

Law No. (16) of 2009
Establishing the
Centre for Amicable Settlement of Disputes¹

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

After perusal of:

Federal Law No. (11) of 1992 Issuing the Civil Procedure Code and its amendments;

Law No. (3) of 1992 Establishing the Dubai Courts and its amendments;

Law No. (1) of 1994 Concerning Court Fees and its amendments; and

Law No. (6) of 2005 Regulating the Dubai Courts and its amendments,

Do hereby issue this Law.

Article (1)

This Law will be cited as "Law No. (16) of 2009 Establishing the Centre for Amicable Settlement of Disputes."

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:

Emirate: The Emirate of Dubai.

Government: The Government of Dubai.

Courts: The Dubai Courts.

President: The president of the Dubai Courts.

CASD: The Centre for Amicable Settlement of Disputes.

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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.

Competent Judge: A judge of the Court of First Instance assigned the judicial supervision of the work of the competent persons hearing disputes at the CASD.

Article (3)

Pursuant to this Law a centre for settling disputes named the "Centre for the Amicable Settlement of Disputes" is established. The CASD is hereby affiliated to the Courts.

Article (4)

The CASD will have jurisdiction to hear disputes of whatever value or nature which are determined under a resolution issued by the President. This will not include:

1. summary and interim orders and proceedings;
2. proceedings in which the Government is a party;
3. proceedings which do not fall within the jurisdiction of the Courts; and
4. proceedings filed with the Courts before the effective date of this Law.

Article (5)

Disputes brought before the CASD will be heard and settled amicably by a number of competent persons working under the supervision of the Competent Judge.

Article (6)

No proceedings falling within the jurisdiction of the CASD may be brought before the Courts unless such proceedings are first filed with the CASD and referred under a resolution issued by the CASD to the Competent Court.

Article (7)

The CASD will settle a dispute brought before it by summoning the parties involved or their representatives, perusing the relevant documents and evidence, and offering reconciliation between the parties and bringing their views closer in order to reach an amicable settlement of the relevant dispute.

Article (8)

In hearing the disputes filed with the CASD, all procedures stipulated in a resolution issued by the President will be followed.

Article (9)

The time bar periods and limitation periods stipulated by the legislation in force will be suspended from the date of registering the dispute with the CASD.

Article (10)

The CASD will seek to amicably settle a dispute within a period not exceeding one (1) month from the date of appearance of the parties before it. This period may be extended for the same period or periods pursuant a decision of the Competent Judge.

Article (11)

The CASD may, as it deems appropriate, seek assistance from experts and specialists to provide technical expertise in the matters submitted to it. The decision to seek assistance from an expert will specify the scope of his assignment, the period required for completion of this assignment, his remuneration, and the party responsible for payment of such remuneration.

Article (12)

Where settlement between the parties to the dispute is reached, this settlement will be documented in a settlement agreement signed by the parties and attested by the Competent Judge. This agreement will have the force of a writ of execution.

Article (13)

Where amicable settlement of the dispute is not reached through reconciliation for any reason whatsoever, the dispute will be referred to the Competent Court.

Article (14)

The same fee prescribed for filing a court case under the Court Fee Law will be charged for any dispute filed with the CASD. One-half of the fee will be refunded if amicable settlement is reached between the parties to the dispute.

Article (15)

Any provision in any other legislation will be repealed to the extent that it contradicts the provisions of this Law.

Article (16)

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

Mohammed bin Rashid Al Maktoum

Ruler of Dubai

Issued in Dubai on 28 June 2009
Corresponding to 5 Rajab 1430 A.H.