

**Law No. (32) of 2008**  
**Establishing the Government of Dubai**  
**Legal Affairs Department**

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**We, Mohammed bin Rashid Al Maktoum, Ruler of Dubai,**

After perusal of Law No. (8) of 1992 Concerning the Public Prosecution and its amendments;

Law No. (3) of 1996 Concerning Government Claims and its amendments;

Law No. (6) of 2005 Regulating Dubai Courts and its amendments; and

Regulation No. (1) of 2005 Concerning Job Titles, Grades, Salaries and Allowances of Legal Counsel and Researchers Serving at the Office of the Legal Advisor of the Government of Dubai at His Highness the Ruler's Court;

**Do hereby issue the following Law:**

**Article (1)**

This Law shall be cited as “**Law No. (32) of 2008 Establishing the Government of Dubai Legal Affairs Department**”.

**Article (2)**

The following words and expressions, wherever mentioned in this Law, shall have the meaning indicated opposite each of them unless the context implies otherwise:

<b>State:</b>	The United Arab Emirates.
<b>Emirate:</b>	The Emirate of Dubai.
<b>Ruler:</b>	His Highness the Ruler of Dubai.
<b>Government:</b>	The Government of Dubai.
<b>Court:</b>	His Highness the Ruler's Court.
<b>Executive Council:</b>	The Executive Council of the Emirate of Dubai.
<b>Government Entities:</b>	Government departments, authorities and public corporations, including free zone authorities and Government councils of the Emirate.

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<sup>1</sup> This Law was amended by virtue of Decree No. (23) of 2014 Concerning the Supreme Legislation Committee in the Emirate of Dubai, which was published on 30 June 2014 in Issue No. (378) of the Official Gazette.

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*<sup>2</sup>Every effort has been made to produce an accurate and complete English version of this legislation. However, for the purpose of its interpretation and application, reference must be made to the original Arabic text. In case of conflict the Arabic text shall prevail.*

<b>Department:</b>	The Government of Dubai Legal Affairs Department.
<b>Director General:</b>	The director general of the Department.
<b>Legislation:</b>	The laws, decrees, regulations, bylaws, resolutions, instructions, and regulatory orders issued by the Government of Dubai and its affiliated Government Entities.

### **Article (3)**

1. By virtue of this Law, a department named the “Government of Dubai Legal Affairs Department” shall be established. The Department shall have the duties, functions and powers vested in it by this Law, and shall be affiliated with the Court.
2. The Department shall comprise the Director General and a sufficient number of legal counsel, assistant legal counsel, and legal researchers, as well as a number of administrative support staff.
3. The organisational structure of the Department shall determine its directorates and organisational units.

### **Article (4)**

The Department is established with the aim to provide various legal services to the Government and to Government Entities, and to supervise and follow up all issues relating to the legal affairs of the Government and of Government Entities in the Emirate.

### **Article (5)**

For the achievement of its objectives, the Department shall have the duties and powers to:

1. *consider and revise, in terms of form and content, all draft regulatory legislation proposed by the Government and by Government Entities, provide opinion and advice regarding them, and prepare and approve draft legislation;*<sup>3</sup>
2. *submit proposals and recommendations with regard to the amendments and updates that must be made from time to time to the legislation in force in the Emirate;*<sup>4</sup>
3. *form technical committees consisting of members of legal staff and specialists serving at Government Entities or at any other entities to consider legislation and other issues relating to the legal affairs of the Emirate;*

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<sup>3</sup> The above functions were transferred to the Supreme Legislation Committee by virtue of Decree No. (23) of 2014 Concerning the Supreme Legislation Committee in the Emirate of Dubai.

<sup>4</sup> The Government of Dubai Legal Affairs Department, pursuant to Article (5/7), shall be exclusively authorised to provide legal opinion with respect to matters submitted to the Department upon the request of Government Entities. The Supreme Legislation Committee shall be exclusively authorised to issue and publish reasoned legal opinions with respect to the interpretation of provisions of the legislation in force in the Emirate.

4. *represent the Emirate in committees formed to consider and draft federal legislation;*<sup>5</sup>
5. *issue bylaws and explanatory memoranda for local legislation in force in the Emirate;*
6. *issue and publish reasoned legal opinions with respect to interpretation of provisions of the legislation in force in the Emirate;*
7. provide legal opinion and advice with respect to enquiries submitted to the Department by the Government or by Government Entities in relation to any legal issue or statutory provision;
8. prepare and review contracts and agreements entered into by the Government or by Government Entities based on the request of such entities, and represent them in the negotiations relating to same;
9. review all memoranda of association of corporations and companies established by the Government or by Government Entities or to which they are a party;
10. *represent the Emirate in committees formed to consider and negotiate any conventions, agreements, or memoranda of understanding with external parties, and give opinion on same before joining, signing, or ratification;*
11. receive complaints and claims against Government Entities, and seek settlement of same amicably or through providing legal opinion, in accordance with the legal procedures applicable in this respect;
12. represent the Government and all Government Entities before the competent judicial authorities and conciliation and arbitration committees and centres. The Department may, as it deems appropriate, authorise any person to represent it in such proceedings;
13. *make regulations related to monitoring the compliance of all Government Entities with the legislation in force, prepare periodical reports on same, and submit copies of such reports to the Ruler and to the Chairman of the Executive Council;*
14. *coordinate the organisation of training programmes and courses with Government Entities to ensure the sound legal understanding of the legislation in force in the Emirate to guarantee the proper application of such legislation;*
15. license the advocacy and legal consultancy profession, and advocacy and legal consultancy firms, monitor their practice, and issue the required regulations, bylaws and resolutions;
16. *issue the periodic publication of the Official Gazette of the Government and supervise its website;*
17. *translate the legislation in force in the Emirate into foreign languages;*
18. prepare and publish legal research and studies, and legislation in specialised publications;

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<sup>5</sup> The above functions were transferred to the Supreme Legislation Committee by virtue of Decree No. (23) of 2014 Concerning the Supreme Legislation Committee in the Emirate of Dubai.

19. *maintain the original copies of the legislation issued by the Ruler;*
20. *compile, maintain, and archive the legislation issued by the Government or by Government Entities in the Emirate;*
21. *compile, maintain, and archive all documents and records relating to treaties, memoranda, contracts, and agreements concluded between the Government or Government Entities and official external parties;*
22. *supervise the training and qualification of legal counsel by organising training courses and programmes, and workshops in all legal disciplines to train and qualify local candidates for recruitment at Government Entities; and*
23. *perform any other duties related to the nature of work of the Department as part of providing legal support to the Government or to Government Entities in the Emirate.*

#### **Article (6)<sup>6</sup>**

*When proposing legislation to be issued, all Government Entities must comply with the following process:*

1. *Government Entities shall present to the Department the matters proposed to be issued in the form of legislation. Such presentation shall contain the main elements and substantive provisions of the draft legislation.*
2. *The Department shall consider the proposals or draft legislation and amend those where it deems it necessary after consultation and coordination with the concerned Government Entities. For these purposes, the Department may form specialised committees consisting of lawyers, experts and technical staff from the Government Entities.*
3. *Once the final draft is approved, the Department shall refer it to the competent authority for review and taking the required action in order to approve and issue the legislation.*

#### **Legal Representation**

##### **Article (7)**

*Notwithstanding the provisions of any other legislation, the Department shall be exclusively authorised to represent the Government of the Emirate and Government Entities in all matters relating to federal legislation and treaties with external parties and all external affairs which are of legal nature or implication. For this purpose, the Department may engage, as it deems appropriate, any of the representatives of competent local entities, experts, or specialists to perform such duties.*

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<sup>6</sup> The above functions were transferred to the Supreme Legislation Committee by virtue of Decree No. (23) of 2014 Concerning the Supreme Legislation Committee in the Emirate of Dubai.

#### **Article (8)**

Notwithstanding the provisions of any other legislation, the Department shall represent Government Entities in claims and disputes filed by or against them before the competent judicial authorities and conciliation and arbitration committees and centres. For this purpose, the Department may authorise any specialist or expert, as it deems appropriate, to represent the Government or Government Entities in such claims and disputes.

#### **Article (9)**

The duties and powers of the Attorney General, in his capacity as the representative of the Government and Government Entities in claims filed by or against them in accordance with Law No. (3) of 1996 Concerning Government Claims and its amendments, shall be transferred to the Department.

#### **Article (10)**

The duties, functions, and powers of the Lawyers Affairs Division of Dubai Courts shall be transferred to the Department. All employees working in that division shall also be transferred to the Department without prejudice to their existing rights.

#### **Article (11)**

Effective as of the date on which this Law comes into force, the Department shall have direct technical and professional supervision over all legal counsel and legal staff of the legal affairs departments and units in Government Entities in the Emirate. Depending on work needs and requirements, the Department may, as it deems appropriate, transfer to its employment the legal counsel and other members of legal staff employed by such Government Entities.

#### **Article (12)**

All functions and powers vested in the Legal Affairs Department of the Government of Dubai by virtue of the legislation in force in the Emirate shall be transferred to the Department.

#### **Article (13)**

A Director General shall be appointed to the Department pursuant to a decree issued by the Ruler.

#### **Article (14)**

The Director General shall have the following duties and powers:

##### **1. Administrative Duties and Powers:**

- a. prepare the strategic plan of the Department and follow up its implementation;
- b. prepare the draft annual budget of the Department and follow up its implementation;
- c. prepare the organisational structure as well as the financial and administrative bylaws of the Department, including the bylaws relating to job titles, grades, and the system for recruiting and promoting the legal staff of the Department, and submit same to the Director of the Court for approval;
- d. undertake general supervision of the legal and administrative staff of the Department and ensure effective performance of the duties and powers with which they are charged;
- e. issue resolutions related to the personnel affairs of the Department;
- f. issue the regulations and internal bylaws organising work processes at the Department;
- g. propose fees and approve the charges for services provided by the Department; and
- h. represent the Department before third parties and enter into the contracts and agreements required for achieving the objectives of the Department.

**2. Technical Duties and Powers:**

- a. *approve draft local legislation before it is issued by competent entities;*
- b. *approve the legal opinions issued by the Department;*
- c. *form specialised technical committees consisting of legal staff of Government Entities in the Emirate or other persons to prepare or review draft local legislation;*
- d. represent the Government and Government Entities in claims brought by or against them before the competent judicial authorities and conciliation and arbitration committees and centres;
- e. *approve the explanatory memoranda and bylaws of the legislation issued by the Government.<sup>7</sup>*

In exercising the aforementioned duties and powers, the Director General may authorise or delegate one or more legal counsel of the Department to exercise any such duties and powers.

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<sup>7</sup> The above functions were transferred to the Supreme Legislation Committee by virtue of Decree No. (23) of 2014 Concerning the Supreme Legislation Committee in the Emirate of Dubai.

#### **Article (15)<sup>8</sup>**

1. Government Entities shall provide the Department with all their regulatory legislation in force no later than three (3) months from the date on which this Law comes into force.
2. Government Entities in the Emirate shall provide the Department with any new regulatory legislation no later than one (1) month from the date on which such legislation comes into force.

#### **Article (16)**

All Government Entities in the Emirate shall, no later than three (3) months from the date on which this Law comes into force, provide the Department with copies of the following documents:

1. *all contracts, agreements, and memoranda of understanding in effect that are concluded with official external parties; and*
2. all memoranda of association of corporations and companies owned by the Government or Government Entities or in which the Government or Government Entities hold shares.

#### **Article (17)**

The financial year of the Department shall commence on 1 January and shall end on 31 December of each year, except that the first financial year shall commence as of the date this Law comes into force and shall end on 31 December of the following year.

#### **Article (18)**

The financial resources of the Department shall consist of the following:

1. support allocated to the Department in the general budget of the Emirate;
2. fees and service charges collected by the Department; and
3. any other resources approved by the Director of the Court.

#### **Article (19)**

The Director of the Court shall issue the regulations and bylaws required for the implementation of the provisions of this Law.

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<sup>8</sup> **Transitional provision.**

**Article (20)**

Any provision in any other legislation shall be repealed to the extent that it contradicts the provisions of this Law.

**Article (21)**

This Law shall be published in the Official Gazette and shall come into force three (3) months following the date of its publication.

[Signed]

**Mohammed bin Rashid Al Maktoum  
Ruler of Dubai**

Issued in Dubai on 31 December 2008  
Corresponding to 3 Muharram 1430 A.H.