



THE INCIDENT REPORTING REGULATIONS

EFFECTIVE DATE: 01/06/2019

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Foreword

The Department of Energy (DoE) was established by Law No.11 of 2018 on 20 February 2018 (the Law). Under that Law, the DoE is the successor entity to the Regulation and Supervision Bureau (RSB) and the Abu Dhabi Water and Electricity Authority (ADWEA). Accordingly any references to the Regulation and Supervision Bureau, the Bureau, RSB, the Authority or ADWEA in any document, template or correspondence shall now be interpreted as referring to the DoE.

The DoE is responsible for setting policy, standards and regulation for the Energy Sector (as defined under Law No.11, which includes all persons, companies and entities operating in the electricity, water and wastewater sectors in Abu Dhabi).

These Incident Reporting Regulations are issued by DoE in accordance with the Law and replace the previous regulations issued by the RSB pursuant to Law No.2 of 1998.

These Regulations outline the minimum requirements for Incident notification, reporting and investigation to ensure a consistent approach is applied to Occupational

Health and Safety and environmental and operational Incidents in the sector. They may be cited as the Incident Reporting Regulations.

These Regulations are also available in Arabic. They may also be downloaded from DoE's website at www.DoE.gov.ae.

MOHAMMED BIN JARSH AL FALASI

Undersecretary-Department of Energy





Acknowledgements

The DoE gratefully acknowledges the contributions and comments provided by the following organisations:

- (a) Government organisations:
 - (i) Abu Dhabi Transmission and Despatch Company (TRANSCO)
 - (ii) Emirates Water and Electricity Company (EWEC)
 - (iii) Al Ain Distribution Company (AADC)
 - (iv) Abu Dhabi Distribution Company (ADDC)
 - (v) Remote Areas Service Company (RASCO)
 - (vi) Al Mirfa Power Company (AMPC)
- (b) Private organisations:
 - (i) Umm Al Nar Power Company (UANPC)
 - (ii) Emirates CMS Power Company (ECPC)
 - (iii) Gulf Total Tractebel Power Company (GTTPC)
 - (iv) Shuweihat CMS International Power Company (SCIPCO)
 - (v) Arabian Power Company (APC)
 - (vi) Taweelah Asia Power Company (TAPCO)
 - (vii) Abu Dhabi Sewerage Services Company (ADSSC)
 - (viii) Emirates Sembcorp Water and Power Company (ESWPC)
 - (ix) Fujairah Asia Power Company (FAPCO)
 - (x) Al Etihad Biwater Waste Water Company PJSC
 - (xi) Ruwais Power Company
 - (xii) Al Wathba Veolia Besix Waste Water Company PJSC
 - (xiii) Higher Corporation for Specialized Economic Zones (ZonesCorp)
 - (xiv) Shams Power Company PJSC - Solar
 - (xv) Abu Dhabi Future Energy Company PJSC (ADFEC) - Solar
 - (xvi) Shuweihat Asia Power Company - S3 (SAPCO)
 - (xvii) Mirfa International Power & Water Company (MIPCO)
 - (xviii) Sweihan PV Company PJSC
 - (xix) Barakah One Company PJSC
 - (xx) Emirates Aluminium Company (EMAL)





History of revisions

Revision	Date	Prepared by	Checked by	Issued to
[Insert]	[Insert]	[Insert]	[Insert]	[Insert]





Document numbering

These Regulations use the following numbering system:

- Parts** are referenced by integers (e.g. 1, 2, 3, etc)
- Regulations** are referenced by one full stop between numbers (e.g. 1.1, 1.2, etc)
- Clauses** are referenced by two full stops between numbers (e.g. 3.1.2, etc)
- Sub-clauses** are referenced by lower-case letters between parentheses (e.g. (a), (b) etc.)
- Notes** are indicated below the clause in square brackets and italic text. For example,
[Note: this clause does not apply to Installations that have been ...]
- Amendments** amended text is highlighted by a [red] [blue] [green] margin.





1. Introduction

1.1 Citation

1.1.1 These Regulations are the Incident Reporting Regulations 2019.

1.2 Commencement

1.2.1 These Regulations come into force on 01/06/2019.

1.2.2 These Regulations are issued by the DoE.

1.2.3 These Regulations supersede and replace the following regulations:

- (a) The Incident Reporting Regulations 3rd edition 2017 issued by RSB.

1.3 Purpose

1.3.1 These Regulations are issued in accordance with relevant parts of the Law. They define the procedures for the classification, notification, reporting and investigation of Incidents associated with the operations of Licensees and Nominated Entities.

1.4 Scope

1.4.1 These Regulations apply to all Licensees carrying out activities in the Energy Sector (as defined under the Law)

1.4.2 These Regulations may, in accordance with the Law be amended or revoked by DoE at any time.

1.4.3 Reportable Incidents sustained by, or caused by Agents shall be treated in the same manner as Incidents sustained by, or caused by Licensees.

1.4.4 The Regulations shall apply to all reportable Incidents involving the assets of Licensees, whether or not work-related activities were being carried out at the time.

1.4.5 Nothing in these Regulations is intended to conflict with or affect the operation of any Federal or Abu Dhabi Law, Regulation, Decree, Order, or other ordinance.

1.4.6 Where a conflict appears to exist between these Regulations and other regulations, codes, or any governmental legislation, the matter should be referred to DoE for a binding decision in accordance with Part 10 of these Regulations.

1.5 Responsibility for Implementation

1.5.1 Licensees.





1.6 References

NA

1.7 Distribution

1.7.1 Soft copy of the regulation will be available in DoE webpage.





2. Definitions

2.1 Interpretation

- 2.1.1 Words defined in this Part begin with capital letters when used in the Regulations.
- 2.1.2 Words and expressions other than those defined in these Regulations which are defined in Law No (2), shall have the meanings ascribed to them in Law No (2).
- 2.1.3 Words using the singular or plural number also include the plural or the singular number respectively.
- 2.1.4 Unless otherwise specified, days shall mean calendar days.

2.2 Definitions

2.2.1 Interpretation

- (a) Words defined in this Part begin with capital letters when used in the Regulations.
- (b) Words and expressions other than those defined in these Regulations which are defined in the Law or in Law No.2 of 1998, shall have the meanings ascribed to them in these laws.
- (c) Words and expressions other than those defined in these Regulations which are defined in OSHAD SF mechanism 6 and 11 shall have the meanings ascribed to them therein.
- (d) Words using the singular or plural number also include the plural or the singular number respectively.
- (e) Any reference to a Part or Schedule is a reference to the relevant Part or Schedule in these Regulations.
- (f) Unless otherwise specified, days shall mean calendar days.

2.2.2 Definitions

OSHAD – means the Abu Dhabi Occupational Safety and Health Centre.

AL ADAA - is an OSH Electronic Application used for the automatization and management of occupational safety and health (OSH) aspects in a consistent and uniform manner, and



allows for periodical and annual reporting on OSH performance. This application can be accessed by users with login password, and includes Government Departments, Sectors and Entities implementing requirements of Abu Dhabi Occupational Safety and Health System.

Agent – means any company, contractor or Entity appointed by a Licensee to act on its behalf.

Competent Investigator – means a person who has acquired, through training, qualification and experience, the knowledge and skills necessary for undertaking incident investigations as provided for in Regulation.

Critical Customer means any customer who is on life support at home or whose life/health may be threatened or in danger as a result of electrical/water supply interruption or disconnection (and which can include hospitals and emergency centres, any centre for the disabled, elderly or chronically sick, supply-sensitive government agencies and palaces). This shall include any customer on any Critical Customer List, vulnerable customer, people of determination (special needs) or similar lists maintained by AADC or ADDC.

DoE- means Department of Energy in the Emirate of Abu Dhabi, established under Law No. (11) of 2018;

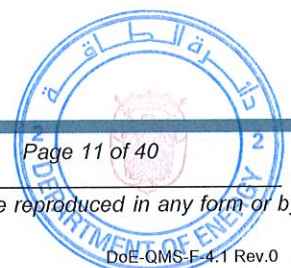
Entity – means an individual, company, association, society, partnership, corporation, municipality, institution, government organisation, agency or group.

Full Investigation Report (FIR) - a full investigation report which is prepared in response to a request by DoE, the requirements of which are detailed in Schedule D.

OHS Incident – means a single event or chain of events which has caused or has the potential to cause a fatality, injury or illness to a person, or damage to assets, or the reputation of any Entity.

Environmental Incident- Events resulting in an unplanned or uncontrolled release of a product or chemical with negative impact to the environment – water, air, soil, animals, plants, ecology and social life will be classified as Environmental Incidents

Operational Incident- an event resulting in an interruption of service provided by the Licensee.





Initial Notification of Incident (INI) – means the initial notification of Incident form used to notify DoE of an Operational, Environmental and OHS Incidents.

IRS: Means Incident Reporting System

Law means both Law No. (11) of 2018 and Law No (2) of 1998 (unless the context indicates otherwise).

Licensee – means the holder of a licence issued by DoE including any Entity allowed to carry out a regulated activity under an exemption issued by DoE and which shall be subject to these Regulations as to be decided by a decision from DoE.

Nominated entities - the entities allowed carrying out regulated activities under an exemption issued by DoE (exempted entities) and which shall be subject to these Regulations as to be decided by DoE under the exemption or otherwise.

OHS – means occupational health and safety.

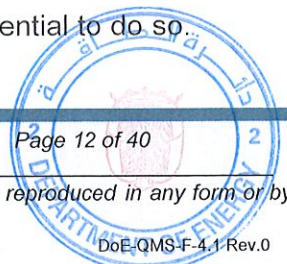
Relevant Authority – means any Federal or Abu Dhabi Government Entity.

Reputational Damage – means publication, commentary or reporting which could have the effect of damaging the reputation or adversely affecting the perception of the water, electricity or wastewater sectors in Abu Dhabi (including, but not limited to damage arising from reports in any local or national media newspapers or arising from an event in Clause 3.5.1).

Restricted Workday Case – means a work-related injury or illness that results in limitations on work activity and prevents an individual from doing any tasks of his/her normal job or from doing all of the job for any part of the day.

Sector Regulatory Authority (SRA) – means a public authority or government agency responsible for exercising autonomous authority over some area of human activity in a regulatory or supervisory capacity. In relation to OSH the regulatory authorities have been recommended by OSHAD and appointed by the Executive Council of Abu Dhabi to oversee OSH activities for the targeted economic sector.

Serious Dangerous Occurrence – means a significant incident arising out of or in the course of work that did not result in serious injuries / and or fatalities but had the potential to do so.





This is defined in schedule A of the OSHAD SF July 2016 Mechanism 11, Incident notification, Investigation and reporting.

Serious Injury – means a serious injury as defined in Schedule B of the OSHAD SF July 2016 Mechanism 11, Incident notification, Investigation and reporting.

Serious Occupational Illness or Disease – means a serious occupational illness or disease as defined in Schedule C of the OSHAD SF July 2016 Mechanism 11, Incident notification, Investigation and reporting.

UAE – means the United Arab Emirates.

Working day – means any day, other than a Friday or Saturday or public holiday, when the government departments in the Emirate of Abu Dhabi are required to be open for business.

Year – means a calendar year according to the Gregorian calendar..





3. Incident Classification

3.1 Work related activities

3.1.1 The following are considered to be work related activities:

- (a) All work undertaken by Licensees, or any Agent working on the premises of a Licensee;
- (b) All work undertaken by Licensees, or any Agent at any site where Licensee or Agent controls should be in place.

3.1.2 For Licensee staff, work includes any activity which is reasonably related to their conditions of employment.

3.1.3 For Agents, work includes any activity executed under a contract for or on behalf of a Licensee.

3.1.4 Incidents shall be considered work related until proven otherwise to the satisfaction of DoE.

3.1.5 Any illness or injury sustained by a person shall be considered an occupational illness or injury if it:

- (a) Occurs on the way to or from work provided that the trip to and from the work place is made directly, without delay, default, or diversion from main route;
- (b) Occurs at work;
- (c) Arises from a work practice or conditions in a workplace; or
- (d) Happens to an employee during, and by reason, of carrying out work duties.
- (e) [Note: Injuries or illnesses include the recurrence, aggravation or exacerbation of previous work related injuries or illnesses.]

3.1.6 The Licensee should be aware of and consider any relevant pre-existing medical and health conditions and any aggravation of an existing illness or injury when reporting OHS Incidents.

3.1.7 Licensees shall notify, report and investigate all Incidents that result in a serious injury or serious occupational illness or disease that occurs at a workplace controlled by the Licensee that involves:

- (a) Agents, contractors, sub-contractors or suppliers;
- (b) Customers;
- (c) Visitors; and
- (d) Any other person(s) at the workplace.



3.2 Reportable and recordable Incidents

- 3.2.1 Licensees shall determine whether an Incident is reportable or recordable by considering the severity of the Incident, the consequences of the Incident, the work relationship and any Federal or Abu Dhabi Emirate regulatory requirements.
- 3.2.2 Incidents identified in Regulations 3.3, 3.4 and 3.5 shall be classified as reportable.
- 3.2.3 All Incidents shall be recorded and used to establish Incident and performance data.

3.3 Occupational Health and Safety Incident classification

Note that Licensees who are already registered under the Energy Sector and have access to Al Adaa System are exempted from the reporting requirements in paragraphs 3.3 and will be required to report the OH&S incidents through Al Adaa system in compliance with OSHAD requirements as addressed in Mechanism 11.0 Version 3.0

[Note: Taken from OSHAD-SF Mechanism 11.0 Version 3.0 – Incident Notification, Investigation and reporting Section 3]

- 3.3.1 The following OHS Incidents are to be notified and reported to DoE and investigated in accordance with Part 9 of these Regulations:
- (a) Lost Time Injury including the following categories ;
 - (b) Fatality;
 - (c) Permanent Total Disability;
 - (d) Permanent Partial Disability;
 - (e) Lost Workday Case;
 - (f) Serious Injury;
 - (g) Serious Occupational Illness or Disease;
 - (h) Serious Dangerous Occurrence.
- 3.3.2 Incident classification shall be based on actual severity of consequence as established by the investigation process or medical report. Licensees must ensure that any Incident classifications are revised to reflect the outcomes of any investigation or medical report.
- 3.3.3 OHS Incidents not notified and reported to DoE shall be recorded, investigated and include:
- (a) Restricted Workday Case;



- (b) Medical Treatment Case;
- (c) First Aid Injury;
- (d) Equipment/property damage resulted from the licensee operation
- (e) Near Miss.

3.4 Operational and environmental Incident classification

3.4.1 The Operational and Environmental Incidents to be notified, reported and investigated are set out in Schedule A.

3.5 Other reportable Incidents

3.5.1 Licensees shall also report to DoE:

- (a) any other event related to the generation, transmission and distribution of electricity or the desalination, transmission and distribution of water or the collection, treatment and disposal of wastewater which:
 - is of national or international significance;
 - has attracted significant national or international publicity; or
 - has caused significant concern to Licensee customers; and
- (b) Any Incident reports from a Relevant Authority (such as Environmental Agency) of events caused by a Licensee's operations.





4. Incident notification

Note that Licensees who are already registered under the Energy Sector and have access to Al Adaa System shall comply with the following reporting requirements:

- (a) Use ALADAA system for reporting OH&S incidents in compliance to incident reporting Mechanism (OSHAD SF -Mechanism 11.0).
- (b) use ALADAA system for reporting Quarterly performance Report FORM E in compliance to (OSHAD SF – Mechanism 6.0)
- (c) Use IRS system for reporting HSE Monthly performance Report / Operational & Environmental incidents as addressed in the IRR.

4.1 Notification requirements

- 4.1.1 All licensees shall notify DoE through IRS on all reportable operational & Environment incidents defined in regulation 3.3, 3.4, 3.5 and schedule B.
- 4.1.2 The licensees who are not registered under energy sector will notify DoE on OSH incidents through IRS.

4.2 Reporting Requirements

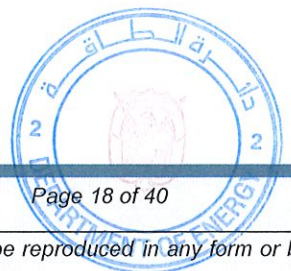
A Licensee must:

- (a) Notify DoE through DoE Incident reporting System as soon as practicable and, in any event within twenty four (24) hours of:
 - An unplanned event or chain of events that results in single or multiple deaths to staff of a Licensee or Agent; taking into consideration the requirements listed in regulation 4.1.
 - Any Operational or Environmental Incident occurring that is likely to cause or result in significant public health, public nuisance or environmental risks or damage; or
 - Any Incident that is likely to cause Reputational Damage to the water, wastewater or electricity sectors.



[Note: see the definition of Incident above for further clarification. If the Licensee has a doubt as to whether an Incident is reportable, then it should provide brief details of that Incident within these timescales and may request DoE to confirm whether such an incident is reportable or not under these Regulations.]

- (b) Notify DoE via DoE Incident reporting System as soon as practicable and in any event within five (5) hours following the occurrence of any incident defined in Schedule B (Immediate Incidents Reporting) of this document
- (c) For incidents not defined in Schedule B (Immediate Incidents Reporting), the Licensee must notify DoE via DoE Incident reporting System as soon as practicable and, in any event within twelve (12) hours following the occurrence of any reportable Operational Incident.
- (d) Submit a fully completed Initial Notification of Incident via DoE Incident reporting System for all reportable Incidents within a maximum of three (3) working days of any reportable Incident occurring; and
- (e) Submit a fully completed Full Investigation Report, unless otherwise agreed in writing with DoE, for all reportable OHS Incidents via DoE Incident reporting System within a maximum of twenty five (25) working days from the date of the reportable Incident.
- (f) Submit a fully completed Full Investigation Report (FIR) for reportable Operational Incidents via DoE Incident Reporting System or within a maximum of twenty five (25) working days. The Licensee will be notified as soon as practical or within 3 working days of receiving the Operational Incident INI if FIR is not required. In the event of non-receipt of an advice from DoE the FIR shall be submitted.





4.3 FIR Requirements

The FIR for the Incidents shall be completed within twenty five (25) working days and shall not be delayed even if some information is not available unless agreed with DoE on alternative submission date.

[Note: DoE acknowledges that specific components of the final report may not be available within twenty five (25) working days of the Incident - such as the official Police report or the results of specific scientific or medical investigations or tests. This shall not delay the submission of the Full Investigation Report which should be submitted on time with information not yet in the Licensee's possession to be provided to DoE as soon as such information becomes available in order to complete the FIR. Where appropriate, DoE may agree with the Licensee that only an Initial Notification may be required for a reportable Incident and no FIR is required.]

[Note: In case of any failure of DoE Incident Reporting System, the licensees shall send the incidents notifications, INI's and FIR's by electronic email to incident@DOE.gov.ae or (by any mean of communications decided by DoE) within IRR time frames.

4.4 Additional notification requirements

- 4.4.1 Licensees shall, and shall procure their Agents shall complete any additional notifications to other Relevant Authorities required by Federal or Abu Dhabi legislation.
- 4.4.2 Where there is any activation of Licensee Business Continuity Plan (BCP) impacting the licensed activities; this shall be reported as part of the notification of the incident triggering the activation of such plan (and does not require a separate notification).

4.5 Public health Incident notifications

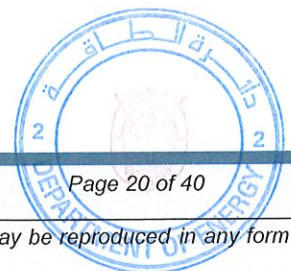
- 4.5.1 All water distribution and/or supply Licensees shall notify DoE, in accordance with the requirements of Schedule A, of:
 - (a) any bacteriological or chemical contamination, that is likely to enter consumer water supplies or any event that is likely to render the quality of water unwholesome or unfit for consumption or;



- (b) Any interruption to water supplies in accordance with the requirements of the water table in Schedule A.

4.5.2 All wastewater Licensees shall, when requested by DoE, carry out an investigation as to the cause of:

- (a) A reported outbreak of a communicable water-borne disease.
- (b) Any persistent odour release, that is likely to cause public nuisance from wastewater and recycled water operations.
- (c) The reporting format and protocols shall be as agreed between the Licensee and DoE





5. Operational and Environmental Incidents Reporting

5.1 Initial notification of Incidents

5.1.1 Initial notification of operational and environmental Incidents shall be made by completing and submitting DoE's INI in DoE Incident Reporting System.

5.2 Full Investigation Reports for OHS Incidents

5.2.1 Licensees shall submit Full Investigation Reports in DoE Incident Reporting System.

5.2.2 The minimum requirements for inclusion in a Full Investigation Report for Operational and Environmental Incidents are detailed in Schedule D.

5.3 Quarterly reporting

5.3.1 Licensees who are already registered under the energy sector and have access to Al Adaa System are exempted from the reporting requirements in paragraphs 5.3.2 and will be required to report their OH&S quarterly performance through Al Adaa system in compliance with OSHAD requirements as addressed in Mechanism 11.0 Version 3.0.

5.3.2 In addition to reporting Incidents, the Licensee shall provide DoE with non-reportable Incident statistics on quarterly basis.

5.3.3 Licensees shall submit these Incident statistics in a quarterly operational and environmental performance report.

5.3.4 DoE will define the form and scope of the quarterly operational and environmental performance report for each Licensee.

5.3.5 The quarterly report shall be submitted in the prescribed form within 14 working days of the end of each calendar Year quarter.





6. OHS Incident Reporting

Licensees who are already registered under the Energy Sector and have access to Al Adaa System are exempted from the reporting requirements in paragraphs 6.2 to 6.4 and will be required to report the OH&S incidents through Al Adaa system in compliance with OSHAD requirements as addressed in Mechanism 11.0 Version 3.0

6.1 Initial notification OHS Incidents

6.1.1 The initial notification of OHS Incidents shall be made by completing and submitting DoE's Initial Incident Notification form (INI) in DoE Incident Reporting System.

6.2 Full Investigation Reports for OHS Incidents

6.2.1 A full, thorough and comprehensive investigation of the Incident should be carried out and executed and the findings of such investigation should be included in a Full Investigation Report (FIR).

6.2.2 The minimum requirements for inclusion in a Full Investigation Report are detailed in Schedule (D).

6.2.3 Licensees shall, and shall procure that their Agents shall update Incident reports as soon as relevant information becomes available.

6.3 Performance reporting

6.3.1 All Licensees are required to report to DoE against the key performance indicators set by DoE in the Compliance Evaluation Tracker Sheet which is in line with OSHAD SF Mech. 6.0 v3.1 – OHS Performance Monitoring Reporting submitting performance reports will be through the IRS or by any mean of communications decided by DoE.

6.3.2 DoE may require Licensees to report on additional key performance indicators as highlighted in the Compliance Evaluation Tracker in order to monitor OHS performance of Licensees.





7. Incident Investigation

7.1 Incidents Investigation

7.1.1 Incidents investigations shall be carried out in accordance with the requirements detailed in Schedule (D).

7.2 Incident Investigation Process

7.2.1 A Licensee shall establish an investigation team comprising Competent Investigators. If expertise is not available within the organisation the Licensee should appoint or outsource the appropriate Competent Investigators.

7.2.2 Subject to any police or court orders, a Licensee shall ensure that the site is secure and that action has been taken to identify the most obvious cause(s) of the Incident and protect against recurrence.

7.2.3 Subject to any police or court orders, a Licensee shall collect and preserve relevant information before the site or operation is disturbed or restarted.

7.2.4 The Licensee shall conduct the investigation with the cooperation of any Agents involved in the Incident. The Licensee may require an Agent to conduct any investigation in accordance with the Licensee's own procedures and processes and submit a single report to DoE (including the Agent's input) within the timescales required.

7.3 Investigation Findings and Actions

7.3.1 Relevant findings or an Incident investigation shall be distributed to all relevant employees of the Licensee.

7.3.2 All Agents involved or carrying out similar activities relating to the Incident shall be informed of the relevant findings and recommendations of an Incident investigation.

7.3.3 Relevant findings and recommendations of an Incident investigation shall be used to review and enhance specifications, procedures, personnel training and systems of work.



- 7.3.4 Licensees must put in place and maintain a management system to track the completion of any actions identified during the investigation and ensure they are finalised within the stated timeframes of the investigation report.
- 7.3.5 Licensees shall be subject to a duty of ongoing cooperation during the investigation and shall accordingly proactively bring any actions not finalised or not likely to be finalised within the stated timeframes to DoE's attention at the earliest available opportunity.



8. Lesson learnt from Incidents (LFI)

8.1 Definition

8.1.1 Learning from Incidents is an integral part of the Incidents management process in order to improve OHS performance, to ensure significant learnings from those investigated Incidents are appropriately identified to prevent reoccurrence of similar events.

8.2 Scope

8.2.1 All reportable OHS Incidents as identified in Part 6 of these Regulations.

8.2.2 The requirements under this section Applies to licensees who are not registered under Energy Sector.

8.3 Requirements

8.3.1 The lessons learned from Incident(s) must be encompassed in the reportable OHS Incidents FIR. (LFI form in the appendixes)

8.3.2 DoE will share these LFI forms with all relevant companies performing similar activities as leaning material to help them avoid similar Incidents.

8.3.3 DoE will ensure the privacy of the Licensees by not mentioning the Licensee name when sharing the LFI.



9. Retention of Records

9.1 Documentation

9.1.1 Licensees shall document:

- (a) All Incidents that these Regulations require to be reported and recorded; and
- (b) Other particulars as may be required to demonstrate compliance with the reporting obligations under these Regulations

9.1.2 The documents shall be kept at the Licensee's usual place of business.

9.1.3 The documents shall be kept for at least Five (5) Years from the date of the Incident.





10. Review of DoE decision

10.1 Application for review

10.1.1 Any application for enquiry, clarification, dispute, relaxation relevant to these Regulations must be made in writing to DoE and submitted with supporting documents.

10.2 Timescale for application for review

10.2.1 The timescale for application to be reviewed by DoE is 30 calendar days.

10.3 Extension of time for application for review

10.3.1 Licensee will be informed in case of any extension of time required for application for review.

10.4 DoE request for information

10.4.1 DoE may request from an Entity making an application for a decision, any information or documentation it considers reasonable and necessary in the circumstances and the Entity must provide such information within the period specified by DoE.

10.5 DoE decision

10.5.1 DoE shall notify the Entity which made the application of its final decision.

10.5.2 DoE may:

- (a) Make any decision it sees fit in the circumstances; and/or
- (b) Issue directions as it sees fit to the Entity which made the application for review and to any third party. Any decisions or directions issued by DoE are binding on the Entity which made the application for review and any third party stated in these decisions or directions.
- (c) Failure to comply with decisions or directions issued by DoE under Part 13, shall be considered as a failure to comply with these Regulations.



11. Failure to comply with Regulations

11.1 Reporting failures

11.1.1 Any failure to comply with these Regulations or any act that may be considered as a failure to comply with these Regulations must be reported to the DoE.

11.2 Enforcement procedures

11.2.1 In case of failure to comply with these Regulations, the DoE may issue a written warning notice to the non-complying Entity.

11.2.2 The warning notice shall include:

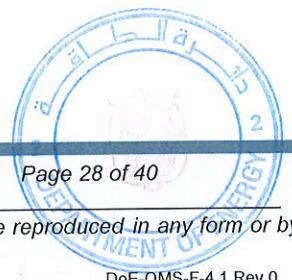
- (a) The name of the Entity;
- (b) The regulation which was been violated;
- (c) A tolerance period to comply;
- (d) The enforcement procedures to be taken against the Entity in case it does not comply with the Regulations within the tolerance period.

11.2.3 Pursuant to the Law, an Entity which is deemed to be in breach of these Regulations may be subject to a fine of not less than AED 250,000.

11.2.4 If an Entity fails to comply with these Regulations for a second time the fine may be doubled.

11.2.5 The DoE reserves the right to take such further administrative or enforcement action within its powers pursuant to the Law.

11.2.6 Failure to comply with these Regulations (or any part herein) may be also deemed as a breach of a licence condition where applicable.



12. Governing Law

12.1 Governing Law

12.1.1 These Regulations and the rights and duties of any parties hereunder shall be governed by the laws of the Emirate of Abu Dhabi and the federal laws of the UAE as applied by the courts of the Emirate of Abu Dhabi.





13. Annexes

13.1 Schedule A: Reportable Operational & Environmental Incidents

Operational and Environmental Incident Classification

The following events shall be notified as reportable operational and environmental Incidents:

All Sectors	Operational and Environmental Incidents
All activities carried out by a Licensee active in the Energy Sector (as defined under the Law)	An unplanned event or chain of unplanned events that results in one or more of the following: • Evidence of trespassing on operational land or premises • Repeated failure of a particular type of equipment and/ or operation which affects the security of supply (including peak demand season). • Local or national media interest • Involvement of Emergency Services • Any reports of events received from a Relevant Authority which was caused by a Licensee's operations (including the Department of Health, the Environment Agency etc) • External flooding affecting many properties arising from a failure of Licensee's assets • Uncontrolled release of any hazardous substance or chemical • A failure of the performance of a piece of equipment or process which is likely to result in public nuisance • The release of any material or substance which, due to its quantity, composition or receiving environment, is likely to cause significant public health or environmental impact • A failure of the performance of a piece of equipment or process which is likely to result in public nuisance • Any environmental discharge which exceeds the permissible levels set by the Relevant Authority responsible for environmental matters • Sabotage.



Electricity	Operational Incidents
Generation	An unplanned event or chain of unplanned events that results in one or more of the following: For all plant types (Fossil , renewables and Nuclear) • The loss of generation output of more than 400 MW • Simultaneous tripping or forced outage of any three machines/units. • Any generation tripping that causes under frequency load-shedding • Three or more forced outages for a specific machine/unit within 48 hours For all IWPPs/PPs (AD Emirate Generation Fleet excluding self-supply licensees): • The loss of generation availability of any generating machine/unit for more than 12 hours during the high demand season (1 Jun- 30 Sep inclusive) • Any occurrence of a serious damage of a generating machine/unit or a component For Renewable Plants: • Unplanned outage of the plant for more than 4 hours • Deviation of more than 25 % from the proposed load profile of the day
Transmission	An unplanned event or chain of unplanned events that results in one or more of the following: • Simultaneous tripping or loss of multiple transmission circuits • Frequency deviation outside of the limits 49.9 Hz to 50.1 Hz • Loss of generation outside of the limit of the Infeed Loss Risk as per the Electricity Transmission System Security Standards • Voltage deviation outside of the limits required by the Electricity Transmission Security System Standard or Electricity Transmission Code • Any transmission system Incident causing interruption to any User (where the term User is as defined in the Electricity Transmission Code) • Any transmission system Incident or unplanned circumstance where load is at risk to a single credible contingency (sites with an agreed derogation from DoE will be excluded from reporting)



Electricity	Operational Incidents
	- Any fault on the transmission system that causes an outage of any generation unit or results in a restriction of output from any production Licensee - An inability to comply fully with the Electricity Transmission System Security Standard, Electricity Transmission Code, Emirates National Grid Code and GCCIA Interconnector Transmission Code - An overhead line conductor being discovered to be at less than its design height
Distribution	An unplanned event or chain of events that results in one or more of the following: - An interruption of demand of above 5 MW for a period of 3 hours or longer - An interruption on any 33kV, 22kV and 11kV busbar section at any primary substation exceeding 3 minutes. - Any Incident where there is evidence of loss of demand of above 10 MW resulting from voltage disturbance - Manual load curtailment for a load of 1MW or more for more than six hours during any 24 hours - An overhead line conductor being discovered to be at less than its design height - An interruption where the supply to any user (where the term User is as defined in the Electricity Distribution Code) is not restored within 12 hours shall be reported within 24 hours from the start of such interruption.





Water	Operational Incidents
Desalination	An unplanned event or chain of events that results in one or more of the following: • The simultaneous outage of any two distillers and/ or two reverse osmosis racks and/ or one reverse osmosis pass line. • A significant, expected, unexpected and unusual deterioration in the quality of the water entering the production, transmission and distribution system which by reason of its effect or likely effect gives a rise to or is likely to pose a significant risk to the security of supply, health of consumers, public confidence and constitute a noncompliance as per the WQR's. • The loss of availability of any equipment, component and chemical that can affect the production, transmission, distribution, supply and quality of potable water.
Transmission	An unplanned event or chain of events that results in one or more of the following:: • A failure in the transmission system that causes a shutdown to either 50% of the desalination capacity or production loss of more than 25 MGD (113,500 m³/day) at a production plant. • A significant, expected, unexpected and unusual deterioration in the quality of the water entering the transmission and distribution system which by reason of its effect or likely effect gives a rise to or is likely to pose a significant risk to the security of supply, health of consumers, public confidence and constitute a noncompliance as per the WQR's.
Distribution	An unplanned event or chain of events that results in the following: • A significant, expected, unexpected and unusual deterioration in the quality of the water entering the distribution system which by reason of its effect or likely effect gives a rise to or is likely to pose a significant risk to the security of supply, health of consumers, public confidence and constitute a noncompliance as per the WQR's.



Wastewater	Operational Incidents
Collection	An unplanned event or chain of unplanned events that results in the release of a prohibited waste into the wastewater or water collection, distribution or supply system
Treatment, Disposal, Distribution & Supply	An unplanned event or chain of unplanned events that results in Detection of any cross connection, backflow or other fault which has the potential to contaminate any other third party water network (potable, recycled, or stormwater etc.)





13.2 Schedule B: Immediate Incidents Reporting

Sector	Incidents list
HSE	Any unplanned event that results in one of the following: - Major Fires or explosions that impacts the operation - Any incident that causes an injury or death to a public member. - Any Hazardous material spill or leak result in Major Environmental incidents including but not limited to: the release of oil, fuel, raw wastewater or partially treated wastewater that is released to the environment
Non Drinking water	Detection of any cross connection or backflow with potential to contaminate any water network (potable, recycled or storm water);
Transmission & Distribution	Elect Dist.: - Any interruption of demand above 15MW for a period in excess of 3 minutes - An interruption on any 33kV, 22kV and 11kV bus bar section at any grid station (220/33, 132/33, 132/22, 132/11kV) - Any incident resulted in loss of electricity supply to Critical Customers Elect Transmission: - Any electricity transmission system incident causing loss of supply, where the total size of the demand loss is greater than 500MW Water - Total shutdown of the pumping station for more than six hours. - Water quality contamination in storage tanks, aquifers storage, tankers and water trunk mains system.



Sector	Incidents list
	▪ Loss of supply by tankers for any customers currently being supplied with water by tankers for more than a 24 hour continuous period. ▪ Any incident resulted in loss of water supply to Critical Customers
Production	○ Electricity ▪ Total Plant trip (Electricity) ▪ Loss of grid connection / Major electrical failure exceeding 6 hours (e.g. station transformer / transmission switchgear) ○ Water ▪ Total Plant trip (Water) ▪ Loss of connection (Water) (e.g. Water line breakage / tank failure) ▪ Sea Water Intake :- - Red tide. - Low tide that "may" cause sea water intake pumps trip and could, as a result, have a negative impact on generation and production. - Nuclear Hazardous event.





13.3 Schedule C: Initial notification of Incidents (INI)

13.3.1 OHS Incident Notification

1.1.1 DoE's INI requires the following key information:

- (a) Reporting Entity Information;
- (b) Incident Information;
- (c) Injury Type based on Immediate Judgment of the Severity;
- (d) Injury Severity known at the time of Incident;
- (e) Injured Person's Personal Details;
- (f) Key Corrective Actions Taken Immediately after the Incident;
- (g) Declaration by Reporting Entity.

13.3.2 Operational and Environmental Incident notification

1.1.2 DoE's INI form requires the following key information:

- (a) General information
 - (i) Name of Licensee/company
 - (ii) Incident reference
 - (iii) Location of Incident – area, unit, equipment
 - (iv) Date and time of Incident – start, finish
- (b) Contact details
 - (i) Name of person making notification
 - (ii) Contact details – telephone number, email, etc.
- (c) Date and time of notification to DoE
- (d) Incident classification
 - (i) Operational – electricity, water, wastewater
 - (ii) Environmental
- (e) Incident description
 - (i) Sequence of events – description of events leading to Incident
 - (ii) Consequences – impact on operations, people or environment
 - (iii) Causation – immediate causes, nature of defect, failures, etc.
 - (iv) Remedial actions – present status, actions taken to rectify situation
- (f) Other information
 - (i) Any other relevant information – police presence, media interest, etc.





13.4 Schedule D Full investigation reports (FIR)

13.4.1 OHS Incidents

1.1.3 FIR requires the following key information:

- (a) Part A – Incident Information
 - (i) Reporting Entity Information
 - (ii) Incident Details:
 - (iii) Injured Person's Personal Details
- (b) Part B – Incident Investigation Summary
 - (i) Incident Causes Details
 - (ii) Injury Details
 - (iii) Incident Root Cause
 - (iv) Key Corrective Actions Taken Immediately after the Incident
 - (v) Key Corrective Actions to Prevent Recurrence
 - (vi) Incident Cost
 - (vii) Risk Assessment
 - (viii) Declaration by Injured Person
- (c) Declaration by Reporting Entity





13.4.2 Operational and Environmental Incidents

1.1.4 For operational and Environmental Incidents the following information should be included in a full investigation report as a minimum:

- (a) Executive summary: A brief description, of the Incident, the consequential losses (people, assets, environment and Licensees reputation) and major recommendations.
- (b) Introduction: A brief description of why the report is being prepared and legal obligations for undertaking the investigation.
- (c) Incident description
 - (i) Detailed description of scene – location, people involved, etc.
 - (ii) Sequence of events
 - (iii) Impact of the event – people, environment and property
 - (iv) Emergency procedures – actions taken, agencies involved
 - (v) Witness accounts
 - (vi) Work activities – identified and controlled
- (d) Investigation and observations
 - (i) Investigation procedure – background information
 - (ii) Documentation review
 - (iii) Interviews and discussions
 - (iv) Site visits
 - (v) Equipment analysis and review
- (e) Analysis and conclusions
- (f) Summary of key findings
 - (i) Immediate causes
 - (ii) Root causes
- (g) Recommendations and action plan
 - (i) Immediate actions – short term
 - (ii) Follow-up actions – long term
 - (iii) Action plan – tracking, times and responsibilities
- (h) Appendices





13.5 Incident Lesson Learnt Form

LFI For: Incident Title	
<u>Description</u>	
<u>Root Causes</u>	
Picture 1	Picture 2
<u>Lesson Learnt</u>	

