

**Administrative Resolution No (240) of 2015
Adopting the Continuing Legal Professional
Development Bylaw for Legal Consultants in the
Emirate of Dubai**

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; Executive Council Resolution No (22) of 2011 Concerning the Fees and Fines for the Advocacy and Legal Consultancy Profession in the Emirate of Dubai; and Administrative Resolutions No. (125) of 2012 and No (234) of 2015 Adopting the Bylaw Concerning the Registration of Legal Consultants in the Emirate of Dubai;

Hereby issues this Resolution:

Article (1)

By virtue of this Resolution, the attached "Continuing Legal Professional Development Bylaw for Legal Consultants in the Emirate of Dubai" including its rules and procedures will be adopted.

Article (2)

This Resolution will come into effect on the 1st of October 2015.

(Singed)

**Dr Lowai Mohamed Belhoul
Director General**

Issued in Dubai on 15 September 2015
Corresponding to 1 Thu Al Hijah 1436 A.H.

Continuing Professional Development Bylaw for Legal Consultants in the Emirate of Dubai

Bylaw Title Article (1)

This Bylaw shall be cited as “**Continuing Professional Development Bylaw for Legal Consultants in the Emirate of Dubai**”.

Definitions Article (2)

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

State	The United Arab Emirates.
Emirate	The Emirate of Dubai.
Department	The Government of Dubai Legal Affairs Department.
Director General	The Director General of the Department.
Legal Consultant	The natural person registered on the Roll.
Continuing Legal Professional Development (“CLPD”)	Any activity of intellectual or practical content, which serves to maintain or enhance a Legal Consultant's legal professional knowledge, skills, or ethics, or contributes to assuring the quality of legal services provided by Legal Consultants to the public.
Mandatory CLPD Activity	Any Accredited CLPD Activity specified by the Department, as a Mandatory CLPD Activity, which is mandated to fulfil the Required CLPD.
Accredited CLPD Activity	Any CLPD Activity accredited by the Department, which is chosen by the Legal Consultant to fulfil the Required CLPD.
CLPD Activities	Includes Mandatory and Accredited CLPD Activities.
CLPD Points	Points allocated to every Mandatory or Accredited CLPD Activity, which a Legal Consultant obtains by undertaking the CLPD Activity.
Required CLPD	The minimum number of CLPD Points that a Legal Consultant must obtain in the Filing Period.

Filing Period	The twelve (12) month period assigned to the Legal Consultant by a resolution issued by the Department for fulfilling the Required CLPD.
CLPD Record	The document maintained by a Legal Consultant, which includes CLPD Activities and Points obtained by the Legal Consultant during the Filing Period.
Committee	The CLPD Affairs Committee.
Roll	The paper or electronic records prepared by the Department for the purpose of recording the categories of and information pertaining to the Legal Consultants.
Notice	The written or electronic document produced by the Department as per the provisions of these Regulations.

Objectives Article (3)

The objectives of this Bylaw shall be to enhance the standards of legal services offered in the Emirate by ensuring that the Legal Consultants in the Emirate are committed to engaging in Continuing Legal Professional Development to maintain and develop their professional ethics, skills and knowledge in accordance with international best regulations and practices.

Scope of Application Article (4)

- a. This Bylaw shall apply to Legal Consultants registered on the Roll as "practicing" who are authorised to practice in the Emirate and the Free zones, including the Dubai International Financial Centre Dispute Resolution Authority, through an advocacy or legal consultancy firm licensed by the Department and the relevant authorities in the Emirate.
- b. This Bylaw does not apply to Legal Consultants registered on the Roll as "non-Practising". In addition to Legal Consultants employed by Government entities, corporations, companies, other entities that do not provide legal services to the public and any other category the Department exempts as per the relevant rules and regulations set by the Department in this regard.

Required CLPD Article (5)

- a. Every Legal Consultant must complete the Required CLPD in each Filing Period by obtaining a total of sixteen (16) CLPD Points as follows:
 1. Minimum of eight (8) Mandatory CLPD Activities; and
 2. Eight (8) points obtained from Accredited CLPD Activities, which may be selected by the Legal Consultant from the activities accredited by the Department. Each selected Accredited Activity cannot equate to more than four (4) CLPD Points.

- b. The Required CLPD in each Filing Period for every Legal Consultant registered with the Dubai International Financial Centre Dispute Resolution Authority shall be sixteen (16) CLPD Points as follows:
1. Minimum of eight (8) points from the Mandatory CLPD Activities; and
 2. Two (2) points from any CLPD Activity specified by the Dubai International Financial Centre Dispute Resolution Authority Academy and mandated as a Mandatory CLPD Activity by the Department.
 3. Six (6) points obtained from Accredited CLPD Activities, which shall be selected by the Legal Consultant from the activities accredited by the Department. Each selected Accredited Activity must not equate to more than four (4) CLPD Points.
- c. Notwithstanding the provisions of paragraph (a) and paragraph (b) of this Article, every Legal Consultant who is subject to the CLPD requirements for the first time since registration must obtain a specific percentage of the Required CLPD. This shall be determined by the Department for the duration extending from the date of his registration with the Department until the end of the current Filing Period, as set out in the table below.

Duration until the end of the current Filing Period	Required CLPD
9-12 Months	100% of the Required CLPD
6-9 Months	75% of the Required CLPD
3-6 Months	50% of the Required CLPD
Less than 3 Months	25% of the Required CLPD

Additional CLPD Requirements Article (6)

A Legal Consultant who has not obtained an academic degree from the State, who is registered on the Roll for the first time after this Bylaw comes into force, must pass a CLPD program equivalent to twenty four (24) CLPD Points in the first twelve (12) months from the date of the registration and must pass any other examinations specified by the Department.

Announcement of CLPD Activities Article (7)

The Department shall regularly communicate to all Legal Consultants the CLPD Activities; methods of calculating CLPD Points offered; the venue of the activities, registration methods, and all other relevant information.

CLPD Academic Council Article (8)

By virtue of this Bylaw, a Council named the "CLPD Academic Council" shall be formed and its members and regulations will be specified by a resolution of the Director General. The council shall have the following powers and duties:

1. Review the recommendations for training activities submitted by Legal Consultants;
2. Suggest training courses and activities to present to the Director General for approval; and
3. Any other duties that the Director General may determine.

Obligations of the Legal Consultant Article (9)

For each Filing Period, every Legal Consultant must:

1. Complete the Required CLPD within the Filing Period, unless an exemption from the Required CLPD has been granted or an extension of time to obtain the Required CLPD been offered, in accordance with the rules and procedures specified by the Department in this regard; and
2. Present the CLPD Record including all documents evidencing attendance of CLPD Activities during the Filing Period in accordance with the Department's rules, within thirty (30) days from the end of the Filing Period.

CLPD Affairs Committee Article (10)

By virtue of this Bylaw, a Committee named the "CLPD Affairs Committee" shall be formed and its members and regulations shall be specified by a resolution of the Director General. The Committee shall have the following powers and duties:

1. Consider and determine applications submitted by Legal Consultants, in accordance with the procedures specified by the Department, to:
 - a. amend the Required CLPD.
 - b. extend the due date for filing the CLPD Record.
 - c. extend the Filing Period to comply with the Required CLPD.
2. Monitor the Legal Consultants compliance with the provisions of this Bylaw.
3. Issue Notices to Legal Consultants in accordance with the provisions of this Bylaw.
4. Notify the competent regulatory unit within the Department and the Legal Consultant of all decisions made by the Committee.
5. Perform any other duties that the Director General may determine.

CLPD Activities Accredited By Another Regulatory Authority Article (11)

The Committee may accredit up to a maximum of two (2) Points of CLPD Activities accredited by a regulatory entity, other than the Department, for purposes of fulfilling the Required CLPD.

CLPD Points Carry over Article (12)

A Legal Consultant who has obtained more than the Required CLPD Points in any Filing Period, may file an application with the Committee to carry over up to two (2) Accredited CLPD Points into the following Filing Period.

CLPD Points Replacement Article (13)

Where a Legal Consultant is able to prove to the Committee his expertise in any of the listed Mandatory CLPD Activities, he may file an application with the Committee to replace the said activity with another CLPD Activity, in accordance with the rules set by the committee in this regard.

Notice of Non-compliance Article (14)

- a. Where a Legal Consultant fails to present a CLPD Record in accordance with Article (9) of this Bylaw or files a CLPD Record containing inaccurate information or fails to complete the Required CLPD, the Committee shall send a Notice of non-compliance outlining the following:
 1. Aspects of non-compliance with the provisions of this Bylaw.
 2. An obligation to complete the Required CLPD; provide correct information, or file the CLPD Record, within fifteen (15) days from the date of the Notice of non-compliance.
- b. Upon the expiry of the date specified of Paragraph (a) (2) of this Article, the Committee may, at its discretion, take any of the following actions:
- c.
 1. Grant the Legal Consultant an extension of time of no more than thirty (30) days to file his CLPD Record;
 2. Grant the Legal Consultant a deadline determined by the Committee to obtain his Required CLPD and file a CLPD Record;
 3. Grant the Legal Consultant a reduction of his Required CLPD or an exemption from the Required CLPD.
- d. The Committee must notify the competent regulatory unit within the Department of the Legal Consultant's non-compliance if he fails to submit a response within the period specified in Paragraph (a) of this Article, or fails to file a CLPD Record or obtain his Required CLPD in accordance with Paragraph (b) of this Article.

- e. The CLPD Points obtained by the Legal Consultant during the period mentioned in Paragraph (a) (2) of this Article shall only be calculated for the purpose of completing the Required CLPD for the Filing Period stated in the Notice.

Auditing Article (15)

Every Legal Consultant must, for a period of three (3) years following each Filing Period, maintain all documentation and information, which is related to the CLPD.

- a. The Department may request for a Legal Consultant to submit, within no more than fifteen (15) days' notice, all of the documentation and information, which evidences the completion of the Required CLPD for the previous Filing Period.
- b. If the auditing finding suspects a legal consultant is in violation of the provisions of this Bylaw, the findings shall be referred to the Committee in order to continue the auditing procedures.
- c. The Committee shall issue a Notice to the Legal Consultant to respond to within thirty (30) days, if it deems appropriate.
- d. In absence of any response in accordance with Paragraph (c) of this Article or if the violation is verified, the Committee must notify the competent regulatory unit within the Department, of the Legal Consultant's non-compliance in order to take the necessary action in this regard.

(Signed)

**Dr Lowai Mohamed Belhoul
Director General**

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Corresponding to 1 Thu Al Hijah 1436 A.H.

