حكومة رأس الخيمة
Government of Ras Al Khaimah

rakez
RAS AL KHAIMAH
ECONOMIC ZONE

GUIDANCE FOR OBTAINING OPERATION FITNESS CERTIFICATE (OFC)

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1. Purpose

The purpose of this document is to provide guidance to clients operating under the jurisdiction of RAKEZ to comply with the requirements of the Operational Fitness Certificate (OFC).

2. Scope

OFC is a mandatory certificate issued by the HS&E Department of RAKEZ to the companies carrying out any activity (regardless of their licence type) and operating in retail shops, pre-built warehouses, or customised facilities in a plot of land within the jurisdiction areas of RAKEZ.

3. General Instructions

- Appendix 1 provides a standard checklist for the inspection process. Please note that this checklist is not exhaustive and may not cover all RAKEZ Health, Safety, and Environment (HS&E) requirements. Any additional requirements identified during the inspection, as outlined in the RAKEZ HS&E Regulations, will be detailed in the inspection report
- All companies are required to submit a Risk Assessment Study conducted through a 3rd party consultant registered with RAKEZ within one year of applying for the issuance/renewal of OFC.
- For amendment of licence or lease a Risk Assessment Study conducted through a 3rd party consultant registered shall be submitted.
- If a company has more than one licence with different expiry dates, separate inspections will be carried out for each licence, and HSE service fees will apply to all. However, if all the company's licences expire on the same date, additional fees for leased units/area on the non-primary licences will not be charged.
- An undertaking letter provision for exempting the licence from OFC for the conditions below will be offered and its subject to HS&E department discretion of accepting/rejecting/asking for further information for verification:
  - If the non-primary licence(s) is similar (in nature and product types) to the primary one.
  - If the facility is not in operation at all.
  - If all the licenced activity under one licence is not practiced.
- Sublease Scenarios
  - Scenario 1 – The Sublesse company has a licence issued by RAKEZ with a valid sublease contract.
    a. The sublessor applies for an OFC and charges for the whole leased area and licence activities shall be applied.
    b. An individual OFC application shall be submitted to all sublessees and only licence activity charges shall be applied (no fees for additional units will be applied).
    c. The OFC for a sublessee shall be issued with the same expiry date as the sublessor's OFC, provided the sublessor submits a UTL indicating this for all or some of their sublessees. Otherwise, the OFC expiry for each sublessee will align with the expiry date of their RAKEZ licence.
  - Scenario 2 – The Sublessee company has no licence issued by RAKEZ but with a valid sublease contract.
    a. Sublessor applies for OFC and charges for his activities, sublessee activities and additional fees for leased units/area shall be applied.
    b. The licence risk rating for the sublessor shall be determined based on the activities specified in both the sublessor's licence and all associated sublessee licences. The overall risk rating will reflect the activity with the highest level of risk among these.
  - Scenario 3 – The Sublessee company has a licence issued by RAKEZ and subleases the entire facility:
    a. The sublessor submits a UTL confirming the handover of the entire area to the sublessee(s) for the sublessee licence activity. Therefore, sublessor activity shall not be practiced.

b. Sublessor will be waived from the OFC requirement.
c. The sublessee submits the OFC application. The sublessee licence activity and total leased area fees shall be applied.
d. The sublessee's OFC shall be issued with expiry date as per their RAKEZ licence.

4. Definitions

a. **OFC:** is a certificate that confirms that the operations of the company under the issued licence and declared location/s, as assessed during an inspection, is satisfactory from the HS&E Department's perspective. The client shall not operate without a valid OFC.

b. **OFI:** is an inspection conducted prior to the issuance of OFC.

c. **Non-compliance:** Any action by a client that (in the opinion of the HS&E Department of RAKEZ) results in or has a potential to result in health, safety & environmental non-compliance with the UAE and RAKEZ Rules and Regulations.

d. **Corrective Action:** Action to eliminate the cause of detected non-compliance or other undesirable situations.

e. **Preventive Action:** Action to eliminate the cause of a potential non-compliance or other potential undesirable situation

f. **Acronyms:**

- **RAKEZ**: Ras Al Khaimah Economic Zone - Government of Ras Al Khaimah
- **HS&E:** Health, Safety & Environment Department
- **OFC:** Operation Fitness Certificate
- **OFI:** Operation Fitness Inspection

5. Procedure

All companies operating in retail shops, pre-built warehouses & plots shall be assessed as per the procedure outlined below:

5.1. Operation Fitness Inspection

Upon issuance of trade licence/lease, the client shall fill out and submit the OFC application by clicking here to conduct an OFI and issue OFC accordingly within 10 days of commencing the operations. Fees according to the Development Division Services & fees – (DPR-SF01) shall be paid prior to the OFI. Fees paid for the OFC process are non-refundable in the event that the client withdraws from the process due to non-operational status or lease or licence amendment or facility deregistration.

a. The HS&E schedules OFI.
b. The HS&E conducts the OFC Inspection.
c. If the OFI is satisfactory, then the HS&E issues the OFC to the client.
d. If the OFI is not satisfactory, HS&E will send an OFI report to the client.
e. The OFI report will contain specific observations/recommendations and timeframes for the client to action. Clients are required to implement the corrective actions/preventive actions and respond to the HS&E via hse@rakez.com with the close-out report. All evidence/photos attached in the close-out report shall be in landscape mode.

f. HS&E may do a follow-up inspection where required to verify the compliance and confirm closing out the OFI report. Additional fees are applied to the follow-up inspection.

5.2. Issuance of OFC

Upon satisfactory compliance with the OFI, HS&E issues the OFC to the client.

5.3. OFC Validity

- OFC is valid only for a period of 1 year or till the expiry of the trade licence (whichever comes earlier). The client is required to maintain a valid OFC at all times to prevent delays in the licence renewal process and to avoid administrative penalties in accordance with RAKEZ violation codes.
- For OFC amendment cases, the expiry date will not be revised.
- The expiry date for a new OFC for lease-without-licence companies will be aligned with the earliest active lease expiry date. For renewal OFCs for lease-without-licence companies, the expiry date will follow the original OFC expiry date, regardless of whether the earliest lease agreement still exists.

5.4. OFC Renewal

A valid OFC must be maintained. The process for renewing the OFC shall start before the expiry (preferably 90 to 60 days) of the OFC to have sufficient time to complete the renewal process. If it is no longer required, it must be officially cancelled on or before the expiry date.

5.5. OFC Amendment

Upon amendment of trade licence/lease, modification of the current facility or installation of new machinery/equipment/racking systems in the existing facility, the client should notify HS&E to conduct an OFI and issue OFC accordingly within 10 days of commencing the operations. Fees according to the Development Division Services & fees – (DPR-SF01) shall be applicable. Steps 5.1 (a) to (f) are applied.

5.6. OFC Cancellation

For cancellation, the client must submit an application by clicking here

5.7. Client Non-Compliance

- Operations within the facility shall not commence or be conducted without obtaining a valid OFC.
- It is strictly prohibited to operate without obtaining an amended OFC following any changes to the licence or lease, modifications to the existing facility, or the installation of new machinery, equipment, or racking systems within the premises.
- If the OFI report is not fully closed by the client within 15 days of issuance, a violation procedure may be initiated in accordance with the RAKEZ Violation Code.

Failure to comply with the above conditions will result in the implementation of administrative actions as per the RAKEZ Violation Code.

5.8. Related Documents

- OPERATION FITNESS CERTIFICATE (OFC) APPLICATION - Click here
- OPERATION FITNESS CERTIFICATE (OFC) PROCESS FLOWCHART – Click here

Appendix 1: TYPICAL OPERATIONS FITNESS INSPECTION CHECKLIST

Facility Certification	
1.	Is a Building Completion Certificate from RAKEZ available?
2.	Is a Modification Completion Certificate from RAKEZ available?
3.	Is a Building Completion Certificate from RAK Civil Defence available?
4.	Is a Building Modification Completion Certificate from RAK Civil Defence available?
5.	Is a valid Environmental Permit from EPDA for industrial licence companies available?
6.	Is a valid Building Safety Certificate from RAK Civil Defence for companies operating in land plots available?
7.	Is a valid Facility Safety Certificate from RAK Civil Defence for companies operating in warehouses available?
8.	Is a valid NOC from RAK Municipality for foodstuff activities available?
Asset Certification	
9.	Does the employer have valid certificates for lifting equipment and accessories as per ENAS?
10.	Does the employer have valid certificates for pressure vessels as per ENAS?
11.	Do the employers have valid certificates for work equipment that requires annual certification as per ENAS?
12.	Do employees have valid certificates to operate all types of lifting equipment as per ENAS?
13.	Does the employer have a valid NOC from RAKEZ HSE for the usage of lifting equipment?
14.	Does the employer have a valid NOC from RAKEZ HSE for the radiography activities?
Hazardous Materials	
15.	Does the employer have a valid NOC from RAKEZ HSE for the storage of hazardous materials?
16.	Does the employer have a valid NOC from RAKEZ HSE for the import of restricted material?
17.	Does the employer have a valid NOC from RAKEZ HSE for the usage of LPG?
18.	Are hazardous materials classified and labeled as per GHS, and have SDS?
19.	Does the employer import or supply any restricted materials?
20.	Are hazardous materials stored, transported, handled, supplied, and disposed of and have been appropriately packaged as per SDS?
21.	Are appropriate inventory records available and maintained?
22.	Are hazardous materials stored separately and segregated from incompatible materials?
23.	Are hazardous substances stored in a secure area with containment bunding of 110% of the storage capacity?
24.	Are storage areas adequately ventilated to prevent the accumulation of flammable vapors?
25.	Has the employer engaged a waste collection and transportation company that is licenced and authorised by PSD to collect and transport waste for further processing and final disposal?
26.	Does the employer have emergency procedures in place to deal with spills, accidental release, fire, and explosions?

Electrical Safety
27. Is the electrical system adequately maintained, inspected, and tested?
28. Is electrical cabling protected from damage and electrical control panels locked to prevent access? Are electrical cords organized in good condition without any damaged?
29. Are electrical cables, cords/plugs, sockets, or switches free from damage or deterioration?
30. Are electrical danger warning notices provided on all control panels?
31. Is there a system for electrical machinery and equipment to be isolated in both normal or operating, and abnormal or fault conditions?
Emergency Response
32. Is the Emergency/Fire Plan displayed and includes a floor plan/map, emergency phone numbers, evacuation procedures & routes, location of exits & assembly point(s), location & use of fire extinguishers, etc.?
33. Are employees appointed and trained as First-aiders and Fire Wardens for each working shift to respond to emergency situations?
34. Are exit routes and doors marked, kept clear & never left open, and do they lead directly to a safe area or assembly point?
35. Are aisles and walkways marked, adequately lit, safe clearance, and kept clear?
36. Are first aid boxes/kits available to each work area, with necessary supplies available, periodically inspected, and replenished as needed?
37. Is all fire and life safety system equipment tested and maintained regularly?
38. Is Hassantuk Fire Alarm Monitoring System installed and working without any faults?
General Requirements
39. Is workplace equipment, machinery, devices, and systems adequately maintained to preserve the safety, health, and well-being of employees?
40. Are pedestrian and vehicles routes including any stairs, fixed ladder, doorway, gateway, loading bay, or ramp of sufficient width and headroom to allow employees and vehicles to move safely?
41. Have suitable PPEs been selected and provided to the employees?
42. Is the workplace arranged to prevent employees from falling from heights and protect employees from objects falling onto them?
43. Is proper housekeeping/cleaning maintained in the workplace?
44. Is the proper regime of waste segregation and disposal maintained in the workplace?
45. Are suitable Warning, Mandatory, and Prohibition signs displayed within the workplace as required?
46. Has a Risk Assessment been performed to assess all identified significant hazards and effective control measures implemented?
47. Does the company provide employees with transport?
48. Does the company provide employees with accommodation within the leased facility?
49. Is the accommodation kitchen approved and maintained in a hygienic condition?
50. Are adequate welfare facilities provided in the workplace? Is it clean, light & ventilated?

Note: Please be advised that the information provided does not encompass the entirety of RAKEZ Health, Safety & Environment (HS&E) Requirements. Additional requirements, as stipulated within the RAKEZ HS&E Regulations, identified during the inspection, will be duly highlighted in the inspection report.