

**Executive Council Resolution No. (5) of 2021**  
**Issuing the Implementing Bylaw of Law No. (1) of 2016**  
**Concerning the Financial Regulations of the Government of Dubai<sup>1</sup>**

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**We, Hamdan bin Mohammed bin Rashid Al Maktoum, Crown Prince of Dubai, Chairman of the Executive Council,**

After perusal of:

Law No. (5) of 1995 Establishing the Department of Finance;

Law No. (11) of 2006 Establishing the Investment Corporation of Dubai and its amendments;

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

Law No. (1) of 2016 Concerning the Financial Regulations of the Government of Dubai;

Law No. (4) of 2018 Establishing the Financial Audit Authority;

Law No. (1) of 2020 Concerning the Smart Dubai Department;

Law No. (12) of 2020 Concerning Contracts and Warehouse Management in the Emirate of Dubai;

Decree No. (24) of 2007 Forming the Supreme Fiscal Committee in the Emirate of Dubai and its amendments; and

Executive Council Resolution No. (5) of 2019 Concerning Payment by Instalments of Fees and Fines Payable to Government Entities in the Emirate of Dubai,

**Do hereby issue this Resolution.**

**Definitions**  
**Article (1)**

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

Emirate:                      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:	The Government of Dubai.
Executive Council:	The Executive Council of the Emirate of Dubai.
SFC:	The Supreme Fiscal Committee formed pursuant to the above-mentioned Decree No. (24) of 2007.
DOF:	The Department of Finance.
SDD:	The Smart Dubai Department.
Government Entity:	Any of the Government departments, public agencies or corporations, Government authorities or councils, or similar entities.
Director General:	The director general of the DOF.
Head of Government Entity:	The director general, executive director/ chief executive officer, or secretary general of a Government Entity; or a person holding a similar position.
Law:	Law No. (1) of 2016 Concerning the Financial Regulations of the Government of Dubai.
Financial Year:	A Gregorian calendar year starting on 1 January and ending on 31 December of the same year.
General Budget:	The Government budget, for a Financial Year, which is approved pursuant to a law and which contains the total estimated Public Revenue and estimated Public Expenditure of the Government and the Government Entities whose budgets are included in the General Budget.
Financial Statements:	The actual financial data for the Financial Year then ended prepared by a Government Entity in accordance with the standards and principles issued by the DOF and in compliance with the accrual basis of accounting adopted for the public sector.
Public Revenue:	Financial proceeds generated from the services provided and the activities conducted by Government Entities. This includes, without limitation, taxes, Fees, prices, tariffs, Fines, sale proceeds, rent, proceeds from franchises, profits, proceeds from encashing guarantees, and similar revenue.

Public Expenditure:	Financial allocations included in the General Budget to meet the needs of Government Entities and enable them to perform their duties and achieve public interest. This includes ordinary expenditure and Contingent Expenditure.
Contingent Expenditure:	Estimated amounts required to respond to an unforeseen emergency in respect of which action may not be deferred as it affects the public interest, and to which no funds are allocated under Public Expenditure in the General Budget.
Public Treasury Account:	An account in which the following are deposited: all Public Revenue collected from Government Entities whose budgets are included in the General Budget; amounts received from such entities as deposits and amounts held in trust; surpluses and profits of Government Entities having Independent Budgets; and profits earned by Government Companies. From this account, the amounts required to meet Public Expenditures are disbursed for the purposes of implementation of the General Budget. The account also includes all amounts, from whatever source, managed by the DOF.
Public Funds:	All tangible and intangible assets owned by the Government and Government Entities, including Public Revenue and damages; capital invested in Government Companies; embezzled, stolen, or unlawfully paid Government funds; debts owed to the Government by others; funds provided to the Government or Government Entities as loans, financial aid, gifts, or cash or in-kind donations; proceeds from Public Treasury bills and investment certificates issued by the Government; financial support provided by the Government to entities and individuals; and any other funds deemed as Public Funds by the legislation in force.
e-Payment Method:	Any digital payment method adopted by the DOF through which Public Funds are collected or financial obligations are paid.
Financial Establishment:	An establishment that provides smart financial systems, applications, and solutions; and provides smart Public Revenue collection services using these systems, applications, and solutions.

**Smart Financial Systems, Applications, and Solutions**  
**Article (2)**

- a. The DOF will adopt smart financial systems, applications, and solutions for the management and planning of Government financial resources, including without limitation:
  - 1. management of receivables, payables, fixed and cash assets, general ledger, and financial transactions among Government Entities;
  - 2. management of Government Purchases, Contracts, and warehouses;
  - 3. management of salaries and wages;
  - 4. financial management of projects;
  - 5. financial planning and budgeting;
  - 6. Government service costing;
  - 7. various financial systems, including the consolidation, presentation, disclosure, and adjustment of financial data; and
  - 8. tax management.
- b. Government Entities must use the smart financial systems, applications, and solutions adopted by the DOF in accordance with the mechanisms, powers, and procedures prescribed for each system or application.
- c. All financial transactions conducted through the smart financial systems, applications, and solutions adopted by the DOF will be deemed legally effective, provided that they are compliant with the legislation in force.
- d. Notwithstanding the provisions of paragraph (a) of this Article, a Government Entity may adopt its own smart financial systems, applications, and solutions subject to the following conditions:
  - 1. the smart financial systems, applications, and solutions must be compliant with the Law, the resolutions issued in pursuance thereof, and the circulars issued by the DOF;
  - 2. the smart financial systems, applications, and solutions must be compatible with, and linked to, the systems, applications, and solutions adopted by the DOF; and
  - 3. the approval of the DOF and the SDD must be obtained prior to developing the smart financial systems, applications, and solutions.

## **Rules for Collection and Deposit of Public Revenue**

### **Article (3)**

Public Revenue will be collected by the Government Entities whose annual budgets are included in the General Budget in accordance with the legislation in force, and will be deposited in the Public Treasury Account according to the following rules:

#### **I. Public Revenue Collected through Direct Payment**

1. A Government Entity must deposit all the Public Revenue it collects, pursuant to the rules and procedures stipulated in this Resolution, into the Public Treasury Account on a daily basis or within the deadlines prescribed by the DOF. The Government Entity must submit the supporting documents evidencing the collection of this revenue.
2. A Government Entity must record all the Public Revenue payable to it in its financial records; and must collect this revenue and deposit it into the Public Treasury Account in accordance with the accounting standards and policies, and using the smart financial systems, adopted by the DOF.
3. A Government Entity must deposit all security amounts, guarantees, and other amounts it collects, other than Public Revenue, into the special accounts designated by the DOF for these amounts.
4. A Government Entity must separate the duties of conducting financial transactions from the duties of receiving Public Revenue and entering it into financial records, and must separate both sets of duties from the duties of auditing Public Revenue, in accordance with the standards adopted in this respect.
5. A Government Entity may, upon coordination with the DOF, authorise any other Government Entity to collect the Public Revenue payable to it. In this case, the Government Entity authorised to collect the Public Revenue on behalf of another must deposit the collected revenue into the Public Treasury Account in the name of the Government Entity for which that revenue is collected.

#### **II. Public Revenue Collected and Deposited through Smart Financial Systems, Applications, and Solutions**

1. In case of using the smart financial systems, applications, and solutions of the DOF, the Public Revenue must be collected and deposited in accordance with the rules, procedures, and time frames prescribed in the agreement concluded by the DOF, the SDD, and the concerned Financial Establishment.
2. In case of using the smart financial systems, applications, and solutions of the Government Entity, the Public Revenue must be collected and deposited in accordance

with the rules, procedures, and time frames prescribed in the agreement concluded by the Government Entity and the concerned Financial Establishment, subject to obtaining the approval of the DOF and the SDD prior to concluding that agreement.

## **Procedures for Collection and Deposit of Public Revenue**

### **Article (4)**

Public Revenue will be collected and deposited into the Public Treasury Account in accordance with the following procedures:

1. a receipt will be issued upon collecting any Public Revenue regardless of the amount received and method of payment;
2. the Public Revenue will be collected by the concerned employees of the Government Entity;
3. the Government Entity will insure the Public Revenue and the employees assigned to collect, transport, and deposit the revenue into the designated bank accounts, in accordance with the standards and rules prescribed by the Director General in this respect;
4. the claims received from the Financial Establishment assigned to collect Public Revenue through smart financial systems, applications, and solutions will be examined and will be subject to the necessary matching and reconciliation to ensure the validity of such claims; and
5. compliance by the Financial Establishment with the collection and deposit procedures stipulated in the agreement concluded with it will be verified.

## **Outsourcing the Collection of Public Revenue**

### **Article (5)**

A Government Entity may, upon obtaining the prior approval of the DOF, outsource the collection or transport of its Public Revenue to a specialised company under a relevant agreement. This agreement must contain all terms required for protecting and preserving the rights of the Government Entity, including the insurance of its funds, and the methods and procedures for collection and deposit thereof.

**Functions of the Director General with Respect to  
Implementing the General Budget  
Article (6)**

The Director General will exercise all the duties and powers required for implementing the General Budget. The Director General will, in particular:

1. supervise the conduct of studies and research on the fiscal policy related to the implementation of the General Budget, and submit the necessary recommendations to the SFC;
2. propose the measures and procedures required for addressing any situations or circumstances that may affect the implementation of the General Budget. These measures and procedures must be approved by the SFC and the Chairman of the Executive Council or his authorised representative;
3. approve the ground rules related to implementation of the General Budget, Independent Budgets, and Supplementary Budgets and the relevant Financial Statements;
4. approve the conditions of the loans granted or obtained by the Government; and of the guarantees of such loans;
5. take the necessary action to ensure that Government Entities maintain the financial forms and records required for implementation of the General Budget and update them on a regular basis and within the prescribed deadlines, in accordance with the procedures and principles adopted in this respect; and
6. submit to the SFC, within the legally prescribed deadlines, reports on the implementation of the General Budget.

**Functions of Heads of Government Entities with Respect to  
Implementing the General Budget  
Article (7)**

- a. A Head of Government Entity will exercise all the duties and powers required for the implementation of the General Budget. The Head of Government Entity may, in particular:
  1. supervise the implementation of the approved annual budget of the Government Entity to ensure the preservation and efficient utilisation of Public Funds in accordance with the legislation in force and the regulations, procedures, and principles adopted in this respect;

2. approve the reallocation of financial appropriations from one item to another within the same chapter in the approved annual budget of the Government Entity in accordance with the legislation in force and the financial ground rules adopted by the DOF;
  3. request additional financial appropriations in accordance with the rules and regulations adopted by the DOF in this respect;
  4. approve any variations to the costs of projects in accordance with the rules and regulations adopted by the DOF in this respect and with the approved financial appropriations in the annual budget of the Government Entity;
  5. approve the financial documents and Contracts of the Government Entity, in accordance with the legislation in force and the standards adopted in this respect; and
  6. take the necessary corrective action in respect of any financial violations, and notify the concerned entities of the same.
- b. In implementing the annual budget as stipulated in paragraph (a) of this Article, the Head of Government Entity must comply with the relevant circulars and ground rules issued by the DOF.

### **Table of Financial Approval Powers Article (8)**

A Head of Government Entity will approve the table of financial approval powers of employees, and will provide the DOF with a copy of that table. In approving the table, the rules adopted under the resolutions and circulars issued by the DOF in this respect must be observed.

### **Rules for Delegation of Financial Approval Powers Article (9)**

Subject to the approval of the Head of Government Entity, an employee vested with financial approval powers pursuant to the table of financial approval powers referred to in Article (8) of this Resolution may delegate some of his powers to any of his subordinates. The delegation of powers will be subject to the following rules:

1. the delegated financial approval powers must be within the powers of the delegator;
2. the delegated financial approval powers must be relevant to the employment duties of the delegatee;
3. delegation must be in writing;



4. delegation must be time-limited;
5. the delegatee must exercise his powers within the limits prescribed by the delegation decision and must not exceed these limits;
6. in disbursing any amounts, the delegatee must comply with the limits of the approved financial appropriations in the annual budget of the Government Entity;
7. the financial appropriations allocated in the annual budget of the Government Entity must be used as per the disbursement plan endorsed by the DOF;
8. the delegatee must not delegate to others the financial approval powers delegated to him;
9. the circulars and ground rules issued by the DOF in respect of approving Public Expenditures must be observed;
10. the delegation of financial approval powers may not exempt the delegator from his responsibility for any actions and decisions taken within the scope of the delegation; and
11. the concerned organisational units of the Government Entity and other concerned entities must be notified of the delegation decision.

### **Rules for Disbursement from the Special Reserve**

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

The Director General may, upon obtaining the approval of the SFC, directly withdraw, and make disbursements, from the Special Reserve in the following cases and subject to the following rules:

1. Disbursement may be made to respond to an unforeseen emergency that was unpredictable at the time of preparing the General Budget, and that requires urgent action that may not be deferred.
2. Disbursement may be made to fund an essential strategic initiative that requires funding from the Special Reserve and that may not be postponed to a subsequent Financial Year.
3. Funding the emergency response or the strategic initiative from the approved annual budget must be infeasible.
4. The amount disbursed from the Special Reserve must be commensurate with the emergency response or strategic initiative.
5. Where the Contingent Expenditure relates to more than one Government Entity, coordination with the concerned entities must be undertaken as necessary to determine the required funding from the Special Reserve.

6. A study stating the grounds for requesting funding from the Special Reserve, the purpose of this funding, the disbursement channels, the cash flow needed to cover the Contingent Expenditure, and any other details required by the DOF must be prepared.

### **Procedures for Disbursement from the Special Reserve**

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

In requesting the disbursement of any amounts from the Special Reserve, the following procedures will be followed:

1. A Government Entity will submit an application for disbursement from the Special Reserve on the form and using the systems adopted by the DOF. The application must include the supporting grounds, a description of the emergency or strategic initiative, the requested amount, the cash flow plan, the financial impacts on the annual budget of the Government Entity, and any other details required by the DOF.
2. The DOF will consider the application for disbursement from the Special Reserve and make the appropriate decision.
3. The DOF will disburse the amount from the Special Reserve pursuant to a resolution of the Director General if the requested amount is within his financial approval powers, or pursuant to a resolution of the SFC if the requested amount is beyond the financial approval powers of the Director General.
4. The DOF will prepare an annual report on the amounts disbursed from the Special Reserve and submit the same to the SFC.

### **Conditions for Settlement of Financial Transactions among Government Entities**

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

A financial transaction between Government Entities will be settled subject to the following conditions:

1. Both Government Entities must be subject to the General Budget.
2. The Government Entity receiving services from the other Government Entity must accept the services provided and the relevant charges.
3. The financial transaction between both Government Entities must not result in any financial dues that are owed to a third party or that are to be collected by a third party.
4. The financial transaction must not be excluded by the DOF from the application of the procedures for settlement of transactions among Government Entities.

**Rules and Procedures for Settlement of Financial  
Transactions among Government Entities  
Article (13)**

Government Entities must observe the following rules and procedures when conducting any financial transactions with other Government Entities:

1. Government Entities must not disburse any cash amounts, issue any cheques, or make any bank transfers to other Government Entities on account of conducted financial transactions. The Government Entity receiving products or services must record the amount of transaction in its general ledger under expenditure items, and the Government Entity providing these products or services must record the amount of transaction in its general ledger under revenue items. Alternatively, the Government Entities may enter the transaction in records through any other accounting process prescribed by the DOF.
2. Where two (2) Government Entities fail to agree on the amount of the financial dues arising from their transactions, the Government Entity that has provided the products or services will, within no later than fourteen (14) days from the date of disagreement, submit to the DOF an application to settle the disagreement, accompanied by the relevant supporting documents. The DOF decision on the disagreement will be final and binding on both Government Entities.
3. The Government Entity will match outstanding balances every three (3) months with the other Government Entity.
4. The Government Entity will settle balances at the end of each year in accordance with the instructions of the DOF.

**Management of General Budget Surpluses or Deficits  
Article (14)**

- a. For the purposes of this Article, a General Budget Deficit means that payables exceed receivables, i.e. a negative balance in the General Budget. A General Budget Surplus means that receivables exceed payables, i.e. a positive balance in the General Budget.
- b. A General Budget Surplus or General Budget Deficit will be managed as follows:
  - I. In case of a General Budget Deficit, the Director General may, upon obtaining the approval of the SFC, take any of the following measures:
    1. rationalise Public Expenditure and increase Public Revenue;
    2. issue Public Debt Instruments;

3. obtain bank loans; and/ or
  4. take any other measures determined by the SFC.
- II. In case of a General Budget Surplus, the Director General may, upon obtaining the approval of the SFC, take any of the following measures:
1. transfer the full surplus amount or any part thereof to the Public Treasury Account;
  2. allocate the full surplus amount or any part thereof to settle any Government liabilities;
  3. reinvest the full surplus amount, or any part thereof, in coordination with the Investment Corporation of Dubai; or
  4. take any other measures determined by the SFC.

### **Rules for Disbursement from Annual Budgets**

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

In disbursing from its annual budget, a Government Entity must:

1. ensure optimum use of the financial appropriations allocated for expenditure in its annual budget;
2. perform its duties and implement its work and plans, ensuring cost-effectiveness and compliance with the prescribed deadlines;
3. not disburse amounts from the financial appropriations allocated in its annual budget without legal grounds authorising such disbursement;
4. not incur any financial commitments towards any entity or person without ensuring the availability of the required financial appropriations in its annual budget;
5. not disburse any payment to cover an expense unless that expense is due;
6. subject to the legislation in force, ensure that the disbursed payments do not exceed the value of the delivered supplies or provided services, unless otherwise stipulated in the agreement concluded with the Government Entity;
7. ensure that the payments made to cover expenses are disbursed in UAE dirhams, unless the Government Entity has obtained the DOF approval to make them in any other currency;
8. not pay, even temporarily, any expenses from the Public Revenue collected by the Government Entity, from the amounts held in trust by it, from imprest amounts, or from

any other amounts placed at its disposal without first coordinating with the DOF; and comply with the relevant rules and procedures prescribed by the DOF;

9. not transfer, pay, or release the expense amounts owed to any entity or person to another party without:
  - a. a final court judgement issued by the competent court authorising the transfer of the full expense amount or any part thereof to that party;
  - b. the written approval of the beneficiary authorising the release of such expense amounts to that other party; or
  - c. a provision in the Contract concluded with the contractor or supplier authorising the release of such expense amounts to that other party.
10. not make any set-off between the expenses due to any person or entity and the amounts owed by that person or entity without valid reasons warranting this set-off. The set-off will be made subject to the following:
  - a. The prior approval of the DOF to the set-off must be obtained.
  - b. The person or entity must consent in writing to the set-off between the amounts due to that person or entity and the amounts owed by him or it. The person or entity must sign a clearance in respect of the amounts settled by the Government Entity.
  - c. The expenditures and revenue in respect of which the set-off is made must be recorded under expenditure items and General Revenue items, or any other relevant accounting item of the Government Entity.
11. Any expense amounts due to any person or entity must be withheld where that person or entity refrains from making, or stalls or delays, the payment of any amounts owed by him or it to any Government Entity.
12. Any expense amounts owed to any person or entity must be paid only after deducting any delay Fines, penalties, or other deductible amounts owed by that person or entity to the Government Entity pursuant to any legal document. In the event of such deduction, the Fines and penalties must be deposited in the Public Treasury Account, while other deducted amounts must be treated as prescribed by the DOF; and
13. Government expenditure may not be broken down with a view to circumventing any provisions or procedures related to the payment procedures prescribed by the DOF. This includes the breakdown of expenditures with a view to avoiding the authorisation of payments as per the limits prescribed under the financial approval powers levels.

## **Government Disbursement Procedures**

### **Article (16)**

When disbursing any amounts payable by it, a Government Entity must:

1. obtain the supporting documents related to the payable amounts whether in paper or electronic format to match and review them against its own records; and keep these documents together with the relevant disbursement vouchers;
2. record the full payable amount, once it is incurred, under the relevant appropriations item in its annual budget;
3. organise and prepare the necessary disbursement documents as per the relevant procedures; and ensure, upon recording expenditures and disbursing payments, that:
  - a. electronic copies of all supporting documents related to the recording and disbursement of payments, and any other documents required by the DOF, are attached;
  - b. the disbursement order or the payment is compliant with the legislation in force and the relevant adopted standards; and
  - c. the required signatures and approvals of the concerned authorised officers, as per the financial approval powers adopted in this respect, are obtained.

## **Disbursement Dates**

### **Article (17)**

Amounts payable to suppliers and contractors will be disbursed within no later than ninety (90) working days from the date of final delivery of the supplies or services; or within the time frames stipulated in the Contracts concluded with these suppliers or contractors.

## **Payment of Expenses Using e-Payment Methods**

### **Article (18)**

- a. The DOF will supervise the payment of expenses using e-Payment Methods. For this purpose, the DOF may:
  1. negotiate and contract with banking and financial institutions to issue e-Payment Methods and determine the credit limit for each card delivered to the employees of Government Entities to pay expenses using the Internet as per work requirements;

2. approve requests of the Government Entities that are subject to the General Budget for designating e-Payment Methods for use by these Government Entities to pay for its Purchases using the Internet;
  3. determine the cases where e-Payment Methods may be used to pay expenses;
  4. cancel e-Payment Methods where their users fail to comply with the rules and obligations stipulated in this Article;
  5. request any information from the e-Payment Methods issuing entity or from the Government Entities authorised to use these methods to pay their expenses; and
  6. review the documents related to Government payments using e-Payment Methods to verify the validity of the transactions and payments.
- b. An e-Payment Method must state the name of the employee entrusted with keeping and using this method to pay expenses on behalf of the Government Entity.
  - c. An e-Payment Method may not be used by any unauthorised person and must be used only by the employee whose name is displayed on the same.
  - d. No more than one e-Payment Method may be issued to an employee. e-Payment Methods may only be issued to Employees of Government Entities.
  - e. An e-Payment Method may not be used for:
    1. cash withdrawals;
    2. transferring any amounts from the e-Payment Method account to personal accounts;
    3. payment for any Purchases other than those of the Government Entity;
    4. payment for any personal purchases; or
    5. payment for any Purchases that are not authorised pursuant to this Resolution and the legislation in force in the Emirate.
  - f. The amounts paid using an e-Payment Method must not exceed the credit limit authorised for that method.
  - g. Government Entities must pay the total outstanding amounts on the account of e-Payment Methods before the deadlines for settlement of the debit balance, in order to avoid incurring late payment interest charges.

## **Financial Reports**

### **Article (19)**

Heads of Government Entities must provide the DOF, within the deadlines it determines, with audited financial reports, which comprise the Financial Statements for the Financial Year then ended. These reports must be prepared in accordance with the International Public Sector Accounting Standards and the accounting policies manual of the Government adopted by the DOF.

## **Monthly Reports**

### **Article (20)**

- a. A Government Entity receiving financial support from the Government must provide the DOF with a monthly report that includes:
  1. details of all expenditures and Revenues;
  2. financial reallocations made within the relevant month;
  3. the financial position of employees and other workers, including any new appointments and terminations; and
  4. any other information determined by the DOF.
- b. A Government Entity receiving financial support from the Government must provide the DOF with the monthly report referred in paragraph (a) of this Article no later than the twentieth (20<sup>th</sup>) of the month following the month in respect of which the report is required.

## **Public Funds Collection**

### **Article (21)**

The following Public Revenues will be subject to the Public Funds collection rules and procedures stipulated in the Law and in this Resolution:

1. taxes, fees, and levies imposed pursuant to the legislation in force;
2. the charges and prices collected by Government Entities in return for the goods and services they provide;
3. the administrative fines and the damages payable to Government Entities;
4. guarantees in respect of which enforcement proceedings are conducted;



5. returns on investments and amounts payable in respect of the sale, lease, transfer of title, or use of Public Funds;
6. loans that are granted to individuals, or private or public entities, and are repayable to the Emirate or Government Entities; and
7. any other Public Revenue that is collected based on legal grounds.

### **Rules for Collection of Public Funds**

#### **Article (22)**

- a. In collecting Public Funds, a Government Entity must:
  1. develop an internal audit system to regulate the procedures for receiving and safekeeping Public Funds and for depositing the same in the bank accounts designated by the Government for this purpose;
  2. dispose of the collected Public Funds only in accordance with the legislation in force and the circulars issued by the DOF in this respect;
  3. comply with the provisions, procedures, standards, and policies issued by the DOF in respect of receiving, and disbursing from, the Public Funds held in custody or trust;
  4. separate, whenever possible, the responsibility for preparing invoices and other financial documents from the responsibility for actually receiving Public Funds;
  5. provide the employees assigned to receive Public Funds with the necessary support that enables them to smoothly perform their duties, within the scope of work requirements. This includes setting up a suitable workspace and providing currency checking and counting machines;
  6. ensure that the Public Funds are collected only by the employees of the Government Entity or the employees of any other entity engaged by the Government Entity, based on the approval of the DOF, to collect these funds;
  7. insure the collected Public Funds and the employees assigned to collect and transport these funds until they are deposited in the designated bank accounts;
  8. verify the authenticity of currency notes before receiving them. An employee receiving currency notes will be responsible for any counterfeit notes that can be identified through inspection by naked eye or by the machines provided to him by the Government Entity for this purpose; and

9. keep Public Funds in a properly locked safe under the custody of a designated employee. This safe must be kept in a secure and locked place.
- b. Public Funds must be deposited in the bank account determined by the DOF on the day on which they are received or by the end of the working day following that day. Moreover, cheques in any amount must be deposited in this account by the end of the working day following the day on which they are received.
- c. A Government Entity will take the appropriate measures to secure Public Funds while being transported from one place to another, including while being deposited with a bank. These measures must be determined based on the amount of money transported.

### **Procedures for Public Funds Collection**

#### **Article (23)**

- a. Obligors or debtors liable for payment of outstanding Public Funds must pay all amounts owed by them in the manner, following the procedures, and using the payment methods approved in this respect by the Government Entity responsible for collection of these Public Funds.
- b. Being a creditor to the Government or to a Government Entity will not exempt an obligor or debtor from his obligation to pay any outstanding Public Funds to the Government Entity on their due dates and without delay.
- c. Without prejudice to the functions of the Government of Dubai Legal Affairs Department under its above-mentioned establishing Law No. (32) of 2008, a Government Entity will be responsible for taking all actions required for the collection of the Public Funds owed to it.
- d. Where an obligor or debtor refrains from payment of Public Funds that are legally owed by him, the Government Entity responsible for collection of these funds must take the measures below against him in the following order:
  1. serving the obligor or debtor with a notice requesting him to pay the Public Funds within thirty (30) days from their due date;
  2. upon expiry of the notice period referred to in sub-paragraph (d)(1) of this Article, seizing the obligor's or debtor's property held in its possession; and, subject to obtaining a relevant summary court judgement, selling this property at a public auction;
  3. applying to the competent court to impose provisional attachment on the legally attachable property of the obligor or debtor, where there are substantial grounds for this attachment or with a view to preventing the obligor or debtor from smuggling or

concealing his property, including through assignment of the same to third parties; and

4. taking recourse to court to compel the obligor or debtor to pay the Public Funds he owes.
- e. A competent Employee of a Government Entity will be legally liable where he fails to take the necessary action to collect outstanding Public Funds within the prescribed time frames.
- f. The DOF will take the necessary action to follow up depositing collected Public Funds into the Public Treasury Account.
- g. A Government Entity may, subject to obtaining the approval of the DOF, authorise any public or private entity to collect, on its behalf, Public Funds under a relevant written agreement which provides for the rights and obligations of both parties. In this case, the entity authorised to collect Public Funds must:
  1. take the necessary action to collect the outstanding Public Funds pursuant to the Law and this Resolution;
  2. deposit the collected Public Funds at the end of each working day in the bank accounts designated for this purpose; and
  3. perform its obligations under the agreement concluded with it.

### **Guarantees for Collection of Public Funds**

#### **Article (24)**

- a. A Government Entity may accept the following guarantees for payment of the Public Funds owed to it:
  1. a letter of bank guarantee issued by a bank recognised in the United Arab Emirates;
  2. a notarised suretyship agreement concluded by a solvent surety who guarantees the settlement of the Public Funds owed by the obligor or debtor, as per the relevant suretyship agreement template prescribed by the DOF; or
  3. any other guarantees approved by the DOF.
- b. A Government Entity must not accept a Person as surety for the payment of Public Funds without first verifying his solvency and ability to settle these funds where the obligor or debtor fails to settle the same.

- c. Government Entities must use the suretyship agreement template referred to in subparagraph (a)(2) of this Article. The agreement will not be deemed valid unless it is attested by a Notary Public.

### **Payment of Outstanding Public Funds by Instalments**

#### **Article (25)**

- a. A Government Entity will prepare a list of the Public Funds that may be paid by instalments, and will submit the same to the DOF for approval. The list must be prepared in accordance with the relevant rules and criteria adopted by the DOF.
- b. A Head of Government Entity or his authorised representative may, based on a request submitted to the Government Entity by the obligor or debtor, or his legal representative, authorise the payment by instalments of any Public Funds set forth in the list referred to in paragraph (a) of this Article. The request will be determined in accordance with the rules and procedures stipulated in this Article.
- c. Payment of Public Funds by instalments is subject to the following conditions:
  - 1. Public Funds must be due by the date on which the application for payment by instalment is submitted.
  - 2. The amount of Public Funds to be paid by instalments must not be less than the minimum amount prescribed by the DOF based on the type and nature of the Public Funds.
  - 3. The applicant for payment by instalments must prove his inability to pay the total outstanding amounts in one payment.
  - 4. An applicant for payment by instalments must make an initial payment of at least twenty-five percent (25%) of the outstanding amount of Public Funds requested to be paid by instalments.
  - 5. Instalments must be paid by bank cheques or by providing any other guarantees or security as prescribed by the DOF.
  - 6. The instalment period must not exceed five (5) years, or the period in respect of which the Public Funds are due, whichever is shorter.
  - 7. Any other conditions prescribed by the DOF must be satisfied.
- d. An applicant for payment by instalments must, within fifteen (15) days from being notified of the decision approving the application for payment by instalments, submit the guarantees or security prescribed by the DOF in respect of the total outstanding amounts.

The guarantees or security must be valid throughout the instalment period and until full payment. Where the applicant for payment by instalments fails to pay the instalments by the prescribed deadlines, the decision approving the application for payment by instalments will be deemed null and void.

### **Deferral of Instalments**

#### **Article (26)**

- a. A Head of Government Entity or his authorised representative may, subject to the relevant procedures adopted by that Government Entity, approve the request of an obligor or debtor, who is issued an approval to pay Public Funds by instalments, to defer the payment of up to three (3) instalments payable by him. In this case, the applicant for payment by instalments must pay the deferred instalments within the prescribed deadlines.
- b. A fee of one hundred dirhams (AED 100.00) will be collected from any natural person applying for deferral of instalments under paragraph (a) of this Article, and a fee of two hundred dirhams (AED 200.00) will be collected from any sole proprietorship or natural person applying for the same.

### **Default in Payment of Instalments**

#### **Article (27)**

- a. Where an applicant for payment by instalments defaults in the payment of an instalment due from him without providing a written justification acceptable to the Head of Government Entity or his authorised representative, the Government Entity will take the following punitive measures against him:
  1. revocation of the approval of payment by instalments, and collection of all remaining instalments in a single payment; and
  2. deprivation from applying for payment of Public Funds by instalments for a period of two (2) consecutive years starting from the date on which he defaults in payment.
- b. The punitive measures provided for in paragraph (a) of this Article will be imposed without prejudice to taking any other measures or actions stipulated in the legislation in force to claim the unpaid amount from the person making payment by instalments.

### **Maintaining Financial Books, Records, and Documents**

#### **Article (28)**

- a. A Government Entity must maintain the following financial books, records, and documents whether in a paper or electronic format:

## **1. Ledger Group**

This includes:

- journal;
- general ledger;
- creditor ledger;
- debtor ledger;
- fixed assets ledger; and
- inventory ledger.

## **2. Financial Records Group**

This includes:

- suppliers and contractors' record;
- customers record;
- bounced cheques record;
- petty cash and imprest record; and
- tax return record.

## **3. Financial Documents Group**

This includes:

- cash receipts;
- cheque receipts;
- cash disbursement vouchers;
- cheque disbursement vouchers;
- cash transfer vouchers;
- stock receiving note;
- purchase orders;
- tax invoices; and
- bank statements.

- b. The DOF may require maintaining any financial books, records, and documents in addition to those stipulated in paragraph (a) of this Article.
- c. A Government Entity must keep the books, records, and documents set forth in paragraph (a) of this Article, together with any additional books, records, and documents prescribed by the DOF pursuant to paragraph (b) of this Article, for at least ten (10) years from the date of approving the Financial Statements for the relevant Financial Year. These books, records, and documents may be copied using any electronic or digital method as from the date of keeping them.
- d. The period referred to in paragraph (c) of this Article may be extended for keeping the financial books, records, and documents related to any disputed rights between the

Government Entity and any other party, until the final settlement of such disputes or the lapse of the relevant limitation period, whichever comes first.

- e. The period of keeping disbursement and collection documents will commence at the beginning of the Financial Year following the year in which these documents cease to be used. The period of keeping contracting documents, including financial Contracts, will commence from the date of satisfaction of all contractual obligations stipulated in the relevant Contract or contractual document, including the expiry of the warranty and maintenance periods.
- f. financial books, records, and documents must be kept in an organised manner that ensures their protection and easy access thereto when needed, in accordance with the relevant rules and procedures adopted by the DOF in this respect.
- g. A Government Entity will prepare lists of the financial books, records, and documents to be discarded, within three (3) months after the end of their keeping period.

### **Donations and Aid**

#### **Article (29)**

- a. Neither the Heads of Government Entities nor the Employees of these entities may accept any donations or aid of any value without first obtaining the approval of the competent authority in the Emirate.
- b. Donations and conditional monetary aid will be spent through the disbursement channels prescribed by the donor or the entity granting the aid.
- c. The donations and monetary aid for which the donor or the entity granting the aid does not prescribe the disbursement channels, or conditions for use, will be disposed of in coordination with the DOF.
- d. The Purchases and supplies procured, and the disbursements made, out of donations and monetary aid will be governed by the provisions of the legislation applicable to Government Purchases.
- e. A Government Entity must coordinate with the DOF prior to accepting any in-kind donations or aid. Such donations and aid will, upon their acceptance, form part of the assets and property of the Government Entity.
- f. A Government Entity may, for any reasons relating to the achievement of the public interest, sell in-kind donations and aid upon the recommendations of the DOF. The sale proceeds must be paid into the account designated by the DOF.

**Issuing Implementing Resolutions**  
**Article (30)**

The Director General will issue the resolutions, circulars, and instructions required for the implementation of the provisions of this Resolution.

**Repeals**  
**Article (31)**

The above-mentioned Executive Council Resolution No. (5) of 2019 is hereby repealed. Any provision in any other resolution will also be repealed to the extent that it contradicts the provisions of this Resolution.

**Publication and Commencement**  
**Article (32)**

This Resolution will be published in the Official Gazette and will come into force on the day on which it is published.

**Hamdan bin Mohammed bin Rashid Al Maktoum**  
**Crown Prince of Dubai**  
**Chairman of the Executive Council**

Issued in Dubai on 4 March 2021  
Corresponding to 20 Rajab 1439 A.H.