to him for the term of service shall be distributed to his beneficiary as per the provisions of retirement pensions prescribed herein, and according to the prescribed distribution method. In case of no beneficiaries, the pension should be distributed according to the succession provisions of the Sharia.

SECTION FOUR

Chapter One Retirement Pensions of the President of the Executive Council, His Deputy, Members of the Council and Heads of Departments

Article Forty-Seven

Upon the expiry of their service, the President of the Executive Council, His Deputy, Members of the Executive Council, Heads of Departments, and the like, shall be entitled to a monthly retirement pension as per the following provisions.

- A) If the term of office has been one year or part of a year as per the retirement pension based on a nominal period of service of fifteen years.
- B) If the term of office has been five full years, the retirement pension payable shall be equal to the salary.

SECTION FOUR

- C) In case of total disability or medical unfitness or demise during the term of service of the secured the retirement pension shall be computed as if the term of service qualifies him to a retirement pension equal to the salary.
- D) If the total periods of actual service and added periods of service exceeds 25 years, the secured shall receive a benefit for the excess period at the rate of three months for each year as per the last salary drawn.

Article Forty-Eight

The former head of a government department and the like, who joins service at a concern subject to the provisions hereof may combine a retirement pension along with the remuneration he draws from the concern he has joined. At the expiry of his service, the benefits shall be computed according to the provisions hereof.

Chapter Two

Pensions and Benefits of the Members of the National Consultative Council and Members of the Municipal Council

Article Forty-Nine

At the expiry of their membership, the Chairman, his deputy and members of the National Consultative Council, shall receive a retirement pension or benefit as per the provisions hereunder

- A) If the Chairman, his deputy or member of the National Consultative Council has spent one complete legislative term or two full years, he shall be entitled to a monthly retirement pension based on a nominal fifteen-year period of service.
- B) If the membership expired because of a medical unfitness, total disability or demise, the secured or his beneficiaries, as the case may be, shall be entitled to a retirement pension equivalent to the membership remuneration.
- C) Shall be added to the nominal period provided for in paragraph (A) hereof the membership periods that exceed two years or the first legislative term, as well as the service terms that may be added as per the provisions of Articles 17 and 18 hereof. The retirement pension is paid according to the full period of service, provided that the pension does not exceed the membership remuneration.
- D) If the pensioner regained his membership at the National Consultative Council, the previous actual period of his service will be added to the new period of service, provided the retirement pension does not exceed the membership remuneration. At the end of the term of office, both periods will be computed as per the provisions of the former articles.

Article Fifty

If the service of a secured, subject to the provisions hereof, without being entitled to the retirement pension or benefit as per the provisions hereof, he shall redeem the contributions deducted from him.

Article Fifty-One

The Municipal Council Chairman, his deputy and members at the end of their membership shall be entitled to a monthly retirement pension or benefit as per the provisions set out in this chapter.

The provision of paragraph A, Article (49), shall apply if the secured has spent a full ordinary session at the council or two calendar years.

The provision of paragraph C, Article (49) shall apply if the membership term exceeded two calendar years or one full ordinary session.

SECTION FIVE REDUCED PENSION

Article Fifty-Two

The fund may reduce the rights of the secured and pensioners in the retirement pensions with cash. The reduced pension value shall be determined according to the regulation set out by the board.

After reduced pension, the balance of the actual or presumptive retirement pension shall not be less than 50% of the salary referred to in Articles 27 and 30 hereof, as the case may be.

The chairman, upon the approval of the board, shall issue a decision setting out the rules, conditions and cases of reduced pensions and amounts to be refunded against the cessation of the arrangement. The period of reduced pension within the service term should be 5 years.

Article Fifty-Three

The deduction of the part from the retirement pension shall cease upon the demise of the pensioner, the expiry of the period prescribed for reduced pension or upon the expiry of the implementation thereof as per the last paragraph of the foregoing article.

The pensions of the beneficiaries shall be computed as if the pensioner did not reduce part of his pension.

The demise of the secured or the pensioner, after the application for reduced pension, may not deprive the legal heirs from receiving the rights of reduced pension of their testator, as they are considered a succession, if the applicant at the time of the application was fulfilling the reduced pension conditions.

Article Fifty-Four

Save Article 14 hereof, the financial status of the reduced pension system shall be examined independently once every six years with the knowledge of an actuary to be appointed by the board. If the examination had unveiled excess, the same may be distributed among the parties concerned with the reduced pension as per the decision of the council.

Would the examination unveil a deficit the actuary should clarify the reason for such deficit and the means to avoid the same.

SECTION SIX

Article Fifty-Five

The beneficiaries of the secured or the pensioner may not replace their pensions.

SECTION SIX FORFEITURE OR STOPPING OF THE RIGHT TO PENSION OR BENEFITS

Article Fifty-Six

Shall be deprived from the retirement pension or benefits the secured or pensioner whose citizenship is abrogated or withdrawn and upon his demise his beneficiaries will receive half of their shares.

Article Fifty-Seven

Without prejudice to the provisions of the former article, the secured or pensioner may not be deprived from the pension or benefit except by a disciplinary resolution, and for quarter of the pension or benefit maximum. a judgment of forfeiture according to the foregoing article may only be rendered on acts committed before the expiry of the term of service.

The amounts payable hereunder to the pensioner or his beneficiaries may only be withheld or subject to deduction in settlement of an alimony debt adjudged by the court or in settlement of any amounts which may be payable to the fund or the concern where the pensioner works for a reason pertaining to his job performance or as a recovery of amounts disbursed to him without right.

Deduction in any of the foregoing cases may not exceed one quarter of the pension or benefit, and upon competition, the alimony debt shall have priority, and then the rest of debts according to their order in the previous paragraph.

Article Fifty-Eight

Upon the demise of a secured or pensioner who has been subject to a disciplinary judgment depriving him from part of his pension, his beneficiaries shall receive their full shares from the entire pension payable as per the provisions hereof.

Article Fifty-Nine

In case a secured or a pensioner is condemned to imprisonment, the Chairman, upon approval of the Board, shall define the beneficiaries who should receive the pension or benefit or other financial rights and set out the conditions and rules thereof.

Article Sixty

Without prejudice to the provisions of the foregoing articles hereof a secured or pensioner may not be deprived from his right to receive a pension or benefit or other financial rights. Any provision contradicting the same shall be revoked.

SECTION SEVEN
GENERAL PROVISIONS

Article Sixty-One

The Executive Council may decide to grant extraordinary pensions or benefits to secured and pensioners, their beneficiaries or other UAE nationals even if they are not subject to the provisions hereof. Without prejudice to the resolutions of the Executive Council, such extraordinary pensions and benefits shall be subject to the provisions hereof.

Article Sixty-Two

The fund is only bound by the pensions, benefits and compensations payable by virtue of this law. Other dues emerging from other laws and resolutions to be executed by the fund are paid thereto by the public treasury according to the method decided by the Chairman after consulting the Board.

Article Sixty-Three

The contributions paid by the employer in the Government sector and companies fully owned by the State and those where they are deducted from the secured salaries shall be calculated based on the monthly salary or wage.

Article Sixty-Four

The contributions paid by the employer in the semi-governmental and private sectors, and companies fully owned by the State and those where such contributions are deducted from the salaries of the secured within one year are calculated based on the salary or remuneration of January of each year.

The contributions of individuals who join the service during another month shall be calculated based on the salary or remuneration payable during such month until the first of next January. Then calculation shall be made according to the basis shown in the foregoing paragraph.

The provisions of the former paragraph shall apply to the individuals who become subject to this law for the first time.

Contributions are due for the entire month when the period of service starts and they are not due for the month when the period of service expires.

For the purpose of calculation of the monthly salary or remuneration, for persons who do not draw the same on monthly basis, the number of working days is fixed at thirty. However, the number of working days for individuals who do not get paid for the weekly holidays, is fixed at twenty-six.

Article Sixty-Five

As an exception to the two foregoing articles the Chairman, upon a proposition from the board may set special rules for the calculation of the salary or remuneration of the secured, as well as conditions and situations regulating the collection and payment of contributions and amounts due according to this law for the cases he defines.

Article Sixty-Six

The employer in the semi-governmental and private sectors, in January of each year, shall submit to the fund a statement of the salaries, remuneration, and contributions of the employees for the said month. Such statement shall cover also them employees who are under a probationary period. The statement shall state the addresses of the employer whatever the number. Moreover, the employer shall advise the fund monthly on any modifications to the number of employees, their salaries, remuneration, and work premises.

The said statements are submitted on the forms prepared by the fund for this purpose.

Article Sixty-Seven

Should the employer fail to submit the statements stipulated in the foregoing article under the prescribed conditions and dates, the payable contributions are calculated as per the last statement the employer had submitted to the fund until the actual payable contributions are computed.

In case the statements have not been submitted at all and in case of the absence of any records and documents that the employer should have kept as per the provisions hereof the payable contributions are computed by a resolution from the fund.

The employer shall have the right to appeal against the resolution provided for in the foregoing paragraph as per the provisions of Article 81 hereof after submittal of a grievance before the committee provided for in Article 79 of the law and on the dates stipulated thereby.

Article Sixty-Eight

Contributions are payable at the beginning of the month following the month they are accrued on or until the issue of the fund's resolution provided for in the former article even if challenged. Contributions are paid based on the total salary or remuneration.

Article Sixty-Nine

In case of a delay in the payment of contributions or other amounts payable by virtue of this law, be they due on him or to be deducted from the salaries or remuneration of the secured, the employer shall be bound to pay a monthly additional amount at 0.1 % of the outstanding amounts to be computed as of the date such amounts have become due until the date of settlement.

Article Seventy

Should the employer fail to register all or some of the employees within the period provided for in Article 72 of present law or fail to pay the contributions based on the real salaries and remuneration, he shall be bound to pay to the fund an additional amount equivalent to 10% of the value of the unpaid contributions in addition to the percentage prescribed in the former article. The employer is bound also to pay AED. 100 for each day of delay to submit to the fund the statements, notifications and forms requested for the execution of this law.

Article Seventy-One

In all the preceding cases, the charges to forward the contributions and payable amounts to the fund shall be borne by the employer. The chairman, upon approval of the board shall determine the cases and conditions for the exemption from the payment of any extra amounts stipulated in the two preceding articles.

Article Seventy-Two

The Employer is bound to register all the employees subject to the provisions hereof with the fund within 10 days from the date they have joined the service. In case the employer abstained or neglected such registration, the employees may proceed to the registration of their names by themselves.

The Chairman shall determine the rules for the said registration and procedures for the obtainment of insurance cards and the data they cover as well as the procedures to be taken in cases of loss and the rules for the use thereof. The fund should give an insurance card for every secured without any charges. AED. 10 should be paid upon the application for a duplicate.

Article Seventy-Three

The employer in the semi-government and private sectors shall display at a conspicuous place of the business a certificate evidencing the payment of the contribution to the fund. The Chairman, upon approval of the board, shall issue the data to be included in the certificate. The fund should grant such certificate in consideration of AED. 10 for the certificate itself or extract thereof. The government concern that issues certain licenses or certificates shall not grant or renew the same unless the holder submits the said certificate or extract thereof.

Article Seventy-Four

Employer shall keep books and records and submit to the fund the statements, data, notifications and forms required for the execution of this law. The same should take place according to the conditions and dates set out by the Chairman upon a proposition made by the board. The employer should keep also a special file for every secured wherein all the documents specified by the said resolution are lodged.

SECTION SEVEN

Article Seventy-Five

The Minister of Justice in agreement with the chairman of the Finance Department shall determine the names of the fund's employees assigned by the Chairman to have the capacity of judicial commissioners for the execution of this law and its executive resolutions. Therefore, these judicial commissioners shall have the right to enter the work premises at regular timings to take the necessary procedures and inspect the records, books, papers, deeds, documents and files related to the execution hereof.

Article Seventy-Six

The fund is bound to respect all its obligations towards the parties subject to the provisions hereof, even if the employer did not register them thereat or pay the contributions due for them.

Article Seventy-Seven

The dissolution, liquidation, closing, bankruptcy, merger, transfer of ownership by succession, will, donation, sale or assignment or other ways of disposal does not prevent the payment of the fund's dues. The successor shall be jointly responsible with the former employer for the execution of all the obligations due on them towards the fund. In case, the ownership of a corporation devolved to a successor by heritage, the joint responsibility is limited to the share he obtained from the succession.

Article Seventy-Eight

The secured becomes entitled to receive the retirement pension as from the day following the expiry of his service. The payment of the retirement pension shall stop at the demise of the secured unless he has beneficiaries then the right to the retirement pension shall devolve to them as per the provisions hereof. The beneficiaries become entitled to receive the pension from the beginning of the month following the demise.

Article Seventy-Nine

A case claiming the rights prescribed by virtue of the provisions of this law may not be filed except after claiming the fund in writing within five years from the date when the rights are considered payable. The claim of one right is considered a claim for all the rights. The said delay shall cease to be valid for all the beneficiaries, if one of them submits such claim. It shall be stopped for the persons who have no capacity at all or the persons who lack enough capacity, in case they do not have a legal representative.

The said case may not be accepted before submission of a grievance against the resolution issued by the fund within thirty days of the notification before a committee formed by a resolution from the Chairman who will also set out the rules to decide on a grievance . A resolution about the claim or grievance provided for in this article should be taken within thirty days after the filing thereof. The lapse of such period without the issue of any resolution is considered a rejection of such claim or grievance, concerned party may challenge the resolutions issued by the said committee within thirty days of notification.

Article Eighty

No case moving for the amendment to the rights prescribed herein may be filed after the lapse of two years from the notification of the final amount of the pension or from the payment of the same regarding the other rights, except cases claiming increment of these rights due to an adjustment by virtue of a law or final court judgment or corporal errors committed upon the adjustment. The fund may not dispute on the value of these rights in case administrative resolutions or adjustments are issued after the employee had left the service, resulting in the reduction of the salaries taken as a basis for the evaluation of such rights.

Article Eighty-One

Provisions of Federal Laws No. 3/1983 and 11/1992 shall apply for the challenges and disputes provided for in the two preceding articles.

Article Eighty-Two

The rights of the fund towards employers, secured persona, pensioners and beneficiaries shall prescribe after the lapse of five years from the maturity date. Among the reasons to interrupt the prescription is the notice addressed by the fund to the concerned party by a registered letter wherein is included a statement of the value of the relevant amounts. The prescription shall not be applicable to the employer who did not contribute in the insurance for all or some of the employees, except from the date the fund has knowledge of their employment therewith. The employer's right to redeem the amounts paid in excess shall prescribe after the lapse of five years from payment without claiming the fund therefore.

Article Eighty-Three

Cases filed by the fund, the secured, pensioners or beneficiaries regarding the implementation of this law shall be exempted from the judicial charges at all court instances. Such cases shall be examined as summary cases and the court may order the immediate execution of the judgments without bail, as it may refuse the case and compel the plaintiff to pay all or part of the expenses.

Article Eighty-Four

The Fund may provisionally pay part of the pension or benefits, which is not subject to any disputes until the final settlement. If no settlement is reached at the beginning of the month following the expiry of the secured service, the fund is bound to pay on a monthly basis, half of the monthly salary or the said part of the pension whichever is higher until final settlement. If, after the settlement, the pension becomes inferior to the amount that used to be paid, the difference shall be reimbursed in monthly installments for a period not less than the period during which the amounts have been paid by the fund to the pensioner or beneficiaries.

The chairman, upon approval of the board, shall define the conditions, rules and dates for the payments of the rights prescribed herein as well as the documents required therefor.

SECTION SEVEN

Article Eighty-Five

Without prejudice to the provision of Article 57 hereof, the amounts due to the fund, shall have the priority on all the monies of the debtor, be they movables or real estates. Such amounts shall be settled immediately after the payment of the judicial expenses by way of administrative attachment. The resolution of the fund's director general to settle these amounts has the enforceability of a writ of execution.

Article Eighty-Six

In the implementation of the provisions hereof, the specialties, which establish the age and submitted to contribute in the fund for the first time may be raised as a proof. May be raised as a proof as well any amendment that occurs to the age established therein, if occurring within one year from the beginning of the contribution.

The age established with the fund at the date of enactment of this article, and the amendment that occurs thereto within one year from such date shall be raised as a proof.

Article Eighty-Seven

The periods stipulated in this law are computed according to the Gregorian calendar and in the computing of the period of contribution in the insurance part of the month is considered a whole month and part of the year is considered a whole year, if the latter qualifies the secured-to be entitled to a retirement pension.

Article Eighty-Eight

The obligation to repay the benefit that has to be redeemed according to the provisions of this law shall prescribe if the secured service expires by his demise.

Article Eighty-Nine

The Chairman in agreement with the Minister of Health shall define cases of total and partial disability and the rate that affects the secured capacity to work as well as the rules whereon the evaluation of the degree of disability is based.

Article Ninety

In case the secured or pensioner dies his heirs will receive a bonus equivalent to his salary, remuneration or pension multiplied by three.

The Chairman shall define the conditions and rules for the payment of such bonus.

Article Ninety-One

If the secured service expired by natural demise, his beneficiaries shall receive, in addition to the monthly retirement pension, indemnity amounting to AED. 60.000 in one payment as per the provisions hereof. Such compensation shall be distributed among them according to the succession provisions set out by the Sharia.

Article Ninety-Two

If the secured died due to a work injury, his heirs will be entitled to an indemnity amounting to AED. 150.000 (Dirhams One Hundred Fifty Thousand) to be distributed among them as per the succession provisions set out by the Sharia. The secured shall also be entitled to this bonus if the work injury resulted in a total disability. If the work injury resulted in a partial disability, the secured will be entitled to an indemnity calculated at the degree of disability multiplied by the value of indemnity for demise as defined in Schedule No. 2 enclosed herewith.

Article Ninety-Three

The secured shall be deprived of the injury indemnity in the following cases:

- 1- if the secured willfully injured himself.
- 2- if the injury occurred due to a flagrant and vulgar misbehavior, such as:
 - A-Any act committed by the secured under the effect of alcoholic drinks or drugs.
 - B- Any premeditated violation of safety instructions displayed conspicuously at the place of business.

The same applies unless the injury resulted in the demise of the secured, or in a permanent disability exceeding 25% of the total disability. None of the two cases stipulated in Articles 1 and 2 might be implemented, unless they are evidenced by the investigation conducted with the knowledge of competent authorities.

The provisions hereof do not deny the right of the secured or his heirs to claim the full amount of indemnity before third party.

If the injury resulted from the error of the employer, the injured or his heirs may claim full indemnity from the employer after deduction of the amount paid by the fund by virtue of this law.

SECTION EIGHT PENALTIES

Article Ninety-Four

Without prejudice to any more severe penalty provided for in any other law, the offenses referred to hereunder will be sanctioned by the penalties mentioned in the following articles.

Article Ninety-Five

Any person who deliberately provides untrue information or abstains from providing the information stipulated in this law, or its executive resolutions or regulations, in order to receive illegitimately monies from the fund shall be condemned to imprisonment for a maximum period of one month and to the payment of a maximum fine of AED. 2500. Every person who deliberately provides untrue information to avoid fulfilling the obligations towards the fund shall incur the same penalties, in all cases, the court orders him to repay the amounts he has received illegitimately.

SECTION EIGHT

Article Ninety-Six

A fine not exceeding AED. 250 (Dirhams Two Hundred Fifty) shall be imposed on every person who breaches the provisions of Articles 66 and 74 hereof.

In the implementation of the last paragraph of Article Seventy-Four of this law, the fine shall increase according to the number of employees, subject of the violation.

Article Ninety-Seven

A fine not exceeding AED. 250 (Dirhams Two Hundred Fifty) shall be imposed on any employer, subject to the provisions hereof, who did not contribute to the fund for any of his employees. The employer who makes the employees bear any part of the insurance charges not provided for in this law shall be sentenced to the same penalty. The court, by itself, shall bind such employer to pay to the employees the insurance charges they have borne. The fine will increase according to the number of employees, subject of the violation.

Article Ninety-Eight

Penalties of imprisonment for a period not exceeding six months and a fine not exceeding AED. 2500 (Dirhams Two Thousand Five Hundred) or either penalty shall be imposed on any of the fund employees who discloses any of the fund's secrets or other work secrets or work methods, which would have come to his knowledge by virtue of his position.

Article Ninety-Nine

All the fines and adjudged amounts for any violations of the provisions hereof shall devolve to the fund and spent as may be decided by the chairman.

SECTION NINE TRANSITIONAL PROVISIONS

Article One Hundred

Employees of the Retirement Pensions and Benefits Section at the Finance Department as well as any employees whom the Department of Finance decides to transfer or second, shall be transferred to the Fund in coordination with the director.

Their grades as well their acquired rights shall remain unvaried provided their situations are adjusted according to the provisions of the Fund's employees affairs.

Article One Hundred and One

The pensions of the President, deputy president, and members of the executive council, heads of departments and the like, be they retired or beneficiaries shall be re-adjusted according to the basis stipulated herein as per the salaries and allowances of their counterparts upon the implementation hereof.

Upon the approval of any increase of salaries or allowances, which will be taken into account in calculation of the retirement pension in the future, the increase rate prescribed shall apply to former pensioners and their beneficiaries.

Article One Hundred and Two

The retirement pension for the citizens who retired prior to the enactment of this law or their beneficiaries shall be calculated anew on the basis hereof. Upon approval of any increase in the retirement pensions in the future, the defined increase rate shall automatically apply to the value of the pensions of former retired counterparts or their beneficiaries *

Article One Hundred and Three

Save provisions of Article 42 hereof, the pensioner may combine the pension payable to him before the re-adjustment stipulated in the foregoing article and the salary from work at the semi-governmental and private sectors. He may also combine the pension to any benefit he earns from the public treasury at the implementation of present law. At the end of his service, in both cases his account will be settled based on the new period of service only, provided the sum of the two pensions does not exceed the maximum amount of the pension, as case may be.

However, the pensioner may request to stop the payment of the pension payable to him before the re-adjustment, and at the end of his service to calculate both periods together within thirty days of notification of the re-adjustment or after joining work, whichever is closer.

Article One Hundred and Four

Provisions of Chapter Six of Section Three hereof shall apply to each person who is not entitled to a share in the pension according to the provisions of the Retirement Pensions and Benefits applicable before the enactment of present law. The same applies as of the date of implementation hereof or as of the date of the fulfillment of the stipulated entitlement conditions whichever is closer without prejudice to the rights of the other entitled persons.

Article One hundred and Five

The provisions of Chapter Six, Section Three of the law hereof shall apply to every person who is not entitled to a share in the pension as per the provisions of the laws applicable prior to the enactment of this law. The same shall apply as of the day of enactment of present law or the date of fulfillment of the stipulated entitlement conditions whichever is closer, without prejudice to the rights of the other entitled persons.

SECTION NINE

Article One Hundred and Six

The end of service cases at the government sector shall be adjusted anew for the reasons provided for in Clause (I), Article 27 hereof, and for which no pension is due as per the provisions of the said Law No. 2/1975 according to Section Three, Chapters Five and Six of this law.

Save the cases of demise and total disability, the benefit already disbursed shall be reimbursed in monthly installments.

Article One Hundred and Seven

The implementation of the provisions of the foregoing articles do not incur the payment of financial differences for the period prior to the enactment of the provisions of Section Three hereof.

Article One Hundred and Eight

The public treasury shall pay the difference between the net value of the obligations resulting from the implementation of the provisions of the foregoing articles of this section. The chairman, after consulting the board, and based on the actuary report, shall determine the said difference, it may be paid in installments.

Article One Hundred and Nine

The chairman shall determine the dates for the registration of the different categories of employees subject to the provisions of this law and who are still in service at the enactment of the Section Two hereof or who join the service after such date and before the enactment of the remaining articles.

Article One Hundred and Ten

Without prejudice to Article 33 hereof, the pensions of the secured whose services have ended before the enactment of present law, as well as the pensions of their beneficiaries will be adjusted according to the pensions they, actually receive or the pension that is due as per the provisions herein, whichever is higher.

The re-adjustment of the pension does not lead to the increase of the part which may be reduced.

SECTION TEN FINAL PROVISIONS

Article One Hundred and Eleven

As of the date of enactment of present law all the following laws shall be abrogated:

1- Law No.2/1975 apropos the retirement pensions and benefits of the UAE nationals in the Emirate of Abu Dhabi and the amendments thereto.

2- Law No. 10/1975 apropos the retirement pensions and benefits of the President, his deputy, heads of department, and members of the Executive Council of the Emirate of Abu Dhabi.

3- Law No. 2/1978 apropos the retirement pensions and benefits of the UAE nationals working at oil companies operating in the Emirate of Abu Dhabi and the amendments thereto.

4- Law No. 4/1984 apropos retirement pensions and benefits of UAE nationals working at the General Industry Corporation.

5- Law No. 6/1999 apropos some provisions of the laws on civil retirement pensions and benefits in the Emirate of Abu Dhabi.

Article One Hundred and Twelve

Any provisions inconsistent with the provisions of this law shall be revoked hereby.

Article One Hundred and Thirteen

The chairman of the fund shall issue the regulations and decisions required for the implementation of the provisions of this law. The regulations and resolutions concerned with the implementation of the applicable laws apropos retirement pensions and benefits in the Emirate, and which do not contradict the provisions hereof, shall continue to apply, until the issuance of the regulations and resolutions for the implementation hereof.

Article One Hundred and Fourteen

Present law shall be published in the gazette and shall become operative as of June 2000.

Khalifa Bin Zayed Al Nahyan
Deputy ruler of Abu Dhabi

Promulgated by us in Abu Dhabi
On March 21, 2000

Table No. 1

Sl	Persons Entitled to Pension	Due Share of Pension			
		Widow(s) or entitled husband	Children	Parents	Brother(s)
1	A widow or widows, or entitled husband, one child or more, a father or mother or both, and a brother or more	3/8	3/8	1/8	1/8
2	A widow or widows or entitled husband, a child or more and father or mother or both	3/8	4/8	1/8	---
3	A widow or widows or entitled husband, a child or more and a brother or more	3/8	4/8	---	1/8
4	A widow or widows or entitled husband, a mother or father or both, and a brother or more	1/2	---	1/4	1/4
5	A widow or widows or entitled husband, and a child or more	3/8	5/8	---	---
6	A widow or widows or entitled husband, and a mother or father or both	1/2	---	1/2	---
7	A widow or widows or entitled husband and a brother or more	1/2	---	---	1/2
8	A widow or widows or entitled husband	3/4	---	---	---
9	One child or more, a father or mother or both and a brother or more	---	6/8	1/8	1/8
10	One child or more, a father or mother or both	---	3/4	1/4	---
11	one child or more, and one brother or more	---	3/4	---	1/4
12	More than one child	---	the whole pension	---	---
13	one child	---	3/4	---	---
14	Father or mother or both and one brother or more	---	---	1/2	1/2
15	Father or mother or both	---	---	3/4	---
16	One brother or more	---	---	---	1/2

Continuous Table No. 1

1. The term child or brother, as used in the table, includes the male and female.
2. If more than one person is entitled to one share of the pension, it shall be distributed among them on an equal basis⁽¹⁾
4. In case of death of either parent, his or her share shall devolve to the other parent, and if both of them die, their share shall devolve to the children of the pensioner.
5. If the pension of one of the brothers is discontinued, his share shall devolve to his remaining brothers, and if none of them exist, his portion shall devolve to the children of the pensioner.
6. If the pension of the brothers is discontinued and there are no other beneficiaries except the parents, the share of the brothers shall devolve to them, without exceeding the share specified for parents in case No. 15 (3/4).
7. If the pensions of parents is discontinued and there are no other beneficiaries except the brothers, the share of the parents shall devolve to brothers, without exceeding the share specified for them in case No. 16 (1/2).
8. If the pension of brothers is discontinued, and there are no other beneficiaries other than the widow, their share shall devolve to the widow, without exceeding the share specified for her in case No. 8 (3/4).
9. If the pension of parents is discontinued, and there are no other beneficiary other than the widow, their share shall devolve to the widow, without exceeding the limit specified for her in case No. 8 (3/4).
10. The share of an individual's entitlement of pension may not exceed three quarters of the pension.
11. If the cause of suspension of all or part of the pension is eliminated, all shares shall return to their original situation before suspension.
12. The share, which is not assigned to any person, shall devolve to the fund.

(1) clause (3) hereof has been cancelled vide law No. (25) of 2005 effective from 10/9/2005 some provision of law No. (2) of 2000 apropos civil retirement pensions and benefits in the Emirate of Abu Dhabi

Table No. 2
Evaluation of Disability Degress in Case of Loss of Organs

s. No.	Nature of Disability	Percentage of Degree of Disability	
		Left	Right
1	Loss of right aim up to the shoulder	80%	
2	Less of right arm up to above the elbow	75%	
3	Loss of right arm to below the elbow	65%	
4	Loss of left arm up to the shoulder	70%	
5	Loss of left arm to above the elbow	65%	
6	Loss of left arm to below the elbow	55%	
7	Loss of the leg above the knee	65%	
8	Loss of the leg below the knee	55%	
9	Total deafness	55%	
10	Loss of sight of one eye	35%	
11	Loss of thumb	25%	30%
	Loss of the front phalanx of the Thumb	15%	18%
	Loss of index finger	10%	12%
12	Loss of the front phalanx of the index finger	5%	6%
	Loss of both the front and middle phalanxes of the index finger	8%	10%
	Loss of the middle finger	8%	10%
13	Loss of the middle front phalanx	4%	5%
	Loss of both the middle and front phalanxes	6%	8%
	Loss of a finger other than the index, thumb and middle finger	5%	6%

