

Law No. (13) of 2009
Establishing the
Hamdan bin Mohammed e-University¹

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

After perusal of:

Federal Law No. (4) of 1992 Establishing and Regulating the Ministry of Higher Education and Scientific Research;

Law No. (27) of 2006 Concerning Management of the Government of Dubai Human Resources;

Decree No. (27) of 2005 Establishing the e-College of Total Quality Management, and Minister of Higher Education and Scientific Research Resolution No. (20) of 2009 Licensing Hamdan bin Mohammed e-University to Engage in the Field of Higher Education,

Do hereby issue this Law.

Title
Article (1)

This Law will be cited as "Law No. (13) of 2009 Establishing the Hamdan bin Mohammed e-University".

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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.

Definitions

Article (2)

In implementing the provisions of this Law, the following words and expressions will have the meaning indicated opposite each of them unless the context implies otherwise:

UAE:	The United Arab Emirates.
Emirate:	The Emirate of Dubai.
HBMEU:	The Hamdan bin Mohammed e-University
President:	The president of the HBMEU.
Chairman of the Board of Governors:	Chairman of the Board of Governors of the HBMEU.
Board of Governors	The Board of Governors of the HBMEU.
Chancellor:	The chancellor of the HBMEU.
Vice Chancellor:	The vice chancellor of the HBMEU.
Assistants:	Assistant Vice Chancellors.
Council:	The university council of the HBMEU.

Chapter One

Establishment, Nature, Objectives and Duties of the HBMEU

Establishment of the HBMEU

Article (3)

1. Pursuant to this Law, a university named "Hamdan bin Mohammed e-University" is established. The HBMEU will have legal personality, financial and administrative autonomy, and the legal capacity required to undertake all the acts and dispositions that ensure the achievement of its objectives. The HBMEU may enter into contracts with third parties and sue and be sued in its own name.

2. The HBMEU will be comprised of a number of colleges, scientific research centres, and specialised institutes; and it will offer educational programmes for bachelor's, master's, and doctorate degrees in various academic fields, particularly business administration and quality management.
3. The head office of the HBMEU will be in the Emirate; and it may, pursuant to a resolution of the Board of Governors and based upon a recommendation by the Council, open branches within and outside of the Emirate.

Nature of the HBMEU

Article (4)

The HBMEU will have its own special academic nature in that it will provide education through electronic media, follow the knowledge-based economy approach, ensure quality, and support the international academic community, with a view to creating an opportunity for continuing education and providing top-value distinguished education and knowledge services to all members and institutions of the community.

Objectives of the HBMEU

Article (5)

The HBMEU will have the following objectives:

1. to become one of the resources of human thought; a hub for inference, dissemination, and renewal of knowledge; and for human resources development; at the Arab and international levels;
2. to effectively contribute to the process of development and progress, and serve the various sectors locally and internationally;
3. to keep abreast of modern practices related to quality and relevant topics;
4. to make outstanding developments and improvements in e-education and its applications; and
5. to advance scientific research and academic progress.

Duties and Functions of the HBMEU

Article (6)

For the purpose of achieving its objectives, the HBMEU will have the following duties:

1. to develop and implement distinguished higher education programmes with a view to providing the quality e-learning academic education required for achieving comprehensive development at the local, regional, and Arab levels;
2. to award academic degrees to students who successfully complete the accredited educational programmes;
3. to award academic degrees to any of the HBMEU faculty members or those conducting accredited research at the HBMEU, in accordance with the rules and standards adopted by the HBMEU;
4. to create continuing education opportunities in various academic areas in order to contribute to professional development that meets the needs of the community;
5. to promote scientific research with a focus on the applied research required for development plans; and publish such research locally, regionally, and internationally;
6. to foster and strengthen academic and cultural ties with other Arab and foreign universities and higher education institutes;
7. to provide consultations, technical services, and academic studies in various scientific fields and techniques;
8. to adopt state-of-the-art e-learning techniques, and maintain an infrastructure that meets the changing needs of students and the main elements that support the mission of the e-University; and
9. to hold conferences and seminars, and engage the community sectors in the various activities of the HBMEU.

Chapter Two

Management of the HBMEU Affairs

Organisational Structure of the HBMEU

Article (7)

The organisational structure of the HBMEU will be comprised of:

- I. The President
- II. the Board of Governors;
- III. the Chancellor;
- IV. the Council; and
- V. the Vice Chancellor.

I. President

Appointment and Powers of the President

Article (8)

1. The President will be appointed pursuant to a decree of the Ruler.
2. The President will have the duties and powers to:
 - a. appoint the Chairman and members of the Board of Governors;
 - b. appoint the Chancellor;
 - c. appoint the Vice Chancellor;
 - d. issue the implementing bylaw of this Law; and
 - e. issue the guidelines and instructions required for directing the policies that the HBMEU must adopt.

II. Board of Governors

Formation of the Board of Governors

Article (9)

1. The Board of Governors will be comprised of a Chancellor, a Vice Chancellor, and a number of experienced and specialised members appointed by a resolution issued by the President.
2. The term of membership of the Board of Governors will be for a renewable period of four (4) years.
3. The President may terminate the membership of any member of the Board of Governors and appoint another member to replace the terminated member, or any other member whose office falls vacant, until the expiry of the prescribed term of membership of the Board of Governors.
4. The Chancellor will appoint a secretary who will be responsible for taking minutes of meetings and documenting them in a special record signed by the Chancellor or his representative.

Meetings of the Board of Governors

Article (10)

1. The Board of Governors will hold at least two (2) ordinary meetings every year, and the Chancellor will determine the place and time of such meetings, and will notify the members thereof in writing at least thirty (30) days prior to the meeting scheduled date.
2. Extraordinary meetings may be held upon a request by the Chancellor or upon a written request submitted by at least three (3) members of the Board of Governors, in which case members of the rest of the Board of Governors will be notified of the meeting in writing at least two (2) weeks prior the meeting scheduled date.
3. Meetings of the Board of Governors will be valid if attended by the majority of its members, provided that the Chancellor or Vice-Chancellor is in attendance. The Board of Governors will issue its resolutions by the majority vote of attending members, and in the event of a tie, the chair of the meeting will have a casting vote.

Duties and Functions of the Board of Governors
Article (11)

The Board of Governors will have the duties and powers to:

1. undertake the general supervision of the management of the HBMEU;
2. set and follow-up the implementation of the general policy of e-learning and scientific research at the HBMEU;
3. effectively contribute to the advancement; guidance; and continuous performance appraisal of the HBMEU;
4. approve the strategic plan of the HBMEU in line with the strategic plans of the Emirate;
5. approve the financial policy and the annual budget of the HBMEU;
6. appraise and approve the annual report on the activities and achievements of the HBMEU;
7. nominate a manager for appointment;
8. approve educational programmes and approve establishing specialised colleges, institutes, and centres affiliated to the HBMEU;
9. approve the awarding of academic degrees and certificates;
10. determine tuition fees;
11. appoint the HBMEU auditors, determine their remuneration, and approve their reports; and
12. perform any other duties and functions that are relevant to the work of the Board of Governors as assigned by the President.

III. Chancellor

Appointing the Chancellor and Determining His Functions
Article (12)

1. The Chancellor will be appointed by a resolution issued by the President and will be responsible to the President and to the Board of Governors for exercising the duties and powers assigned to him.
2. The Chancellor will have the duties and functions to:
 - a. implement the general policy of the HBMEU, in a manner that ensures the achievement and furtherance of its objectives;
 - b. perform all the acts and activities he deems conducive to performing his duty to achieve the sustainable development of the HBMEU in accordance to the applicable laws and bylaws;
 - c. supervise the academic and administrative staff of the HBMEU;
 - d. submit reports to the President and the Board of Governors on the activities of the HBMEU; and
 - e. appoint Assistants, and academic and administrative staff of HBMEU.

IV. Council

Formation of the Council

Article (13)

1. The Council will be formed pursuant to a resolution of the Chancellor, under the chairmanship of the Chancellor, and with the membership of:
 - a. Vice Chancellor as deputy chairman;
 - b. Assistant Vice Chancellors; and
 - c. a number of academic and administrative staff.
2. The Chancellor may invite any experts or specialists he deems appropriate to attend the meetings of the Council without the right to vote on the Council resolutions.
3. The Chancellor will appoint, from among the HBMEU staff, a secretary for the Council who will be responsible for taking minutes of meetings and documenting them in a special record signed by the Chancellor or his representative.

Council Meetings

Article (14)

1. The Council will hold at least three (3) ordinary meetings every year, at the invitation of the Chancellor, or Vice Chancellor in case of absence of the Chancellor. The Chancellor will determine the place and time of such meetings and will notify members of each meeting at least thirty (30) days prior to the scheduled date of that meeting.
2. Extraordinary meetings may be held upon a request of the Chancellor or upon a written request submitted by at least three (3) Council members, in which case the other members of the Council will be notified of the date and place of the meeting at least two (2) weeks prior to the meeting scheduled date.
3. A Council meeting will be valid if attended by the majority of its members, provided that the Chancellor or Vice Chancellor is in attendance. The Council will issue its resolutions by majority vote of the attending members, and in the event of a tie, the chair of the meeting will have a casting vote.

Duties and Functions of the Council

Article (15)

The Council will supervise all the academic and administrative affairs of the HBMEU. For this purpose, the Council may:

1. develop the strategic plans of the HBMEU, in line with the strategic plans of the Emirate, and submit these to the Board of Governors for approval;
2. approve the annual operational plan and performance indicators of the academic and administrative units of the HBMEU;
3. approve and develop the educational curricula and plans of the HBMEU;
4. encourage scientific research, authorship, translation, and publishing, in accordance with the rules and conditions set by the Council;
5. approve student admission rules, and the requirements for transfer from and to the HBMEU;
6. make recommendations in respect of awarding academic certificates and degrees;

7. suggest educational programmes; and establish colleges, institutes, and specialised centres;
8. establish, merge, or shut down academic departments at colleges;
9. establish academic and professional societies, and grant approval for holding seminars and conferences;
10. decide on the promotion of faculty members, in accordance with the prescribed rules;
11. set the annual academic calendar in accordance with the general framework of study;
12. manage academic relations with other universities and scientific research centres;
13. form permanent and temporary committees and boards in the HBMEU, and determine their powers and terms of reference;
14. approve the internal bylaws of the colleges, institutes, and specialised centres of the HBMEU;
15. submit to the Board of Governors appropriate recommendations concerning levels of academic performance and achievements at the HMEU; and
16. perform any other duties or powers that are related to the nature of the work of the Council as assigned by the Board of Governors.

V. Vice Chancellor

Appointment and Functions of the Vice Chancellor

Article (16)

1. The Vice Chancellor will be appointed by a resolution of the President upon the recommendation of the Board of Governors.
2. The Vice Chancellor will assist the Chancellor in all the academic, administrative, and financial affairs of the HBMEU.

Chapter Three
Financial Affairs of the HBMEU

Financial Resources of the HBMEU
Article (17)

The financial resources of the HBMEU will consist of:

1. the support allocated to the HBMEU in the general budget of the Emirate;
2. tuition fees;
3. the revenue generated from the activities and projects undertaken by the HBMEU, and the revenue generated from the property owned by the HBMEU;
4. gifts, bequests, aid, and endowments accepted by the Board of Governors; and
5. any other resources approved by the Board of Governors.

Management of the HBMEU Property
Article (18)

The HBMEU will manage its property in accordance with the bylaws adopted by it in this respect. The HBMEU may own, possess, sell, take lease of, and dispose of real property, programmes, and equipment, as required for, and relevant to, achieving the objectives of the HBMEU.

Financial Year of the HBMEU
Article (19)

1. In regulating its accounts and records, the HBMEU will apply the rules and principles of commercial accounting, in accordance with internationally recognised standards.
2. The financial year of the HBMEU will commence on 1 January and will end on 31 December of each year, except that the first year will commence on the effective date of this Law, and will end on 31 December of the following year.

Chapter Four
Final Provisions

Repeals
Article (20)

Decree No. (27) of 2005 Establishing the e-College of Total Quality Management (“e-TQM College”) is hereby repealed.

Succession by the HBMEU of the e-TQM College
Article (21)

1. All rights, obligations, assets, and property of the e-TQM College are hereby transferred to the HBMEU.
2. All employees of the e-TQM College are hereby transferred to the HBMEU without prejudice to their existing rights.

Applicability of Human Resources Management Law
Article (22)

Law No. (27) of 2006 Concerning Management of the Government of Dubai Human Resources will apply to the Employees of the HBMEU.

Publication and Commencement
Article (23)

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 31 May 2009

Corresponding to 7 Jumada al-Thaniyah 1430 A.H.