

**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 Establishing 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 this Law.**

**Article (1)**

This Law will 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, will have the meaning indicated opposite each of them unless the context implies otherwise:

UAE:	The United Arab Emirates.
Emirate:	The Emirate of Dubai.
Ruler:	His Highness the Ruler of Dubai.
Government:	The Government of Dubai.
HHRC:	His Highness the Ruler's Court.
Executive Council:	The Executive Council of the Emirate of Dubai.

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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 will prevail.*

Government Entities:	Government departments, authorities, and public corporations, including free zone authorities and Government councils of the Emirate.
LAD:	The Government of Dubai Legal Affairs Department.
Director General:	The director general of the LAD.
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. Pursuant to this Law, a department named the “Government of Dubai Legal Affairs Department” is established. The LAD will have the duties, functions, and powers vested in it under this Law, and will be affiliated to the HHRC.
2. The LAD will be comprised of the Director General and a sufficient number of legal counsel, assistant legal counsel, legal researchers, and a number of administrative support staff.
3. The organisational structure of the LAD will determine its directorates and organisational units.

### **Article (4)**

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

### **Article (5)**

For the achievement of its objectives, the LAD will have the duties and functions 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 or approve such 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 matters 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 of the legislation in force in the Emirate;
7. provide legal opinion and advice with respect to enquiries referred to the LAD by the Government or by Government Entities in relation to any legal matter 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 in which they are partners;
10. represent the Emirate in committees formed to consider and negotiate any conventions, agreements, or memoranda of understanding with foreign parties, and give opinion on the same before acceding to, signing, or ratification;
11. receive complaints and claims against Government Entities, and seek settlement of the 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 LAD may, as it deems appropriate, authorise any person to represent it in such proceedings;
13. make regulations related to monitoring compliance with, and implementation by, all Government Entities of the legislation in force, prepare periodic reports on 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 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;
19. maintain the original copies of all the legislation issued by the Ruler;

20. compile, maintain, and archive all 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 foreign 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 LAD as part of providing legal support to the Government or to Government Entities in the Emirate.

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

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

1. Government Entities will present to the LAD the matters proposed to be issued in the form of legislation. Such presentation will contain the main elements and substantive provisions of the draft legislation.
2. The LAD will 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 LAD may form specialised committees consisting of legal staff, experts, and technical staff from Government Entities.
3. Once the final draft is approved, the LAD will refer it to the competent authority for review and for taking the required action in order to approve and issue the legislation.

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

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

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

Notwithstanding the provisions of any other legislation, the LAD will be responsible for representing 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 LAD 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, are hereby transferred to the LAD.

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

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

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

Effective as of the date on which this Law comes into force, the LAD will have direct technical and professional supervision over all legal counsel and legal staff of the legal affairs directorates and units in Government Entities in the Emirate. Depending on work needs and requirements, the LAD 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 Directorate of the Government of Dubai under the legislation in force in the Emirate are hereby transferred to the LAD.

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

A Director General will be appointed to the LAD pursuant to a decree issued by the Ruler.

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

The Director General will have the duties and functions to:

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

- a. prepare the strategic plan of the LAD and follow up its implementation;
- b. prepare the draft annual budget of the LAD and follow up its implementation;
- c. prepare the organisational structure as well as the financial and administrative bylaws of the LAD, including the bylaws relating to job titles, grades, and the system for

recruiting and promoting the legal staff of the LAD, and submit the same to the Director of the HHRC for approval;

- d. undertake the general supervision of the legal and administrative staff of the LAD, and ensure effective performance of the duties and functions with which they are charged;
- e. issue resolutions related to the personnel affairs of the LAD;
- f. issue the internal regulations and bylaws regulating work processes at the LAD;
- g. propose fees and approve the charges for services provided by the LAD; and
- h. represent the LAD before third parties, and enter into contracts and agreements required for the achievement of the objectives of the LAD.

**2. Technical Duties and Functions:**

- a. approve draft local legislation before it is issued by the competent entities;
- b. approve the legal opinions issued by the LAD;
- 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; and
- e. approve the explanatory memoranda and bylaws of the legislation issued by the Government.

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

**Article (15)**

- 1. Government Entities must provide the LAD 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 must provide the LAD 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 must, no later than three (3) months from the date on which this Law comes into force, provide the LAD with copies of:

- 1. all contracts, agreements, and memoranda of understanding in effect that are concluded with official foreign 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 LAD will commence on 1 January and will end on 31 December of each year, except that the first financial year will commence as of the date this Law comes into force and will end on 31 December of the following year.

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

The financial resources of the LAD will consist of:

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

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

The Director of the HHRC will issue the regulations and bylaws required for the implementation of the provisions of this Law.

#### **Article (20)**

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

#### **Article (21)**

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

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

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