

Administrative Resolution No. (235) of 2015
Adopting the Bylaw
Concerning the Licensing of Advocacy Firms in the Emirate of Dubai¹

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

After perusal of Article 5(15) of Law No. (32) of 2008 Establishing the Government of Dubai Legal Affairs Department which provides for the Department's authority to license and regulate the practice of the advocacy and legal consultancy profession and firms and to issue the required regulations, bylaws and resolutions;

The powers vested in the Director General of the Government of Dubai Legal Affairs Department pursuant to Articles (2) and (14) of Executive Council Resolution No. (22) of 2011 Concerning Fees and Fines Prescribed for the Advocacy and Legal Consultancy Profession in the Emirate of Dubai;

Administrative Resolution No. (124) of 2012 Adopting the Bylaw Concerning the Licensing of Advocacy Firms in the Emirate of Dubai;

Administrative Resolution No. (233) of 2015 Adopting the Bylaw Concerning the Registration of Advocates in the Emirate of Dubai; and

Administrative Resolution No. (234) of 2015 Adopting the Bylaw Concerning the Registration of Legal Consultants in the Emirate of Dubai;

Does hereby issue the following Resolution:

Article (1)

By virtue of this resolution, the attached Bylaw Concerning the Licensing of Advocacy Firms in the Emirate of Dubai including all rules and procedures shall be adopted.

Article (2)

This resolution replaces Administrative Resolution No. (124) of 2012 Adopting the Bylaw Concerning the Licensing of Advocacy Firms in the Emirate of Dubai.

Article (3)

This resolution shall come into force on the 1st November 2015.

(Signed)

Dr. Lowai Mohamed Belhouli
Director General

Issued in Dubai on 10 September 2015
Corresponding to 26 Thu Al Qa'dah Safar 1436 A.H.

¹ 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.

Bylaw
Concerning the Licensing of Advocacy Firms
in the Emirate of Dubai

Title of the Bylaw
Article (1)

This Bylaw shall be cited as “**Bylaw Concerning the Licensing of Advocacy Firms in the Emirate of Dubai**”.

Definitions
Article (2)

The following words and expressions, wherever mentioned in this Bylaw, shall have the meaning indicated opposite each of them unless the context states 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.
Licensing Authority:	A competent entity legally authorised to issue commercial and professional licences to establishments operating in the Emirate and in the free zones, including the Dubai International Financial Centre.
Resolution:	Executive Council Resolution No. (22) of 2011 Concerning Fees and Fines Prescribed for the Advocacy and Legal Consultancy Profession in the Emirate of Dubai.
Licence:	The document issued by the Department to authorise an Advocacy Firm to provide Legal Services in the Emirate.
Advocacy Firm:	A sole establishment or company licensed by the Department and by a Licensing Authority in the Emirate to provide Legal Services to the public.
Advocate:	A natural person registered on the Roll.
Legal Consultant:	A natural person registered on the Roll of legal consultants in the category of practicing, and authorised by the Department to provide legal services to the public through an Advocacy Firm or legal consultancy firm, except pleading and representing clients before Dubai courts.
Legal Services:	Services which the firm is authorised to provide in the Emirate, including but not limited to pleading, representing clients before judicial authorities, security departments, arbitration panels and centres, conciliation commissions and other entities, providing legal opinion and advice, drafting contracts, registering and liquidating companies, concluding settlements, and any other legal services.
Register:	The paper or electronic record maintained by the Department for the purpose of recording all information related to Advocacy Firms.

Roll: The paper or electronic record maintained by the Department for the purpose of recording the categories of and information pertaining to Advocates.

Scope of Application Article (3)

- a. This Bylaw shall apply to Advocacy Firms which provide Legal Services in the Emirate and in the free zones including the Dubai International Financial Centre.
- b. This Bylaw shall not apply to Government entities, corporations or companies which do not provide Legal Services to the public, and shall not apply to any other entities which the Department deems not subject to its rules and in accordance with the standards set in this regard.

Powers and Duties of the Department Article (4)

For the purposes of implementing this Bylaw, the Department shall have the powers and duties to:

1. Classify Advocacy Firms according to their legal form;
2. Establish the requirements and rules that must be met and the procedures that must be followed in order to license Advocacy Firms in the Emirate;
3. Consider applications for new Licences, renewal of Licences and amendment of the particulars of issued Licences of Advocacy Firms;
4. Maintain the Register and determine the data that must be entered in it including the classification of Advocacy firms;
5. Establish the conditions that must be met by the managing partner of the Advocacy Firm, and determine his duties and responsibilities;
6. Establish the rules governing the temporary suspension of Advocacy Firms from providing Legal Services, and the revocation of their Licences in accordance with the legislations in force in the Emirate, including the bylaws, resolutions and instructions issued by the Department;
7. Establish the rules by which Advocacy Firms may request to cease provision of Legal Services or request cancellation of the issued Licences;
8. Supervise and monitor the activities of all Advocacy Firms in accordance with the provisions of the Resolution, the bylaws, resolutions and instructions issued by the Department;

9. Receive, record and investigate violations and complaints against Advocacy Firms and Legal Services providers unauthorised by the Department, and take the required action in this regard;
10. Impose penalties prescribed by the Resolution on persons in breach of the Resolution, and any provisions of the bylaws, resolutions and instructions issued by the Department;
11. Prescribe the forms required for the implementation of the provisions of this Bylaw; and
12. Any other duties within its powers that relate to the licensing of Advocacy Firms in the Emirate.

Provision of Legal Services Article (5)

- a. No Legal Services may be provided to the public in the Emirate except through an Advocacy Firm licensed by the Department.
- b. All Advocacy Firms must maintain a physical office within the Emirate, which is appropriate for the purpose of providing Legal Services, whether held by the Advocacy Firm or a partner in the Advocacy Firm as owner, beneficiary, or lessee. It is not permissible for two or more firms to occupy a single physical office. The office shall be the registered office for the purposes of communications and notices.
- c. No Advocacy Firm may establish a branch office in the Emirate without obtaining the Department's approval in accordance with the relevant requirements adopted by the Department.

Name of Advocacy Firm Article (6)

Except for Advocacy Firms licensed to operate in the Emirate prior to the effective date of this Bylaw, the name of an Advocacy Firm must comply with the following:

1. The name must indicate the type of Legal Services provided;
2. In the case of a sole establishment, the name of the sole proprietor must feature in the name of the Advocacy Firm; and
3. In the case of a company, the name(s) of partner(s) or shareholder(s) must feature in the name of the Advocacy Firm, and upon request of the partners or where required, the Department may, approve a name to the Advocacy Firm other than the personal names of partners;

The Register Article (7)

A Register of Advocacy Firms licensed in the Emirate shall be established by the Department. The Department shall determine the data that shall be recorded on the Register, including the Advocacy Firm's legal form, authorized areas of law, and any amendments to the Licence.

Legal Form of Advocacy Firms Article (8)

- a. Advocacy Firms operating in the Emirate must take one of the following legal forms:
 1. A sole establishment; or
 2. A company established in the Emirate.
- b. The legal forms referred to in paragraph (a) above shall be established in accordance with the legislations applicable in the Emirate, and the provisions stated in this Bylaw.

Licensing Requirements Article (9)

- a. An applicant for a sole establishment Advocacy Firm Licence must meet the following requirements:
 1. The applicant must be a UAE national;
 2. The applicant must be registered on the Roll in the category of practising Advocates, or have met the relevant registration requirements for this category as provided for in the Bylaw Concerning the Registration of Advocates adopted by the Department and have submitted an application to be registered on the Roll;
 3. The applicant must have a minimum of three (3) consecutive years' practical legal experience in the State;
 4. The applicant must submit a professional business plan in accordance with the requirements adopted by the Department in this regard;
 5. The applicant must be the managing partner of the Advocacy Firm throughout the term of the Licence;
 6. Any other requirement(s) determined by the Department.
- b. Applicants for an Advocacy Firm Licence to establish as a company must meet the following requirements:
 1. The applicants applying for a license under this category must be UAE nationals. The Department may exempt some of the applicants from this condition in accordance with the rules set in this regard;

2. The applicants must be registered on the Roll in the category of practising Advocates or must have met the registration requirements for this category as provided for in the Bylaw Concerning the Registration of Advocates adopted by the Department and have submitted an application to be registered on the Roll;
 3. The applicants must have a minimum of three (3) consecutive years' practical legal experience in the State;
 4. The applicants for Licence must appoint one of themselves as the managing partner for the Advocacy Firm;
 5. The applicants must submit a professional business plan in accordance with the requirements set by the Department in this regard;
 6. The advocates or legal consultants employed by the Advocacy Firm must be registered on the Roll in the category of practising Advocates or must have met the relevant registration requirements for this category as provided for in the Bylaw(s) Concerning the Registration of both Advocates and Legal Consultants approved by the Department and have submitted an application to be registered on the Roll; and
 7. Any other requirements determined by the Department.
- c. In addition to the requirements stipulated by paragraphs (a) and (b) of this Article, all Advocacy Firms must, for licensing purposes, maintain compliance with the following:
1. Pay all prescribed Advocacy Firm Licence fees in accordance with the relevant procedure(s) adopted by the Department; and
 2. Obtain professional indemnity insurance policy to cover all risks and professional misconduct relating to the practice of the Advocacy Firm in accordance with the relevant requirements and rules set by the Department in this regard.

Licence Renewal Requirements Article (10)

The following requirements must be met for renewal of a Licence:

1. Continuous compliance by the Advocacy Firm with all requirements of Articles (9) and (15) of this Bylaw. Advocacy firms operating in the Emirate at the time of the issuance of this Bylaw shall be exempt from the UAE nationality requirements;
2. The title deed, the right of use or the lease agreement for the Advocacy Firm's office must be in the name of the Advocacy Firm, its sole proprietor, or one of the partners or shareholders, and the lease agreement must be valid and certified by the competent authorities in the Emirate;
3. All Advocates and Legal Consultants employed by the Advocacy Firm must be registered with the Department on the Roll in the category of practicing Advocates or in the category

of practising Legal Consultants, and this registration must be valid at the date of renewal of the Licence;

4. The particulars of the commercial licence issued to the Advocacy Firm by the Licensing Authority must conform with the particulars of the Licence at the time of Licence renewal;
5. The professional indemnity insurance policy must be valid at the time of the Licence renewal;
6. The fees prescribed for the Advocacy Firm Licence renewal must be paid in accordance with the relevant procedures adopted by the Department; and
7. Any other requirements as determined by the Department.

Licensing Procedures Article (11)

- a. Applications for a new Licence, renewals of Licence, and amendments to the particulars of a Licence, and all other applications stipulated in this Bylaw shall be submitted in the forms prescribed by the Department, and supported by the requested documents in this regard.
- b. Applicant(s) for a Licence is prohibited from obtaining or renewing a licence issued by the Licensing Authority without obtaining the prerequisite approval of the Department, in accordance with the relevant procedures adopted by the Department in this regard.

Consideration of Licence Applications Article (12)

Applications for a new Licence, renewal of Licence, and amendments to the particulars of a Licence, and all other related applications shall be considered by the Department in accordance with the requirements and procedures stipulated by this Bylaw. The Department shall notify the applicant(s) of the decision in this regard within two (2) working days from the issuance of the decision.

Licence Term Article (13)

- a. The Licence term shall be for one (1) year, renewable for the same period. The renewal application must be submitted within the last month prior to the expiration date of the Licence.
- b. In the event that an Advocacy Firm fails to renew the Licence within the time frame prescribed in paragraph (a) of this Article without a reason acceptable to the Department, the Advocacy Firm shall be subject to the penalties prescribed in the Resolution.

Nature of the Licence Article (14)

- a. All Licences shall be issued in the name of the applicant and must not be assigned to a third party.
- b. Without prejudice to the rights of third parties, In the event of the death of the Licence holder or dissolution of an Advocacy Firm, the heirs, successors or assignees shall not acquire the rights of the Licence holder. The Department shall determine the procedures for the management of the firm in accordance with the rules it sets in this regard.

Advocacy Firm Obligations Article (15)

All Advocacy Firms must comply with the legislations regulating the advocacy profession in the Emirate, particularly to:

1. Not engage or permit any employed Advocate or Legal Consultant to engage in any activity other than the provision of Legal Services, and not to offer Legal Services in any area(s) of law that the Advocacy Firm is not authorised to practise;
2. Ensure that all Licence holders , partners, Advocates and Legal Consultants employed by the Advocacy Firm are not owners, partners or employees of another Advocacy or Legal Consultancy Firm in the Emirate;
3. Ensure that non-UAE national Licence holders registered with the Advocacy Firm hold a valid residency in the State;
4. Ensure that non-UAE national Advocates and Legal Consultants hold a valid residency in the State, and a labour card registered with the firm through which they practice the profession;
5. Ensure that all Licence holders, partners, Advocates and Legal Consultants employed by the Advocacy Firm are registered on the Roll, in the category of practising Advocates or practising Legal Consultants, and maintain full-time employment within the Advocacy Firm. Advocates and Legal Consultants must not engage in any other commercial activity or practise another profession, except teaching or training in any area of the law or legal profession;

6. Not employ any advocate(s) or legal consultant(s) not registered on the Roll in the category of practising;
7. Maintain a managing partner for the term of the Licence; and
8. Meet all other obligations prescribed by the bylaws, resolutions and instructions issued by the Department.

Managing Partner Obligations Article (16)

The managing partner of the Advocacy Firm must:

1. Supervise the practice of the Advocates and Legal Consultants employed by the Advocacy Firm;
2. Ensure the Advocacy Firm and all employed Advocates and Legal Consultants comply with all obligations prescribed by the Resolution, the bylaws, resolutions and instructions issued by the Department, and represent the Advocacy Firm before the Department;
3. Display the Licence in a prominent place visible to all persons dealing with the Advocacy Firm, and return the Licence to the Department in the event of renewing the licence, cessation of provision of Legal Services, suspension of the Advocacy Firm from providing Legal Services, or cancellation of the Licence;
4. Obtain the Department's prior approval before effecting a change to the legal form, name, partners or managing partner of the Advocacy Firm, or establishing a branch office, or changing the address of a branch office, or merging or demerging with another firm, or adding a partner or retirement of a partner, or any other changes relating to the Advocacy Firm's legal form;
5. Notify the Department of any change to the number of Advocates or Legal Consultants employed by the Advocacy Firm within ten (10) working days of such change;
6. Notify the Department of any change to the professional status of the Advocates or Legal Consultants employed by the firm, including cessation of practice within fifteen (15) days of such change;
7. Obtain the Department's prior approval before cessation of provision of Legal Services by the Advocacy Firm for any reason, to allow the Department to take the action it deems appropriate in this regard;
8. Keep custody of all files, documents and information relating to the Firm and Legal Services provided by the Advocacy Firm for a minimum of ten (10) years, and make such documentation available to the Department upon request;
9. Maintain records that contain all details relating to the Advocates and Legal Consultants employed by the Advocacy Firm during the term of their employment and for a minimum

of five (5) years after the end of their employment, and disclose such documentation to the Department upon request; and

10. Meet all other obligations prescribed by the bylaws, resolutions and instructions issued by the Department.

Cessation of Provision of Legal Services Article (17)

- a. The Department may, upon a written application submitted by an Advocacy Firm and for reasons acceptable to the Department, authorise an Advocacy Firm to suspend the provision of Legal Services for a specified period of time, conditional upon the Advocacy Firm undertaking that all commitments arising through the provision of Legal Services are satisfied and provided that the cessation does not harm the interests of the clients.
- b. The Department may, upon written application submitted by an Advocacy Firm to cancel the Licence, conditional upon the Advocacy Firm undertaking that all commitments arising through the provision of Legal Services are satisfied and provided that the cancellation does not harm the interests of the clients.

Suspension or Revocation of a Licence Article (18)

- a. The Licence of an Advocacy Firm may be temporarily suspended by the Department for a period not exceeding one (1) year or revoked pursuant to a decision of the Director General in the following cases:
 1. An Advocacy Firm's failure to renew the Licence for a period exceeding three (3) months without a reason acceptable to the Department;
 2. Revocation of a licence granted to the Advocacy Firm by a Licensing Authority;
 3. Issuance of a judicial order to suspend or revoke the Licence issued by the Department or by the Licensing Authority; and
 4. The dissolution of the Advocacy Firm.
- b. The Department may temporarily suspend the Licence of an Advocacy Firm for a period not exceeding one (1) year, or may revoke the Licence, pursuant to a decision of the Director General, in the event of the Advocacy Firm's failure or inability to meet the Licence obligations or contravention of the applicable legislation in the Emirate, or any of the provisions of the bylaws, resolutions and instructions issued by the Department.

Grievances Article (19)

Any concerned person may submit in writing a grievance to the Director General in respect of any decision issued against him within sixty (60) days from the date of the issuance of the



decision. Grievances shall be presented to and decided upon by a committee formed by a resolution of the Director General, and all decisions issued by the committee shall be deemed final.

(Signed)

Dr. Lowai Mohamed Belhouli
Director General

Issued in Dubai on 10 September 2015
Corresponding to 26 Thu Al Qa'dah Safar 1436 A.H.