

Law No. (10) of 2005
Amending
Law No. (3) of 1996 Concerning Government Claims¹

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

After perusal of:

Law No. (3) of 1996 Concerning Government Claims, as amended by Law No. (4) of 1997; and
The Instructions Issued on 2 July 1992 Concerning Government Lawsuits,

Do hereby issue this Law.

Article (1)

The provisions of Article (2) and Article (3) of Law No. (3) of 1996 Concerning Government Claims, and its amendments, are hereby superseded by the following:

Article (2)

The following words will have the meaning indicated opposite each of them unless the context implies otherwise:

Ruler: His Highness the Ruler of Dubai, His Highness the Deputy Ruler of Dubai,
or His Highness the Crown Prince of Dubai.

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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.

Government: The Government of the Emirate of Dubai and any of its departments, including public corporations or authorities.

HHRC: His Highness the Ruler's Court.

Claims: Legal claims.

Article (3)

- a. Courts may not hear any Claim against the Ruler without obtaining approval of His Highness.
- b. A president or judge of a court will submit the statement of Claim to the director of the HHRC to present it to the Ruler. Where the Ruler approves filing the Claim, the statement of Claim will be returned to the court together with the approval to commence the proceedings.
- c. Claims against the Ruler will be brought against the director of the HHRC in his capacity as a defendant. Claims will be filed on behalf of the Ruler by the director of the HHRC who may appoint the attorney general or any lawyers, as he deems fit, to represent him.
- d. Claims against the Government will be brought against the attorney general as a defendant in his capacity as a representative of the Government, subject to the following procedures:
 1. any person wishing to file a Claim against the Government must submit full details of his Claim in writing to the office of the legal advisor to the Government of Dubai; and
 2. within one (1) week of receiving the details of the Claim, the legal advisor will send a letter describing the Claim to the relevant entity for its comments. The relevant entity must respond within fifteen (15) days from the date of receiving the letter. In the event of failure to amicably settle the dispute within two (2) months of the date of submitting the details of the Claim to the legal advisor, the claimant will have the right of recourse to the competent court.

Article (2)

The following Article (3) *bis* will be added to the above-mentioned Law No. (3) of 1996 Concerning Government Claims:

Article (3) bis:

1. No debt may be recovered from, and no obligation may be enforced against, the Ruler or the Government by way of taking possession, seizure, sale by public auction, or acquisition by any other legal process, of the property or assets of the Ruler or the Government, whether or not a final judgment in respect of such debt or obligation has been rendered.
2. Where a final judgment is rendered against the Government, the attorney general will submit a certified copy of the final judgment to the director of the HHRC to order its enforcement. A judgment rendered against the Ruler will be submitted to His Highness to order its enforcement. Enforcement departments may not take any action to enforce such judgments.

Article (3)

The Instructions Issued on 2 July 1992 Concerning Government Lawsuits are hereby repealed.

Article (4)

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

Maktoum bin Rashid Al Maktoum

Ruler of Dubai

Issued in Dubai on 10 May 2005

Corresponding to 2 Rabi al-Thani 1426 A.H.