

Law No. (13) of 2023
Establishing the
Hamdan bin Rashid Al Maktoum
Foundation for Medical and Educational Sciences¹

We, Mohammed bin Rashid Al Maktoum, Ruler of Dubai,

After perusal of:

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

Law No. (3) of 2003 Establishing the Executive Council of the Emirate of Dubai;

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

Law No. (12) of 2017 Regulating Civil Society Organisations in the Emirate of Dubai;

Law No. (14) of 2017 Regulating Endowments and Gifts in the Emirate of Dubai;

Decree No. (5) of 1999 Establishing the Sheikh Hamdan bin Rashid Al Maktoum Award for Medical Sciences and its amendments;

Decree No. (9) of 2015 Regulating the Raising of Donations in the Emirate of Dubai;

Decree No. (16) of 2018 Concerning the Hamdan bin Rashid Al Maktoum Foundation for Distinguished Academic Performance and its amendments;

Decree No. (9) of 2022 Placing Private Public-benefit Entities Established Pursuant to Legislation under the Supervision and Audit of the Community Development Authority in Dubai;

Resolution No. (1) of 2019 Forming the Board of Trustees of the Hamdan bin Rashid Al Maktoum Foundation for Distinguished Academic Performance; and

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¹Every 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.

Resolution No. (18) of 2022 Appointing the President of the Hamdan bin Rashid Al Maktoum Foundation for Distinguished Academic Performance;

Do hereby issue this Law.

Title of the Law

Article (1)

This Law will be cited as "Law No. (13) of 2023 Establishing the Mohammed bin Rashid Al Maktoum Foundation for Medical and Educational Sciences".

Definitions

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.
Executive Council:	The Executive Council of the Emirate of Dubai.
DOF:	The Department of Finance in the Emirate.
HBRFMES:	The Hamdan bin Rashid Al Maktoum Foundation for Medical and Educational Sciences.
President:	The president of the HBRFMES.
Board of Trustees:	The board of trustees of the HBRFMES.
Executive Director:	The executive director of the HBRFMES.

Establishment of the HBRFMES

Article (3)

Pursuant to this Law, a non-profit foundation named the “Hamdan bin Rashid Al Maktoum Foundation for Medical and Educational Sciences” is established. The HBRFMES will have legal personality and the legal capacity required to undertake all acts and dispositions that ensure the achievement of its objectives, in accordance with the provisions of this Law and its Charter.

Head Office of the HBRFMES

Article (4)

The head office of the HBRFMES will be located in the Emirate. The Board of Trustees may, pursuant to a resolution it issues in this respect, establish branches and offices of the HBRFMES within and outside of the Emirate.

Objectives of the HBRFMES

Article (5)

The HBRFMES aims to:

1. support the Government and society efforts in highlighting the importance of the education and medical sectors; and promote the culture of talent, innovation, excellence, and quality in these sectors;
2. contribute to improving the quality and levels of performance and creativity within educational and medical institutions at the local and international levels, and enhancing the relevant elements and resources, in accordance with international best practices;
3. contribute to the establishment and support of innovation, talent, and scientific research centres and programmes;
4. support the talented and talent tracks; build the capacity of the talented and create a nurturing environment to foster, support, and invest in their talent; and develop talent programmes;
5. encourage scientific research on excellence and talent, particularly in areas of national priority;

6. encourage and motivate creative, innovative, and distinguished persons, and researchers; recognise the achievements of individuals, universities, institutions, research centres, and other entities engaged in the education and medical sectors at the local, regional, and international levels; and recognise researchers who develop outstanding research papers that serve the community and enrich scientific research; and
7. support the sustainability of excellence in areas related to the work of the HBRFMES in accordance with the international best practices.

Functions of the HBRFMES

Article (6)

For the purpose of achieving its objectives, the HBRFMES will, without prejudice to the provisions of applicable legislation, have the duties and powers to:

1. sponsor and support the general policies aimed at developing education and medicine, scientific and medical research, and specialised reports on educational and medical excellence, innovation, and talent; and sponsor creative projects;
2. contribute to promoting the concept of excellence, talent, and innovation by providing scholarships, human development programmes, specialised studies, and electronic platforms;
3. design and manage programmes, centres, and advanced laboratories in the fields of educational and medical excellence, talent, and innovation;
4. bolster local and international partnerships in fields that are relevant to the achievement of the objectives of the HBRFMES with a view to promoting the exchange of knowledge and expertise, keeping pace with the latest knowledge developments, providing educational opportunities for creative persons, and highlighting the endeavours of the UAE in these fields;
5. establish companies and corporations, either solely or in partnership with other persons, in fields that are relevant to the work of the HBRFMES;
6. organise events, exhibitions, conferences, workshops, and specialised programmes; and produce translations and publications, in fields that are relevant to the achievement of the objectives of the HBRFMES;

7. issue periodic studies, reports, and bulletins in fields that are relevant to the work of the HBRFMES;
8. design and launch local, regional, and international awards in the fields that are relevant to the work of the HBRFMES;
9. recognise institutions and individuals who provide voluntary educational and medical services with a view to alleviating the suffering of those affected by natural disasters, destructive wars, epidemics, and famines;
10. publish scientific and medical research and establish effective communication between scientists and physicians in the UAE and international research, academic, and medical centres, with a view to benefiting from the expertise of these centres; and
11. exercise any other duties or powers required for the achievement of the objectives of the HBRFMES, as assigned to it by the President or the Board of Trustees.

Management of the HBRFMES

Article (7)

The HBRFMES will be managed in accordance with this Law, the resolutions issued in pursuance hereof, and its Charter.

President of the HBRFMES

Article (8)

A President will be appointed to the HBRFMES pursuant to a decree of the Ruler. The President will exercise the duties and powers assigned to him under this Law and the Charter of the HBRFMES.

Board of Trustees of the HBRFMES

Article (9)

- a. The HBRFMES will be managed by a Board of Trustees comprised of no more than nine (9) administratively and academically competent UAE national members, including the chairman and vice chairman. The Board of Trustees will be formed pursuant to a resolution of the

Chairman of the Executive Council. The term of membership in the Board of Trustees will be three (3) years, renewable for the same period.

- b. The Board of Trustees will convene at the invitation of its chairman, or vice chairman in case of absence of the chairman, at least once every three (3) months or where necessary. Meetings of the Board of Trustees will be valid if attended by the majority of its members, provided that its chairman or vice chairman is in attendance. Resolutions and recommendations of the Board of Trustees will be passed by majority vote of the attending members; and in the event of a tie, the chair of the meeting will have the casting vote.
- c. Resolutions and recommendations of the Board of Trustees will be recorded in minutes signed by the chair of the meeting and the attending members.
- d. A rapporteur will be appointed to the Board of Trustees by its chairman from amongst the HBRFMES employees. The rapporteur will be responsible for sending meeting invitations to the members of the Board of Trustees, preparing its meeting agendas, recording its minutes of meetings, following up the implementation of its resolutions and recommendations, and performing any other duties assigned to him by the chairman of the Board of Trustees.

Functions of the Board of Trustees

Article (10)

- a. The Board of Trustees is the highest authority responsible for managing the affairs of the HBRFMES, developing its general policy, and administering its work in a manner that achieves its objectives. For these purposes, the Board of Trustees will have the duties and powers to:
 - 1. approve the Charter of the HBRFMES and any amendment thereto, and submit the same to the President for final approval;
 - 2. approve the strategic plan and annual work plans of the HBRFMES based on its objectives, and provide the Executive Director with the Board of Trustees' directives on implementing these plans;
 - 3. approve the organisational structure of the HBRFMES, and submit the same to the President for final approval;

4. discuss the draft annual budget of the HBRFMES, and submit the same to the President for approval, in preparation for final approval by the competent entities in the Emirate;
5. approve the annual Financial Statements of the HBRFMES, and submit the same to the President for final approval;
6. approve the resolutions and bylaws governing the administrative, financial, and technical work of the HBRFMES, including the human resources regulations of the HBRFMES;
7. conduct supervision, guidance, and follow-up on the activities related to the achievement of the objectives of the HBRFMES;
8. issue the internal bylaws regulating all the activities of the HBRFMES, and pass the required resolutions that ensure proper conduct of these activities and flow of work;
9. prepare periodic and final reports on all the work and activities of the HBRFMES, and submit the same to the President to issue the relevant directives as he deems appropriate;
10. determine the monetary value of the HBRFMES awards, and submit the same to the President for approval;
11. approve the criteria and grounds for selecting the winners of the HBRFMES awards;
12. approve nominations for all categories of the awards of the HBRFMES;
13. approve the withdrawal of the HBRFMES awards in accordance with the relevant adopted policies;
14. approve the general and particular eligibility criteria for nomination for the HBRFMES awards and for selection of winners;
15. form permanent and temporary specialised sub-committees and work teams in accordance with the requirements of the HBRFMES activities and objectives; and determine their duties, powers, and tenures;
16. approve the establishment of all types of companies and establishments with a view to achieving the objectives of the HBRFMES, and have the same finally approved by the President;

17. approve the general policy for investing the property of the HBRFMES and develop the procedures and rules required to use the returns on investment in the fields and projects approved by the HBRFMES, and submit the same to the President for approval; and
 18. exercise any other duties or powers related to the achievement of the objectives of the HBRFMES, as assigned or delegated to it by the President.
- b. The Board of Trustees may delegate any of the powers stipulated in paragraphs (a)(6), (a)(7), and (a)(8) of this Article to any of its members or to the Executive Director, provided that such delegation is specific, in writing, and in accordance with the provisions of the legislation in force in the Emirate.

Executive Body of the HBRFMES

Article (11)

- a. The executive body of the HBRFMES will be comprised of the Executive Director and a number of administrative, finance, and technical employees.
- b. The employees of the HBRFMES will be governed by the relevant human resources regulations approved by the Board of Trustees. The HBRFMES must prepare these regulations in coordination with the DOF.

Executive Director

Article (12)

- a. The Executive Director will be appointed pursuant to a resolution issued by the President upon the recommendation of the Board of Trustees.
- b. The Executive Director will be directly responsible to the Board of Trustees for performing the duties assigned to him under this Law, the resolutions issued in pursuance hereof, other legislation in force in the Emirate, and the Charter of the HBRFMES; and for performing any other duties assigned to him by the President or the Board of Trustees.

Functions of the Executive Director Article (13)

- a. The Executive Director will undertake the daily supervision of the work and activities of the HBRFMES; manage its affairs; and represent it in its relations with third parties. In particular, the Executive Director must exercise the duties and powers to:
1. propose the general policy, and strategic and development plans, of the HBRFMES; and submit the same to the Board of Trustees for approval;
 2. follow up the implementation of the approved general policy, and strategic and development plans, of the HBRFMES; and submit the relevant necessary reports to the Board of Trustees;
 3. approve the operational plans and the initiatives, programmes, projects, studies, and recommendations that are related to the work and activities of the HBRFMES and are aligned with the approved general policy and strategic and development plans; and that enable the HBRFMES to achieve its objectives;
 4. propose the Charter of the HBRFMES and any amendments thereto, and submit the same to the Board of Trustees for approval;
 5. approve the work plans and programmes of the HBRFMES; and review, and assess the implementation of, the same on an annual basis;
 6. prepare the draft annual budget and Financial Statements of the HBRFMES, and present the same to the Board of Trustees for discussion;
 7. prepare the policy for granting and withdrawing the HBRFMES awards; and submit the same to the Board of Trustees for approval;
 8. supervise the daily work and the executive body of the HBRFMES, and appoint the technical and administrative staff required to perform the work of the HBRFMES in accordance with the legislation in force;
 9. propose the organisational structure of the HBRFMES, and submit the same to the Board of Trustees for approval in preparation for its final approval by the President;

10. propose the bylaws and resolutions regulating the financial, administrative, and technical work of the HBRFMES; and submit the same to the Board of Trustees for approval;
 11. propose the establishment of all types of companies and establishments with a view to achieving the objectives of the HBRFMES, and submit the same to the Board of Trustees for approval;
 12. form the committees and work teams required to enable the HBRFMES to perform its duties under this Law, the resolutions issued in pursuance hereof, and the Charter of the HBRFMES;
 13. represent the HBRFMES before third parties; and conclude contracts, agreements, and memoranda of understanding as required for the achievement of the HBRFMES objectives and for enabling it to exercise its duties and powers, in accordance with the relevant chart of approval powers adopted by the Board of Trustees; and
 14. exercise any other duties or powers related to the achievement of the HBRFMES objectives and to enabling it to exercise its duties and powers, assigned to him by the President or the Board of Trustees.
- b. The Executive Director may delegate to any of the HBRFMES employees any of his powers under sub-paragraphs (a)(8) and (a)(13) of this Article, provided that such delegation is specific, in writing, and in accordance with the directives of the Board of Trustees and with the legislation in force in the Emirate.

Financial Resources of the HBRFMES

Article (14)

The financial resources of the HBRFMES will consist of:

1. the support allocated to the HBRFMES by the Government of Dubai;
2. the proceeds generated from marketing, sponsorship, and organising events and conferences;
3. returns on the investment of the HBRFMES's property and assets;
4. fees and charges for services provided by the HBRFMES;

5. the grants, Gifts, Donations, bequests, Endowments, and Endowment proceeds, provided to the HBRFMES and accepted by the Board of Trustees; and
6. any other resources approved by the Board of Trustees.

Accounts and Financial Year of the HBRFMES

Article (15)

- a. In managing its accounts and records, the HBRFMES will apply the rules and principles of government accounting, in accordance with the legislation in force in the Emirate.
- b. The Financial Year of the HBRFMES will commence on 1 January and will end on 31 December of each Year, except that the first Financial Year will commence on the date on which this Law comes into force and will end on 31 December of the following Year.

Transfer and Succession

Article (16)

- a. As of the date on which this Law comes into force, the following will be transferred to the HBRFMES:
 1. all the duties and functions assigned to the Sheikh Hamdan bin Rashid Al Maktoum Award for Medical Sciences and the Hamdan bin Rashid Al Maktoum Foundation for Distinguished Academic Performance under the above-mentioned Decree No. (5) of 1999 and Decree No. (16) of 2018 respectively, and the resolutions issued in pursuance thereof;
 2. the ownership of the real property, movables, assets, devices, equipment, and other property of the Sheikh Hamdan bin Rashid Al Maktoum Award for Medical Sciences and the Hamdan bin Rashid Al Maktoum Foundation for Distinguished Academic Performance;
 3. the employees of the Sheikh Hamdan bin Rashid Al Maktoum Award for Medical Sciences and the Hamdan bin Rashid Al Maktoum Foundation for Distinguished Academic Performance, and the financial appropriations allocated to these employees, in accordance with the provisions of the above-mentioned Law No. (1) of 2016 and other legislation in force in the Emirate and without prejudice to their existing rights; and

4. the financial appropriations allocated by the DOF to the Sheikh Hamdan bin Rashid Al Maktoum Award for Medical Sciences and the Hamdan bin Rashid Al Maktoum Foundation for Distinguished Academic Performance in their respective annual budgets.
- b. The HBRFMES hereby succeeds to all rights and obligations of the Sheikh Hamdan bin Rashid Al Maktoum Award for Medical Sciences and of the Hamdan bin Rashid Al Maktoum Foundation for Distinguished Academic Performance.

Compliance Article (17)

The HBRFMES must coordinate with the concerned entities in the Emirate to achieve compliance with the provisions of this Law within no later than three (3) months from the date on which this Law comes into force. The Chairman of the Executive Council may, where required and upon the request of the HBRFMES based on the relevant reports it prepares, extend this time limit for the period he deems appropriate.

Issuing Implementing Resolutions Article (18)

- a. Except for the resolutions which the President is exclusively authorised to issue under this Law, the chairman of the Board of Trustees will, subject to the approval of the Board of Trustees, issue the resolutions required for implementing the provisions of this Law.
- b. With the exception of the resolutions which the Board of Trustees is exclusively authorised to issue under this Law, the Executive Director will, within the powers vested in him, issue the resolutions required for the implementation of this Law.

Repeals Article (19)

- a. Pursuant to this Law, the following legislation is repealed:
 1. Decree No. (5) of 1999 Establishing the Sheikh Hamdan bin Rashid Al Maktoum Award for Medical Sciences and its amendments;

2. Decree No. (16) of 2018 Concerning the Hamdan bin Rashid Al Maktoum Foundation for Distinguished Academic Performance and its amendments;
 3. Resolution No. (1) of 2019 Forming the Board of Trustees of the Hamdan bin Rashid Al Maktoum Foundation for Distinguished Academic Performance;
 4. Decree No. (18) of 2022 Appointing the President of the Hamdan bin Rashid Al Maktoum Foundation for Distinguished Academic Performance; and
 5. the resolution forming the Board of Trustees of the Sheikh Hamdan bin Rashid Al Maktoum Award for Medical Sciences, issued on 24 December 2019.
- b. Any provision in any other legislation is hereby repealed to the extent that it contradicts the provisions of this Law.
- c. The legislation issued in implementation of the above-mentioned Decree No. (5) of 1999 and Decree No. (16) of 2018 will continue in force, to the extent that they do not contradict this Law or other legislation in force in the Emirate, until new superseding legislation is issued.

Publication and Commencement

Article (20)

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

Mohammed bin Rashid Al Maktoum

Ruler of Dubai

Issued in Dubai on 14 June 2023

Corresponding to 25 Thu al-Qidah 1444 A.H.