

Administrative Resolution No. (51) of 1998
Issuing the Implementing Bylaw of Local Order No. (89) of 1994
Regulating the Engineering Consultancy Profession in the Emirate of
Dubai¹

The Director General of the Dubai Municipality,

After perusal of:

The powers legally vested in him pursuant to the Order Establishing the Dubai Municipality (the “**DM**”); and

Local Order No. (89) of 1994 Regulating the Engineering Consultancy Profession in the Emirate of Dubai, as amended by Local Order No. (106) of 1997, and

For the purpose of regulating Engineering Firms and supervising their work with a view to developing and promoting the engineering consultancy profession in the Emirate of Dubai, and

In accordance with work requirements,

Does hereby issue this Resolution.

Article (1)

In implementing this Bylaw, the following two (2) terms, wherever mentioned in this Resolution, will have the meaning indicated opposite each of them unless the context implies otherwise:

Local Order: Local Order No. (89) of 1994 Regulating the Engineering Consultancy Profession in the Emirate of Dubai, as amended by Local Order No. (106) of 1997.

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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.

Committee: The Committee for Registration and Licensing of Engineering Consultants in the Emirate of Dubai formed pursuant to Administrative Resolution No. (168) of 1994.

Chapter One

Procedures for Registration on the Register of Engineering Consultants Article (2)

The Committee is hereby assigned to create a register named the "Register of Engineering Consultants" (the "**Register**") in accordance with the modern systems and technologies adopted by the DM. The Register must include the following information:

1. full name and address of the Engineer;
2. nationality and birthdate of the Engineer;
3. academic degree, field of specialisation, name of the university awarding the degree, year of graduation, and the name of the country where the university awarding the degree is located;
4. number of years of experience in the field of specialisation after obtaining the university degree;
5. date of joining the Society of Engineers in the UAE and the membership number;
6. residence permit number and the dates of its issuance and expiry, for non-UAE nationals;
7. position occupied by the Engineer in the Engineering Firm; and
8. any other details as deemed necessary by the Committee to include in the Register.

Article (3)

An application for registration on the Register will be submitted to the Committee at the time of submitting the application for the licensing and establishment of the Engineering Firm, or upon appointing qualified technical staff. The

application must be submitted on the form prescribed for this purpose, supported by the following documents:

1. for a UAE national, a copy of the family book (*Khulasat Qaid*); or for a non-UAE national, a copy of a valid passport;
2. a certificate of good conduct issued by the competent entity in the Emirate;
3. a duly attested copy of the academic qualification, indicating the Engineering Specialisation;
4. certificate of experience in the field of specialisation after obtaining the university degree;
5. a copy of membership card with the UAE Society of Engineers;
6. a document issued by the Department of Economic Development stating the type of commercial activities for which the applicant is granted trade licences to verify whether the applicant is an owner of or a partner in any of the establishments stated in Article (5) of the Local Order which conflicts with practising the engineering consultancy profession;
7. a written undertaking by the applicant not to conduct the activity of trading in building materials, in case he has a licence to conduct the activity of general trading;
8. a written undertaking by the non-UAE national Engineer to work on a full-time basis in the Engineering Firm, and to reside in the UAE for no less than nine (9) months per year; and
9. any other documents required by the Committee.

Chapter Two

Fields of Engineering Consultancy Profession in the Emirate Article (4)

Without prejudice to the jurisdiction of the Committee to approve new Engineering Specialisations and engineering branches, the following Engineering Specialisations may be practised by engineering consultancy professionals:

1. architectural engineering consultancy;
2. civil engineering consultancy;

3. electrical and electronic engineering consultancy;
4. mechanical engineering consultancy;
5. mining, metallurgical, and geological engineering consultancy; and
6. chemical and petroleum engineering consultancy.

Schedule (1) attached hereto and approved by the Director General of the DM contains classifications of major Engineering Specialisations that are listed under each of the Engineering Specialisations referred to in the preceding paragraph.

Article (5)

A local civil or architectural Engineering Firm may practise the Engineering Specialisations that are related to its core activity and may add any of the Engineering Specialisations stated in the preceding paragraph, subject to the following:

1. The additional Engineering Specialisation requested to be added must be similar, or related, to the applicant firm's main specialisation.
2. An Engineer specialised in the specialisation requested to be added must be a partner in the Engineering Firm.

Article (6)

The projects and works authorised to be carried out by a local civil or architectural Engineering Firm, which is licensed to practise the architectural or civil engineering consultancy profession, will be determined based on the classification category of the works and projects conducted by that firm as follows:

First Category: Works and projects consisting of buildings with unlimited number of floors;

Second Category: Works and projects consisting of buildings comprising G + 12 typical floors; and

Third Category: Works and projects consisting of buildings comprising G + 4 typical floors.

Chapter Three

Establishment, Renewal of Licences, and Re-classification of Local Engineering Firms

I. Procedures for Establishing Local Engineering Firms

Article (7)

An application for a licence to establish a local Engineering Firm will be submitted on the form prescribed for this purpose, accompanied by the following documents:

1. copies of the certificates of registration on the Register of the licence applicant and the qualified technical staff;
2. for a UAE national, a copy of the family book (*Khulasat Qaid*); and for a non-UAE national, a copy of a valid passport and valid residence permit;
3. the original initial approval issued by the Department of Economic Development authorising the issuance of a licence to conduct of the activity of engineering consultancy;
4. a statement issued by the Department of Economic Development of the trade licences issued in the names of the licence applicant and the managing director to verify that the licensed activities do not conflict with the engineering consultancy profession;
5. a written undertaking by the applicant not to conduct the activity of trading in building materials, in case he has a licence to conduct the activity of general trading;
6. a written undertaking by the non-UAE national Engineer to work on a full-time basis in the Engineering Firm, and to reside in the UAE for no less than nine (9) months per year;
7. for a UAE-national applicant, a certificate of no objection to obtain a local Engineering Firm licence, issued by the employer;
8. for a non-UAE national Engineer, a letter of no objection, from his previous sponsor, to work at the Engineering Firm to be established; and
9. the contracts of partnership in the Engineering Firm concluded between the partners. These contracts must contain all basic details, such as the names, nationalities, and addresses of the partners; the activities and works to be

conducted; the term of the partnership; the share of each partner in the firm's share capital; and the names of the persons authorised to sign and act on its behalf.

Article (8)

The activity of a local Engineering Firm licensed for the first time will be classified under the third category, regardless of the number of years of experience of the licence applicant. However, and notwithstanding the provisions of the preceding paragraph, the activity of a local Engineering Firm may be classified under the second category, subject to fulfilling the following conditions:

1. The applicant must have previously owned, or still owns, an Engineering Firm in the UAE.
2. The applicant must have years of experience in practising the engineering consultancy profession equal to the minimum experience required for classification under the second category.
3. The Engineering Firm must have implemented a projects portfolio conforming with the minimum track record and standards required for such a category.

II. Procedures for Renewal of Local Engineering Firms Licences

Article (9)

An application for renewal of a local Engineering Firm's licence will be submitted on the form prescribed for this purpose. In case of applying for any amendments or changes to the details of documents relating to the firm, all the documents referred to in Article (7) hereof must be attached.

Article (10)

In considering the licence renewal applications of local Engineering Firms, submitted prior to the expiry of the grace period granted for compliance, these firms must be evaluated and classified under one of the categories referred to in Chapter Four hereof, based on the technical standards of each category.

Article (11)

An Engineering Firm, whose technical capabilities do not conform with the category under which it is classified, must comply with the standards required for such a category within the period prescribed by the Committee.

Article (12)

In issuing licences and renewing the licences of local Engineering Firms conducting the activity of electrical, electronic, mechanical, mining, metallurgical, and geological, chemical, and petroleum engineering, the provisions related to establishment and renewal of the licences of local Engineering Firms stipulated in this Resolution will apply. These firms will be classified into the categories referred to in Article (23) of the Local Order, based on the minimum number of years of professional experience prescribed for each category under Article (24) of the Local Order.

III. Reclassification of Local Engineering Firms

Article (13)

A licence holder may, upon applying for a licence renewal, submit an application to the Committee for reclassification of his firm under a category that is higher than its current category based on the new technical conditions of the firm. The application will be submitted on the reclassification form prescribed by the DM for this purpose, accompanied by the following documents:

1. the original licence issued to the Engineering Firm to practise the engineering consultancy profession;
2. a statement of the number and names, academic and professional qualifications, and number of years of work experience of the full-time technical staff working at the firm;
3. a statement of the total area, nature, and type of the works and projects designed by the firm and approved by the Building Permits Committee; and the total area and types of the works and projects whose implementation and delivery the firm supervised during the last three (3) years prior to the date of application for reclassification to a higher category, or during the period the firm spent in the previous category.

Article (14)

The right to apply for re-classification from one category to a higher category will be restricted to the Engineering Firms that are in compliance with the provisions of the Local Order and to those that complied with the provisions, rules, and conditions stated therein.

Article (15)

An Engineering Firm may not apply for re-classification into a higher category except after the lapse of:

1. one (1) full year from the date of being classified and placed under the current category; or
2. three (3) years from the date of its last re-classification.

Article (16)

In considering a submitted re-classification application, the evaluation of the Engineering Firm must be based on the number of full-time technical staff employed by the firm, the number of activities conducted by the firm, the total area and number of approved projects implemented in accordance with the firm's category, and the extent to which these projects conform to the relevant technical standards for each of these factors.

Chapter Four

Technical Standards for Evaluating Local Engineering Firms

Article (17)

Evaluation of a local Engineering Firm for the purpose of classifying and placing them under one of the above-mentioned categories will be in accordance with the technical standards stated in Schedule (2) attached hereto and approved by the Director General of the DM.

Article (18)

The technical standards set forth in Schedule (2) will apply in evaluating local Engineering Firms for purposes of considering applications submitted for:

1. establishing an Engineering Firm for the first time;
2. renewing the licence of an existing Engineering Firm that has observed the compliance clause within the legally prescribed timeframe; and
3. re-classification into a higher category upon the advent of new conditions related to the status of a licensed Engineering Firm.

Article (19)

The minimum number of activities conducted by a local Engineering Firm, regardless of the category under which it is classified, may not be less than two (2) related activities.

Article (20)

The minimum number of Engineers working on a full-time basis in an Engineering Firm must be proportionate to the number of activities conducted by the firm and the category under which it is classified. Where the number of activities exceeds the minimum number required, the engineering staff must be increased in accordance with Schedule (3) attached hereto and approved by Director General of the DM.

Chapter Five

Establishment and Renewal of Licenses of Associated Engineering Firms, Expert Engineering Firms, and Branches of Foreign Engineering Firms Article (21)

Licences to establish associated or foreign Engineering Firms or expert Engineering Firms may be issued, if the purpose of establishing these firms is to practise precision engineering specialisations. Without prejudice to the competence of the Committee to add other precision engineering specialisations in the future, the following will be considered among the precision engineering specialisations:

1. Architectural and Civil Engineering:
 - a. specialised engineering studies;

- b. premium hotels; specialised trade centres; tower compounds; educational, cultural, social, and sport compounds; hospitals; and specialised clinics;
 - c. public parks and recreational facilities;
 - d. roads, bridges, airports, ports, tunnels, and car parks; and
 - e. sewerage and irrigation systems; sewerage water and irrigation water treatment plants; water distribution systems; main water collecting reservoirs; and dams.
2. Mechanical, Electrical, and Electronic Engineering:
- a. power generation, transmission, and distribution systems within the public network;
 - b. telecommunication systems and power transmission line towers; and
 - c. mechanical and electromechanical systems for specialised projects.
3. Mining, Metallurgical, Geological, Chemical, and Petroleum Engineering:
- a. projects for the production, transport, and distribution of oil and gas; and
 - b. petrochemical facilities and plants.

Article (22)

An application for a licence to establish an Engineering Firm specialising in any of the fields stated in the preceding article will be submitted to the Committee on the form prescribed by it for this purpose, accompanied by the following documents:

1. a copy of certificates of registration on the Register of the licence applicant, managing director of the firm, and the qualified technical staff;
2. the original initial approval issued by the Department of Economic Development authorising the issuance of a licence to conduct of the activity of engineering consultancy;
3. a statement issued by the Department of Economic Development showing the trade licences issued in the names of licence applicant and the managing

director of the firm to verify whether they conduct an activity that conflicts with practising the engineering consultancy profession;

4. information and documents relating to the technical and engineering staff who will work in the precision engineering specialisation applied for;
5. documents and certificates showing the number of years of work experience in the precision engineering field;
6. a detailed portfolio of previous works and projects implemented by the Engineering Firm applying for the licence;
7. a copy of the memorandum of association of the Engineering Firm registered in the country in which it is established;
8. undertakings by the licence applicant and the engineering staff to work at the Engineering Firm on a full-time basis;
9. a document proving the appointment of a Local Service Agent of the Engineering Firm applying for a licence; and
10. any other documents required by the Committee.

Article (23)

An application for renewal of the licence of an Engineering Firm referred to in the previous Article will be submitted on the form prescribed for this purpose. In case of applying for any amendments or changes to the details of the documents relating to the firm, the application must be accompanied by the following documents:

1. a copy of the membership cards of the licence holder and the technical and engineering staff with the Society of Engineers in the UAE;
2. a portfolio of the completed and ongoing works and projects for the two-year term of the expired licence;
3. the documents relating to the adjustments made to the status of the firm, if any, especially those relating to the engineering staff;
4. a statement issued by the Department of Economic Development of the trade licences issued in the names of the licence holder and managing director of

the firm to verify that the licensed activities do not conflict with the practice of the engineering consultancy profession;

5. a copy of the authorisation given by the parent foreign company stating the continuation of the authorisation of the managing director to act as the resident general manager of the Engineering Firm, in case of a temporary authorisation; and
6. any other documents required by the Committee.

Article (24)

The terms and details of a contract regulating the legal relationship between a licence holder in an expert Engineering Firm or in a branch of a foreign Engineering Firm and the local service agent must be in accordance with the terms and details stated in the standard contract for the appointment of the "Local Service Agent" attached hereto and approved by the Director General of the DM.

Chapter Six Final Provisions Article (25)

An issued licence will be valid for a period of two (2) years, renewable once or several times for the same period upon application by the licence holder, in accordance with the renewal provisions stipulated herein.

Article (26)

A managing director may be appointed from amongst the technical staff of the Engineering Firm. The managing director will be vested with the powers to sign and act on behalf of the firm, subject to satisfying the following conditions:

1. He must be an Engineer registered on the Register.
2. He must be working at the Engineering Firm on a full-time basis.
3. He must have the period of experience required to be met by the licence holder and prescribed for working at each type of Engineering Firms as stipulated in Article (19) of the Local Order.

Article (27)

An engineering firm must conclude a consultancy works or service contract with the owner based on the standard contract attached hereto and approved by the Director General of the DM. This contract must at least include the following terms:

1. accurate identification of the parties to the contract;
2. identifying the engineering works subject matter of the contract;
3. specifying the contracting period agreed upon for the implementation of the engineering works or services;
4. the estimated financial cost of the project;
5. determining of the fees agreed upon and terms of payment;
6. the duties of the engineering firm of preparing, and supervising the implementation of, studies, designs, and drawings; or of performing these duties;
7. conditions of termination of the contract, and the penalty and fines clauses, if any; and
8. specifying the governing law in the event of any dispute that may arise in respect of performance of the contract, and the competent judicial authority for purposes of hearing and determining the dispute.

Article (28)

Only the Engineering Firms whose establishment procedures are consistent with the legislation in force by the effective date of the Local Order will be entitled to the compliance grace period. As for Engineering Firms which were non-compliant with such legislation and the provisions of the Local Order, the Committee may grant them a period not exceeding three (3) months from the date of filing a licence renewal application to comply with the provisions thereof.

Article (29)

The Committee will have jurisdiction to consider and investigate the acts committed by Engineering Firms in violation of the provisions of the Local Order; and to impose the relevant penalties stipulated in Article (30) below.

Article (30)

An Engineering Firm which is in violation of the provisions of the Local Order, its Implementing Bylaw, the legislation and regulations in force, or the instructions issued from time to time by the Committee, will be punished, after being warned, by one or more of the following penalties:

1. prohibition from accepting any new engineering works for six (6) months. Upon repetition of the same violation, the firm's licence will be suspended for a period of not less than one (1) year and not more than two (2) years;
2. a fine of no more than fifty thousand dirhams (AED 50,000.00); and/or
3. revocation of the licence.

Article (31)

The chairman of the Committee for the Registration and Licensing of Engineering Consultants must issue any bylaws or instructions required to ensure the proper implementation hereof.

Article (32)

This Resolution comes into force on the day on which it is issued, and will be published the Official Gazette.

Qasim Sultan

Director General

Dubai Municipality

Issued on 3 March 1998

Corresponding to 5 Thu al-Qidah 1418 A.H.

Schedule (1)
Engineering Specialisations

Architectural Engineering Specialisations	Civil Engineering Consultancy Specialisations	Electrical and Electronic Engineering Consultancy Specialisations	Mechanical Engineering Consultancy Specialisations	Mining, Metallurgical, and Geological Engineering Consultancy Specialisations	Petroleum and Chemical Engineering Consultancy Specialisations
– Architectural Engineering – Landscape Engineering – Interior Design Engineering – Archaeological Restoration and Conservation Engineering – Urban Planning and City Design Engineering – Environmental Engineering	– Roads and Traffic Engineering – Building Construction Engineering – Foundation and soil Mechanic Engineering – Survey Engineering – Water, Sewerage, and Irrigation Engineering – Ports Engineering – Airport Engineering – Bridges and Subways Engineering – Civil Projects Management	– Power and Automatic Control – Electricity Networks and Distribution Engineering – Telecommunications Engineering – Medical Engineering – Electronic Machines Engineering – Aerial Navigation□ Machines Engineering	– Heating, Ventilation, Air Conditioning, and Refrigeration Engineering (HVACR) – Mechanical Power Engineering – Industrial Production Engineering – Aeronautics/Vehicles/Ships Engineering – Fluid Mechanics Engineering – Physical Engineering – Nuclear Engineering – Machines Mechanics Engineering – Heavy Equipment Engineering – Oil and Gas Reservoirs Pipelines Building Engineering – Petroleum Refining Plan□ Engineering	– Gas Extraction Engineering – Raw Material Compounding Engineering – Mining and Metallurgical Equipment Engineering – Mining, Petrol, Underground and Surface – Water Engineering – Geophysics, Geochemistry and Geomechanical Engineering	– Minerals Engineering – Plastics Engineering – Manufacturing and Materials Engineering – Petrochemicals Engineering – Petrol Refining Engineering – Petrol Exploration Engineering – Drilling, Stock, and Production Engineering

Schedule (2)
Standards Required for Evaluation

Category	Permitted Projects and Works	Minimum Number of Specialisations	Licence Holders and Minimum Number of Technical Staff Required and their Experience	Portfolio of the Firm							
				Average Total Area/ Year		Average Number of Projects/ Year					
				Approved	Completed	Approved			Completed		
						Villas	Investment	Industrial/ Entertainment/ Services	Villas	Investment	Industrial/ Entertainment/ Services
First Category	Buildings with unlimited number of floors	2	*Licence holder 10 years for UAE nationals and 15 years for non-UAE nationals *Technical Staff 3 architects with experience of not less than 10 years 3 civil engineers with experience of not less than 10 years 1 engineer regardless of his experience or specialisation *Licence holder working on full-time basis is considered of the Technical Staff	420,000 sq. ft. (60,000 x 7)	210,000 sq. ft. (30,000 x 7)	5	4	3	3	3	1
Second Category	Buildings comprising G + 12 floors	2	*Licence Holder 5 years for UAE nationals and 10 years for non-UAE nationals *Technical Staff 2 architects with experience of not less than 7 years 2 civil engineers with experience of not less than 7 years 1 engineer regardless of his experience or specialisation	250,000 sq. ft. (50,000 x 5)	1,250,000 sq. ft. 25,000 x 5	5	3	3	3	2	1

			*Licence holder working on full-time basis is considered of the Technical Staff								
Third Category	Buildings comprising G + 4 floors	2	*Licence Holder 3 years for UAE nationals and 5 years for non-UAE nationals *Technical Staff 1 architect with experience of not less than 5 years 1 civil engineer with experience of not less than 5 years 1 engineer regardless of his experience or specialisation *Licence holder working on full-time basis is considered of the Technical Staff	120,000 sq. ft. (40,000 x 3)	60,000 sq. ft. (20,000 x 3)	6	1	3	3	1	1

Schedule (3)
Engineering Staff Required for Engineering Consultancy Firms

Total Number of Specialisations	Minimum Number of Engineers Working on a Full-time Basis		
	First Category	Second Category	Third Category
2	7	5	3
3	8	6	4
More than 3	10	10	10

Qasim Sultan
Director General
Dubai Municipality