

# COVID-19 PCR Tests for Businesses in Abu Dhabi – Circular 12/2021

**LEGAL BRIEFING (28 March 2021)**

*The Abu Dhabi Department of Economic Development (“ADDED”) has issued Circular No. 12/2021 (“Circular”) on the frequency of COVID-19 PCR tests for employees of businesses registered in the Emirate of Abu Dhabi. This Legal Briefing provides an overview of the measures introduced by the Circular and its legal and practical implications.*

## 1. ADDED Circular 12/2021

Following earlier decisions from December 2020 and January/February 2021 (please see our full Legal Briefing on those earlier developments [here](#)), ADDED has now issued the Circular, dated 23 March 2021, stipulating that employers in Abu Dhabi must now ensure that their employees get tested for COVID-19 on a bi-weekly basis. The following details apply:

- Employees in Abu Dhabi must with immediate effect get a PCR test on a bi-weekly basis.
- This requirement still applies to all employees, irrespective of the sector they work in (public or private).
- COVID-19 tests in Abu Dhabi shall be free of charge.
- Violations are “subject to legal consequences in accordance with applicable laws and regulations”.
- The Circular will be in force until further notice.

The Circular does not contain an exemption from doing the tests for employees who have received both doses of a COVID-19 vaccine. Such exemption was present in the previous ADDED circular.

## 2. Practical and Legal Implications

**a.** Bi-weekly testing of employees represents a **logistical relief** compared to the previously

required weekly tests while upholding Abu Dhabi’s commitment to controlling the pandemic. At the same time, free testing represents a **financial relief**.

**b.** ADDED has verbally stated that the testing requirement continues to apply also to **employees working from home**. Likewise, verbal information received from the ADDED indicates that **fully vaccinated employees should also be tested on a bi-weekly basis** in line with the Circular.

**c.** COVID-19 **vaccinations** available in the UAE are **voluntary** and employers cannot legally force their employees to get vaccinated. However, the above-mentioned measures taken by the Abu Dhabi government in recent weeks have (indirectly) almost made it a factual requirement for companies to encourage employees to get vaccinated.

**d.** Companies should continue adhering to the officially mandated testing requirements in order to avoid potential fines. Furthermore, companies should observe related employment and data privacy considerations when aligning their internal practices and policies.

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