

**Administrative Resolution No. (112) of 2017**  
**Concerning the**  
**Professional Conduct Committee for**  
**Advocates and Legal Consultants and its Amendments**

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**The Director General of the Government of Dubai Legal Affairs Department,**

After perusal of Law No. (32) of 2008 Establishing the Government of Dubai Legal Affairs Department (the “**Department**”); and

Administrative Resolution No. (122) of 2012 Forming the Professional Conduct Committee for Advocates and Legal Consultants,

**Does hereby issue the following Resolution:**

**Formation of the Committee<sup>\*</sup>**

**Article (1)**

- A. A committee named the “**The Professional Conduct Committee for Advocates and Legal Consultants**”, referred to as “**the Committee**” shall be formed at the Department. The Committee shall be formed of one or more subcommittee.
- B. Chairman and members of each subcommittee shall be appointed by virtue of a resolution issued by the Director General.
- C. Each subcommittee shall assume the duties and functions of the “Committee” and shall implement all the provisions stipulated in this Resolution.
- D. A rapporteur for each subcommittee is appointed by virtue of a resolution issued by the Director General.

<sup>\*</sup> This article is amended by Administrative Resolution No. (17) of 2021 Amending Certain Provisions of Resolution No. (112) of 2017 Concerning the Professional Conduct Committee for Advocates and Legal Consultants.

## **Functions of the Committee**

### **Article (2)**

A. The Committee shall monitor the professional conduct of Advocates and Legal Consultants by considering the inspection reports submitted against them, investigating complaints submitted to the Department against them and any court judgements issued against them, and imposing the appropriate penalties. For this purpose, the Committee may:

1. Find out facts and collect evidence and information in relation to the alleged violation committed by the Advocate or Legal Consultant;
2. Hear the Advocate or Legal Consultant's statements concerning the alleged violation committed;
3. Hear the statements of those submitting a complaint against an Advocate or a Legal Consultant; and
4. Summon witnesses and hear their statements.

B. In the exercise of its duties, the Committee shall comply with the legislation in force in the Emirate, applicable bylaws of the Department, principles of justice and equity and the rules governing the ethics of the Advocacy and Legal Consultancy profession.

## **Procedures for Considering Violations and Complaints**

### **Article (3)**

When considering violations committed by an Advocate or Legal Consultant and the complaints submitted against them, the following procedures shall be followed:

1. The Advocates and Legal Consultants Directorate of the Department shall record the acts committed by Advocates and Legal Consultants in violation of the legislation regulating the Advocacy and Legal Consultancy profession;
2. The Advocates and Legal Consultants Directorate shall receive, the complaints submitted against Advocates and Legal Consultants, wherever possible, on the templates prepared

by the Directorate for such purpose, and shall verify the information set out in such templates and complete relevant papers and documents;

3. The Advocates and Legal Consultants Directorate shall refer the reported violation and the complaint received in accordance with Paragraphs (1) and (2) of this Article to the Committee supported by a report that includes particulars of the violator or respondent, relevant facts, and the recommendations the Directorate deems appropriate;
4. The Committee shall verify the alleged violation committed by the Advocate or Legal Consultant and investigate the complaint submitted against either of them as it may deem fit, including the appointment of any member of the Committee to inspect the place where the violation is committed, requesting any documents or papers, hearing the statements of the complainants, witnesses and the respondent Advocate and Legal Consultant.

### **Disciplinary Penalties**

#### **Article (4)**

If it is established that an Advocate or Legal Consultant committed a professional or behavioural violation or acted in such a way that contravenes their professional ethics and duties, the Committee shall impose any of the following penalties against such Advocate or Legal Consultant:

1. Serving a written notice which includes details of the violation and directing the Advocate or Legal Consultant not to repeat such violation in the future;
2. Serving a written warning;
3. Suspension from practice for a period not exceeding two (2) years; or
4. Striking off the Advocate or Legal Consultant from the roll of Advocates or Legal Consultants.

## **Judicial Conviction**

### **Article (5)**

A. The Committee shall impose any of the penalties referred to in Article (4) of this Resolution against an Advocate or Legal Consultant convicted based on a final judgement of an offence affecting honour or trustworthiness.

B. The Committee may impose any of the penalties referred to in Article (4) of this Resolution against an Advocate or Legal Consultant convicted based on a final judgement of an offence that undermines their professional ethics and duties.

## **Working Mechanism of the Committee**

### **Article (6)**

A. The Committee shall be convened, where necessary, by an invitation by its Chairman or, if the Chairman is absent, by the Vice Chairman.

B. Meetings of the Committee are valid if the majority of its members are present, provided that the Chairman or Vice Chairman is in attendance.

C. The Committee will issue its decisions by majority vote of members in attendance. In the event of a tied vote, the chair of the meeting will have the casting vote. The Committee's decisions shall be issued with a reason.

D. Decisions of the Committee shall be recorded in minutes of meetings signed by the Chairman and attending members.

E. The Committee may seek assistance of internal and external experts, whomever it deems appropriate, to assist in carrying out its functions.

## **Rapporteur of Committee**

### **Article (7)**

The Rapporteur of the Committee shall send invitations for meetings of the Committee, prepare minutes of its meetings, follow up on the implementation of its decisions and undertake any other duties as assigned by the Committee.

## **Confidentiality of Committee Deliberations**

### **Article (8)**

Deliberations of the Committee shall be confidential and may not be disclosed. No information included in minutes of meetings may be copied unless a decision to that end is issued by its Chairman.

## **Grievances against Decisions of the Committee<sup>†</sup>**

### **Article (9)**

- A. If a decision is issued to completely or partially dismiss the complaint, the Advocate or the Legal Consultant and the person who submitted a complaint against an Advocate or a Legal Consultant may, submit a grievance in writing against the decision issued by the Committee within thirty (30) days starting from the day following the date the decision is communicated.
- B. The Professional Conduct Section may submit an objection to the decision issued by the Committee within the period prescribed in Paragraph (A) of this Article starting from the date of issuance of such decision.
- C. The grievances and objections mentioned in Paragraph (A) of this Article will be considered and decided by a grievance committee. The Grievance Committee will be formed and its members will be appointed by virtue of a Resolution issued by the Director General. The decision issued by the Grievance Committee will be final.
- D. In the exercise of its functions, the Grievance Committee will apply the provisions of Article Nos. (2), (6), (7) and (8) of this Resolution in relation to the Committee's jurisdiction, duties of the Committee Rapporteur and the confidentiality of Committee deliberations.

## **Repeals**

### **Article (10)**

This Resolution supersedes the Administrative Resolution No. (122) of 2012 Forming the Professional Conduct Committee for Advocates and Legal Consultants.

<sup>†</sup> This article is amended by Administrative Resolution No. (27) of 2022 Amending Certain Provisions of Resolution No. (112) of 2017 Concerning the Professional Conduct Committee for Advocates and Legal Consultants.

## **Commencement**

### **Article (11)**

This Resolution shall come into force on the date of its issuance and shall be communicated to concerned persons for implementation.

#### **Signed**

**Dr. Lowai Mohamed Belhoul**

**Director General**

Issued on 25 October 2017

Corresponding to 5 Safar 1439 A.H.