

Federal law number (38) of the year 1992
Regarding the establishment of Nurseries and regulating
of producing, importing and circulation of seedlings

We Zayed Bin Sultan Al Nahyan the president of the United Arab Emirates

In accordance with the provisional constitution,

And the federal law number (1) of the year 1972 concerning the function of ministries and the powers of the ministers and the laws issued in amendment thereof,

And the federal law number (2) of the year 1974 concerning the regulation of importing seedlings and seeds, and the laws issued in amendment thereof,

And the federal law number (4) of the year 1979 concerning the control of deception and fraud in trade transactions,

And the federal law number (5) of the year 1979 concerning the Agricultural Quarantine and the laws issued in amendment thereof,

And the federal law number 3 of the year 1987 concerning the issuance of the punitive law. And the submission of the Minister of Agriculture and Fisheries, the approval of the Cabinet, the Federal National Council, and the Supreme Council of Federation,

We have issued the following law:

Article (1)

The following words and expressions shall have the meanings hereby assigned to them unless otherwise requires.

Country: The United Arab Emirates.

The Ministry: The Ministry of Agriculture and Fisheries.

The Minister of Agriculture and Fisheries.

The Deputy Minister: The Deputy Minister of agriculture and fisheries.

The competent Management: Agricultural Affairs Sector or any organizational unit derived there from.

The Competent Authority: The competent authority for the regulation of establishing the Nurseries, producing importation, and handling of seedlings in each Emirate.

Seedlings: The plants produced in the nursery by any of the propagation methods and were bred in the same nursery until they reached the suitable size to be transferred and permanently planted.

Nursery: An area allocated for producing seedlings of vegetables, fruits, jungles, indoor or ornamental plants until it reaches suitable size for permanent cultivation.

Trade Nursery: the location allocated for to propagation and growing seedlings

Article (2)

The concerned Department in coordination with the competent Authority shall determine the bases of establishment of nurseries of all kinds, sale centers, species, varieties, specifications of seedlings, the bases and conditions of their production, importation, handling circulation and promotion in the country.

The following shall specially be determined as follows:

- 1- Regulations shall be followed by the owners of the nurseries in propagation grafting and preserving their species and varieties, the records should they keep and methods of registration and auditing.
- 2- Conditions and formalities used for checking the seedlings, evaluating their fitness methods of objection on the results of tests and the decision is taken in this respect .

- 3- Procedures should be taken for species and varieties of seedlings contravening the rules of this law and the resolutions issued for the implementation of its rules thereof.
- 4- Procedures should be adopted for nurseries and the sale centers violating the provisions of this law or the resolutions issued for the implementation of its rules thereof.
- 5-

Article (3)

Establishment of all kinds of nurseries, shopping centers, producing, importing, and transporting seedlings is not permitted unless obtaining prior approval from the competent authority except for the following:

- 1- Seedlings own universities and research centers produced for scientific purposes providing that these parties shall take the necessary preoccupations to avoid their circulation in the market.
- 2- Imported seedlings for Re export on condition that they shall not cross the country inlets while they might be moved from one terminal to another after taking the necessary pre occupations in coordination with the custom authorities and the agricultural quarantine.

Article (4)

The minister pursuant to the recommendation of the competent authorities shall have the right to issue a ministerial decree prohibiting accordingly the propagation, producing, exporting, importing or circulating of any species or variety of seedlings either in permanently or temporarily in accordance with the necessity of the public interest .

Article (5)

Imported or exported seedlings shall subject to procedures of the agricultural quarantine to ensure being free of diseases, pests, and inconformity with the specifications.

Article (6)

Persons who are working in the country and whose activity or part thereof fall under the provisions of this law shall adapt their statues according to its provisions and the decisions being issued in execution thereof within six months from its enforcement otherwise they shall be liable for the prescribed punishment .

Article (7)

Employees assigned to implement the provisions of this law, the decisions issued in execution thereof, and who were selected through a ministerial decree issued by the minister of justice in coordination with the minister of agriculture and fisheries shall be deemed juridical inspection detection.

They are deemed to enter the places, which activities are included within the provisions of this law except the locations allocated for residency, in purpose of implementing the provisions of this law, and keep down the convicting cases, and the local authorities in the Emirates shall provide them with all facilities necessary for achieving their work.

Article (8)

All persons contravene the provisions of this law shall be deemed to punishment not less than dirham (5000) five thousand dirham and not exceeding (50000) fifty thousand dirham, besides confiscating the material under violation.

Article 9

The payable fees shall be determined in accordance with the provisions of this law by a resolution of the cabinet.

Article (10)

The minister shall issue necessary the regulations and rules to implement the provisions of this law.

Article (11)

Law number (2) of the year 1974 concerning the regulating importation of seedlings and agricultural seeds is considered cancelled.

Article (12)

This law shall be published in the official Gazette, and is considered effective from the date of its publishing.

Zayed Bin Sultan Al Nahyan

President of the United Arab Emirates

We have enacted the above law in the presidential palace in Abu Dhabi

At the 1st of Rabee Althani 1413 H.

Correspondent to 28/9 1992