

Law No. (8) of 2016
Regulating the Grant of
Law Enforcement Capacity in the Government of Dubai¹

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

After perusal of:

Federal Law No. (3) of 1987 Issuing the Penal Code and its amendments;

Federal Law No. (35) of 1992 Issuing the Criminal Procedures Law and its amendments;

Law No. (22) of 2015 Regulating Partnership between the Public Sector and the Private Sector in the Emirate of Dubai;

Law No. (32) of 2015 Concerning the Official Gazette of the Government of Dubai; and

Decree No. (23) of 2014 Establishing the Supreme Legislation Committee in the Emirate of Dubai,

Do hereby issue this Law.

Title of the Law
Article (1)

This Law will be cited as "Law No. (8) of 2016 Regulating the Grant of Law Enforcement Capacity in the Government of Dubai".

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:

Emirate: The Emirate of Dubai.

Government: The Government of Dubai.

SLC: The Supreme Legislation Committee in the Emirate 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 Entity: Any of the Government departments, public agencies or corporations, councils, authorities, or similar entities, including the authorities supervising Special Development Zones and free zones such as the Dubai International Financial Centre.

Director General: The director general of a Government Entity, including the executive director, chief executive officer, or secretary general of that entity, or any other person holding a similar position.

Law Enforcement Officer: Any natural person granted the authority to record acts committed in breach of the local Legislation in force in the Emirate.

Person: A natural or legal person.

Objectives of the Law Article (3)

This Law aims to:

1. ensure the proper implementation of the Legislation in force in the Emirate;
2. ensure that Law Enforcement Officers are following proper procedures; and
3. promote Partnership between the Public Sector and the Private Sector in managing public facilities in the Emirate.

Scope of Application Article (4)

- a. The provisions of this Law will apply to employees of Government Entities and of private companies and establishments who are granted law enforcement capacity pursuant to the provisions of this Law.
- b. Members of judicial authorities, police personnel, and other individuals holding similar positions are hereby exempted from compliance with the provisions of this Law.

Authority Granting Law Enforcement Capacity Article (5)

- a. Pursuant to a resolution of a Director General and in coordination with the SLC, the law enforcement capacity to record acts committed in breach of the local Legislation in force in the Emirate may be granted to or revoked from the employees of a Government Entity or

employees of a company or establishment with which such entity has contracted to manage any of the public facilities run or operated by that entity.

- b. Resolutions granting or revoking law enforcement capacity issued pursuant to paragraph (a) of this Article will be published in the Official Gazette of the Government of Dubai.

Requirements for Granting Law Enforcement Capacity

Article (6)

To be granted law enforcement capacity pursuant to this Law, a person must:

1. have job duties that are related to the violations he is assigned to record, and to the Legislation he is assigned to enforce;
2. have the required qualifications and experience that are relevant to the Legislation he is assigned to enforce, and the ability to verify that the Persons to whom that Legislation applies comply with its provisions;
3. have a thorough understanding of the Legislation he is assigned to enforce;
4. successfully complete the prescribed training courses; and
5. not have been sentenced to a penalty for a crime affecting honour or trustworthiness.

Resolutions Granting Law Enforcement Capacity

Article (7)

A resolution issued by a Director General to grant law enforcement capacity pursuant to Article (5) of this Law must contain the following essential details:

1. the full name of the person granted the law enforcement capacity;
2. the job title of the person granted the law enforcement capacity;
3. the entity for or with which that person is working; and
4. the Legislation he is assigned to record acts committed in violation thereof.

Obligations of Law Enforcement Officers

Article (8)

A Law Enforcement Officer must:

1. comply with the provisions of the Legislation he is assigned to enforce and, while performing his duties, comply with the procedures stipulated therein;

2. verify that the Persons to whom the Legislation applies comply with the provisions thereof and meet their obligations thereunder;
3. record the violations he is assigned to investigate and collect relevant evidence and information in accordance with the rules approved in this regard;
4. receive reports and complaints relating to the violations he is assigned to record in accordance with the procedures approved in this regard;
5. take the procedures and measures required to preserve the evidence related to a committed violation;
6. prepare violation reports in which the measures taken by him in this regard are stated;
7. observe professional integrity and honesty, impartiality, and objectivity;
8. produce evidence of having law enforcement capacity when performing his duties;
9. not use his law enforcement capacity to achieve personal goals or benefits; and
10. comply with any other obligations determined by the Government Entity for which he is working, or determined by the SLC.

**Powers of Law Enforcement Officers
Article (9)**

For the purpose of performing his duties, a Law Enforcement Officer will have the powers to:

1. where required, seek assistance from police personnel;
2. where required, seek assistance from experts and translators;
3. hear and record the statements of informers and witnesses; and
4. perform inspection, conduct interrogations, request clarifications, and access authorised places to collect information related to a committed violation.

**Violation Reports
Article (10)**

A violation report prepared by a Law Enforcement Officer must contain the following essential details:

1. details of violator;
2. details of committed violation;

3. facts, measures taken, and time and place of such measures;
4. violator signature, where the violation report is prepared in his presence. Any refusal to append signature will be stated in the report;
5. statements and signatures of witnesses, experts, and translators, if any;
6. name and signature of the Law Enforcement Officer; and
7. any other details required pursuant to the relevant Legislation.

Grievances
Article (11)

- a. Any affected party may submit to the Director General a written grievance in respect of any violation attributed to him, within thirty (30) days from the date of being notified of that violation.
- b. If a violation report is prepared by an employee of a private company or establishment with which a Government Entity has contracted to manage a public facility, the grievance in respect of that report must be submitted to the Director General of that Government Entity.
- c. A grievance submitted pursuant to paragraph (a) or paragraph (b) of this Article must be submitted to the concerned Government Entity containing the following essential details:
 1. name, capacity, address, and contact details of the complainant;
 2. name and address of the entity against which the grievance is filed;
 3. grounds for the grievance, accompanied by supporting documents;
 4. claims of the complainant; and
 5. names of the witnesses, if any, upon whom the complainant relies to support his grievance.
- d. The grievance will be considered by the concerned Government Entity in accordance with the procedures approved by it in this regard. The decision issued by the concerned Government Entity on the grievance will be final and not subject to any administrative review. However, the complainant will preserve his right to recourse to court.

Issuing Implementing Resolutions
Article (12)

The Chairman of the SLC will issue the resolutions required for the implementation of this Law.

Repeals
Article (13)

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

Commencement and Publication
Article (14)

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 9 June 2016
Corresponding to 4 Ramadan 1437 A.H.