

COVID-19: PEOPLE: ADGM ISSUES NEW COVID-19 CIRCULAR REGARDING EMPLOYEES - 5 KEY POINTS (ABU DHABI)

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Legal Briefings - By **Benjamin Hopps and Stuart Paterson**

The Abu Dhabi Global Market (“**ADGM**”) is an economic freezone located in Abu Dhabi, with its own set of civil laws based on the law of England & Wales.

The ADGM’s Registration Authority (“**RA**”) issued Registration Authority Circular No. 14 of 2020 on 29 March 2020 (“**Circular**”), its most recent circular published in the context of ongoing preventative and precautionary measures to ensure health and safety as a result of the coronavirus (COVID-19).

The Circular relates to the maximum number of employees allowed to work in the offices of businesses licensed by the ADGM.

ADGM businesses should take note of the following 5 key points arising from the Circular, which can be found on the ADGM’s website [here](#).

1. The purpose of the Circular is to inform all ADGM-licensed businesses of the implementation of the UAE’s ‘Remote Work System’ requirements in the ADGM freezone.

2. The RA requires each Licensed Person to ensure that no more than 30% of their employees work from the firm's registered office.
3. Any staff whose role does not require their physical presence in the office should work remotely.
4. There are exemptions: businesses that work in the following sectors are exempt: supermarkets, grocery stores, pharmacies, hospitality, food establishments (delivery services only), security, maintenance, cleaning, infrastructure management and construction.
5. The Circular is stated to be effective immediately.

COMMENT

Although most businesses in the ADGM were adopting a WFH policy prior to the publication of the Circular, as are businesses across the UAE generally, the Circular now makes such arrangements mandatory. Whilst the language used may give some leeway to businesses for some staff to work from their registered offices (for example, there is no guidance on what 'does not require their physical presence' means, and it is not clear whether the 30% refers to the same individual employees, or 30% on a rolling basis), the intent behind the Circular is clear; businesses should ensure that (i) a majority of their staff WFH at all times and (ii) for those who can do their roles from home should not work from the office.

KEY CONTACTS

If you have any questions, or would like to know how this might affect your business, phone, or email these key contacts.



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