

**Law No. (32) of 2008**  
**Establishing the Government of Dubai**  
**Legal Affairs Department<sup>1</sup>**

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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 Advisors 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:

State:	The United Arab Emirates.
Emirate:	The Emirate of Dubai.
Ruler:	His Highness the Ruler of Dubai.
Government:	The Government of Dubai.
Court:	His Highness the Ruler's Court.
Executive Council:	The Executive Council of the Emirate of Dubai.
Government Entities:	Government departments, authorities and public corporations, including free zone authorities and Government councils of the Emirate.
Department:	The Government of Dubai Legal Affairs Department.
Director General:	The Director General of the Department.

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<sup>1</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.*

Legislation: 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 known as the “Government of Dubai Legal Affairs Department” shall be established. The Department shall undertake the duties and exercise the powers vested in it by this Law, and shall be affiliated with the Court.
2. The Department shall comprise a Director General and a sufficient number of legal advisors, assistant legal advisors, and legal researchers, as well as a number of administrative support staff.
3. The organisational structure of the Department shall determine its management and operational 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.

### **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 opinions and advice regarding them, and prepare and approve draft legislation;
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;
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;
4. Represent the Emirate in committees formed to consider and draft federal legislation;

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 contained in the legislation in force in the Emirate;
7. Provide legal opinions 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 the 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 bodies, and give opinions on the same before joining, signing or ratification;
11. Receive complaints and claims against Government Entities, and seek amicable settlement or provide legal opinions in relation thereto, in accordance with the relevant legal procedures in place;
12. Represent the Government and all Government Entities before the competent judicial authorities and conciliation or arbitration committees and centres. The Department may, at its own discretion, appoint any person to represent it in such proceedings;
13. Issue regulations related to monitoring the compliance of all Government Entities with the legislation in force in the Emirate, prepare periodical reports of the 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 relevant 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, studies and legislation in specialised publications;
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;
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 bodies;
22. Supervise the training and qualification of legal advisors by organising training courses, programmes and workshops in all legal disciplines to train and qualify local candidates for recruitment at Government Entities; and
23. Undertake any other duties related to the nature of work of the Department that are performed as part of providing legal support to the Government or to Government Entities.

#### **Article (6)**

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 relevant Government Entities. To this end, the Department may form specialised committees consisting of lawyers, experts and technical staff from the relevant 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.

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

Notwithstanding the provisions of any other legislation, the Department shall be exclusively authorised to represent the Government and other Government Entities in all matters relating to federal legislation and treaties with foreign countries and all foreign affairs which are of legal nature or implication. For this purpose, the

Department may engage, as it may deem fit, any of the representatives of competent local entities, experts or specialists to perform such duties.

#### **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. To this end, the Department may appoint any specialist or expert, as it may deem fit, to represent the Government or Government Entities in such claims and disputes.

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

The duties and powers of the Public Prosecutor, in his capacity as the representative of the Government and other 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, powers and authority of the Lawyers Affairs Division of Dubai Courts, as well as all employees working in that division, shall be transferred to the Department without prejudice to their existing rights.

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

From the date this Law comes into effect, the Department shall have direct technical and professional supervision over all legal advisors and legal staff of the legal affairs departments and units in Government Entities. Depending on work needs and requirements, legal advisors and other members of legal staff employed by Government Entities may be transferred, as the Department deems appropriate, to the employment of the Department.

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

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

### **Article (13)**

The Department shall have a Director General to be appointed pursuant a Ruler's decree.

### **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 rules relating to job titles and grades, the system for recruiting and promoting the legal staff of the Department, and submit the same to the Director of the Court for approval;
- d. Undertake general supervision over 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 fees 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 from Government Entities or from other bodies to prepare and 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.

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

#### **Article (15)**

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

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

All Government Entities 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, memoranda of understanding in effect that are concluded with official external bodies; and
2. All memoranda of association of the corporations and companies owned by the Government or by Government Entities and of those 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 comprise the following:

1. Support allocated to the Department in the general budget of the Emirate;
2. Fees and charges for services provided 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.

### **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 publication.

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

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