

Administrative Resolution No. (10) of 2019
Approving the Procedures for Replacing
Engineering Firms and Contracting Companies, and for
Issuing Completion Certificates¹

The Director General of the Dubai Municipality,

After perusal of:

The powers legally vested in him under the Order Establishing the Dubai Municipal Council;
Local Order No. (89) of 1994 Regulating the Practice of Engineering Consultancy Profession in the Emirate of Dubai and its amendments;

Local Order No. (3) of 1999 Regulating Construction Works in the Emirate of Dubai and its amendments;

Administrative Resolution No. (203) of 2009 Concerning the Procedures for Replacing Consulting Engineers and Contractors, for Issuing Completion Certificates, and for Dealing with Abandoned Buildings; and

Administrative Resolution No. (61) of 2011 Concerning Unlicensed, Condemned, and Abandoned Buildings in the Emirate of Dubai and its amendments,

Does hereby issue this Resolution.

Definitions
Article (1)

The following words and expressions, wherever mentioned in this Resolution, will have the meaning indicated opposite each of them unless the context implies otherwise:

Emirate: The Emirate of Dubai.

DM: The Dubai Municipality.

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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 Department:	The Building Control Department of the DM.
Construction Works:	This includes construction, demolition, and maintenance of Buildings, as well as any additions or modifications thereto, including excavation, levelling, and backfilling works.
Owner:	A natural or a public or private legal person in whose name a land plot or a Building is registered, in his capacity as the owner or possessor of the same.
Engineering Firm:	A company or establishment which is contracted by an Owner to perform design and/or supervise Construction Works, and which is licensed to practise the engineering consultancy Profession (the " Profession ") in the Emirate, in accordance with the legislation in force in the Emirate.
Contractor:	A company or establishment which is contracted by an Owner to perform Construction Works, and which is licensed to conduct Buildings construction contracting activity (the " Profession ") in the Emirate, in accordance with the legislation in force in the Emirate.
Profession:	The engineering consultancy profession or the construction contracting profession, as the case may be.
Completion Certificate:	A document issued by the DM certifying that a Building is fit for occupancy and use upon its construction, as per the relevant Building permit and plans, and in accordance with the legislation in force in the Emirate.

Scope of Application Article (2)

This Resolution applies to the applications submitted to the DM for replacement of an Engineering Firm or a Contractor, or for issuance of a Completion Certificate.

**Procedures and Requirements for Consented Replacement of
Engineering Firms
Article (3)**

In case of a consented replacement of an Engineering Firm, the following procedures will apply:

1. an application for replacement of the Engineering Firm will be submitted to the Competent Department by the outgoing Engineering Firm. This application must be signed by the legal representatives of the outgoing Engineering Firm and the replacement Engineering Firm, and must be supported by the following documents:
 - a. a declaration by the Owner stating that he approves the replacement of the Engineering Firm by a new Engineering Firm, that he authorises both firms to submit the replacement application, and that he attests to the veracity of the information contained in the application; and
 - b. where the building permit has been issued, a technical report issued by the outgoing Engineering Firm indicating the stage of Construction Works completed; and the extent to which such works conform to the building permit, the approved plans, and the technical and engineering standards adopted by the DM.
2. The replacement Engineering Firm must be licensed to practise the Profession in the Emirate, and its classification must not be lower than the classification of the Building it will be assigned to.
3. Where the requirements stated in paragraphs (1) and (2) of this Article are fulfilled, the Competent Department will issue its approval of the application for replacement of the Engineering Firm.
4. The replacement Engineering Firm may not commence Construction Works before obtaining a new building permit under its name.
5. The replacement Engineering Firm must endorse the technical report referred to in sub-paragraph (b)(1) of this Article.
6. The Competent Department will deliver the new building permit upon collecting the prescribed fees.

**Procedures and Requirements for Non-consented Replacement of
Engineering Firms
Article (4)**

In case of non-consent by an Engineering Firm to being replaced, the following procedures will apply:

1. An application for replacement of the Engineering Firm will be submitted to the Competent Department by the replacement Engineering Firm. This application must be signed by the legal representative of the replacement firm and must be supported by the following documents:
 - a. a declaration by the Owner stating that he approves the replacement of the Engineering Firm, that he authorises the replacement Engineering Firm to submit the replacement application; and that he attests to the veracity of the information contained in the application; and
 - b. where the building permit has been issued, a technical report issued by the replacement Engineering Firm indicating the current stage of the project's Construction Works and specifying the extent to which such works conform to the building permit, the approved plans, and the technical and engineering standards adopted by the DM.
2. The replacement Engineering Firm must be licensed to practise the Profession in the Emirate, and its classification must not be lower than the classification of the Building it will be assigned to.
3. The Competent Department will notify the outgoing Engineering Firm of the replacement application and require it to provide its feedback on the application; to submit a technical report indicating the completion stage of the project's Construction Works, the reasons for its rejection of the replacement application, and whether the works completed by the date on which the replacement application is submitted conform to the building permit and the approved plans, if the building permit is obtained. The outgoing Engineering Firm must respond to these requests within five (5) working days from the date on which it is notified of the replacement application.
4. Where the outgoing Engineering Firm fails to respond and present the technical report within the deadline prescribed in paragraph (3) of this Article, the Competent Department must proceed with the replacement process.
5. Where it is established to the Competent Department that the dispute between the Owner and the outgoing Engineering Firm is due to financial or contractual issues, the firm will be notified of the DM's approval of the replacement. However, where the

dispute is due to technical issues, the DM may take necessary measures to verify these issues and address the same.

6. The replacement Engineering Firm may not commence Construction Works before obtaining a new building permit under its name.
7. Where the procedures and the requirements stipulated in this Article are fulfilled, the Competent Department will approve the application for replacement of the Engineering Firm, and will issue the new building permit upon collecting the prescribed fees.

Procedures and Requirements for Consented Replacement of Contractors Article (5)

In case of consented replacement of a Contractor, the following procedures will apply:

1. An application for replacement of the Contractor will be submitted to the Competent Department by the Engineering Firm. This application must be signed by the legal representatives of the Engineering Firm and the outgoing Contractor, and must be supported by the following documents:
 - a. a declaration by the Owner stating that he approves the replacement of the Contractor, that he authorises the Engineering Firm to submit the replacement application, and that he attests to the veracity of the information contained in the application; and
 - b. where the building permit is issued, a technical report issued by the Engineering Firm indicating the current stage of the project's Construction Works and specifying the extent to which such works conform to the building permit, the approved plans, and the technical and engineering standards adopted by the DM.
2. The replacement Contractor must be licensed to practise the Profession in the Emirate, and his classification may not be lower than the classification of the Building he will be assigned to.
3. Where the requirements stated in paragraphs (1) and (2) of this Article are fulfilled, the Competent Department will issue its approval of the application for replacement of the Contractor, and will issue the building permit upon collecting the prescribed fees and security deposits.
4. The replacement Contractor may not commence Construction Works before obtaining a new building permit under his name.

5. The outgoing Contractor will follow the procedures stipulated in this Article for decoration permits or modification permits that do not require approval from an Engineering Firm.

**Procedures and Conditions for Non-consented Replacement of
Contractors
Article (6)**

In case of non-consented replacement of a Contractor, the following procedures will apply:

1. The Engineering Firm will submit an application for replacement of the Contractor to the Competent Department. This application must be signed by the legal representatives of the Engineering Firm and the replacement Contractor, and must be supported by the following documents:
 - a. a declaration by the Owner stating that he approves the replacement of the Contractor, that he authorises the Engineering Firm to submit the relevant application, and that he attests to the veracity of the information contained in the application;
 - b. the reasons for replacement of the Contractor; and
 - c. where the building permit has been issued, a technical report issued by the Engineering Firm indicating the current stage of the project's Construction Works and specifying the extent to which such works conform to the building permit, the approved plans, and the technical and engineering standards adopted by the DM.
2. The replacement Contractor must be licensed to practise the Profession in the Emirate, and his classification must not be lower than the classification of the Building he will be assigned to.
3. The Competent Department will notify the outgoing Contractor of the replacement application and require him to provide his feedback on the replacement application, to submit a technical report indicating the current stage of the project's Construction Works, where the building permit has been issued, and the reasons for his non-consent to being replaced, within five (5) working days from the date on which he is notified of the replacement application.
4. Where the outgoing Contractor fails to respond within the deadline prescribed in paragraph (5) of this Article, the Competent Department must proceed with the replacement process.
5. Where it is established to the Competent Department that the dispute between the Owner and the outgoing Contractor is due to financial or contractual issues between

them, the DM will proceed with the replacement process. However, where it is established that the dispute is due to technical issues, the DM will take the necessary measures to verify these issues and address the same.

6. Where the requirements stated in this Article are fulfilled, the Competent Department will approve the Contractor replacement application, and issue the building permit upon collecting the prescribed fees and performance bond.
7. The outgoing Contractor will follow the procedures stipulated in this Article for decoration permits or modification permits that do not require approval by an Engineering Firm.

**Procedures for Issuing Completion Certificates
with Engineering Firm and Contractor Consent
Article (7)**

Where the Engineering Firm and the Contractor consent to the issuance of the Completion Certificate, the following procedures will apply:

1. The Contractor will submit an application for the issuance of the Completion Certificate to the Competent Department. This application must be signed by the Contractor and must indicate the Engineering Firm's approval of the issuance of the certificate.
2. The Competent Department will inspect the Building to verify that Construction Works have been performed in conformity to the building permit and the approved plans, and that the requirements of the concerned Government Entities have been met.
3. Where all relevant requirements are satisfied, the Competent Department will issue the Owner with a Completion Certificate upon collecting the prescribed fees.

**Procedures for Issuing Completion Certificates without
Engineering Firm and Contractor Consent
Article (8)**

Where the Engineering Firm and the Contractor do not consent to the issuance of the Completion Certificate, the following procedures will apply:

1. The Owner will submit an application for the issuance of the Completion Certificate to the Competent Department. This application must be signed by the Owner, and must state that the Engineering Firm and the Contractor do not consent to the issuance of the Completion Certificate and the reasons for such their non-consent.
2. The Competent Department will serve a notice on the Contractor and the Engineering Firm requesting them to provide, within five (5) working days from the date of the

notice, the reasons for their non-consent to the issuance of the Completion Certificate, and a technical report indicating the current stage of the works in the Building, and whether or not these works conform to the building permit and the approved plans, and to the engineering standards adopted by the DM.

3. Where it is established to the Competent Department that the non-consent by the Engineering Firm the Contractor is due to financial or contractual issues with the Owner, the Competent Department will proceed with issuing the Completion Certificate. However, where their non-consent is due to technical or engineering issues, the Competent Department must verify these issues, and take the necessary measures to address them in accordance with the relevant principles adopted by it.
4. Where the Engineering Firm declines to submit the technical report referred to in paragraph (2) of this Article, the DM will proceed with issuing the Completion Certificate. However, the Competent Department may, where required, request the Owner to submit a technical report issued by an approved engineering consultancy certifying that the building is fit for use and occupancy.
5. Where all relevant requirements are satisfied, the Competent Department will issue the Owner with a Completion Certificate after collecting the prescribed fees.

Procedures for Issuing Completion Certificates without Engineering Firm Consent Article (9)

Where an Engineering Firm does not consent to the issuance of the Completion Certificate, the following procedures will apply:

1. The Contractor will submit an application for issuance of the Completion Certificate to the Competent Department. This application must be signed by the legal representative of the Contractor and must be supported by the following documents:
 - a. a declaration by the Owner stating that he authorises the Contractor to submit the Completion Certificate issuance application, and that he attests to the veracity of the information contained in the application; and
 - b. the reasons for non-consent by the Engineering Firm to the issuance of the Completion Certificate.
2. The Competent Department will serve a notice on the Engineering Firm requesting it to provide, within three (3) working days from the date of the notice, the reasons for its non-consent to the issuance of the Completion Certificate, and a technical report stating whether or not completed works conform to the building permit and approved plans, and to the engineering standards adopted by the DM.

3. Where it is established to the Competent Department that the Engineering Firm's non-consent is due to financial or contractual issues with the Owner, the Competent Department will proceed with issuing the Completion Certificate. However, where it is established that its non-consent is due to technical or engineering issues, the Competent Department must verify these issues, and take the necessary measures to address them in accordance with the relevant rules and principles adopted by it.
4. Where the Engineering Firm declines to submit the technical report referred to in paragraph (2) of this Article, the DM will proceed with issuing the Completion Certificate. However, the Competent Department may, where required, request the Owner to submit a technical report issued by an approved engineering consultancy certifying that the Building is fit for use and occupancy.
5. Where all relevant requirements are satisfied, the Competent Department will issue the Owner with a Completion Certificate after collecting the prescribed fees.

**Procedures for Issuing Completion Certificates without
Contractor Consent
Article (10)**

Where the Contractor does not consent to the issuance of the Completion Certificate, the following procedures will apply:

1. The Engineering Firm will submit an application for the issuance of the Completion Certificate to the Competent Department . This application must be signed by the legal representative of the Engineering Firm and must be supported by the following documents:
 - a. a declaration by the Owner stating that he authorises the Engineering Firm to submit the Completion Certificate issuance application, and that he attests to the veracity of the information contained in the application; and
 - b. the reasons for non-consent by the Contractor to the issuance of the Completion Certificate, supported by a technical report stating that the Building is fit for use.
2. The Competent Department will serve a notice on the Contractor requesting him to provide, within three (3) working days from the date of the notice, the reasons for his non-consent to the issuance of the Completion Certificate, and a technical report stating whether or not the completed works conform to the building permit and the approved plans, and to the engineering standards adopted by the DM.
3. Where it is established to the Competent Department that the Contractor's non-consent is due to financial or contractual issues with the Owner, the Competent Department will proceed with issuing the Completion Certificate. However, where it is

established that the Contractor's non-consent is due to technical or engineering issues, the Competent Department must verify these issues, and must take the necessary measures to address the same in accordance with the relevant principles adopted by it.

4. Where the Contractor declines to submit the technical report referred to in paragraph (2) of this Article, the DM will proceed with issuing the Completion Certificate.
5. Where all relevant requirements are satisfied, the Competent Department will issue the Owner with a Completion Certificate after collecting the prescribed fees.
6. An Owner will act in place of an Engineering Firm in following the procedures stipulated in this Article for permits relating to decoration and modification works that do not require approval of an Engineering Firm, even if the Owner has already appointed a consulting Engineer for these works.

Repeals Article (11)

The above-mentioned Administrative Resolution No. (203) of 2009 is hereby repealed. Any provision in any other administrative resolution is also hereby repealed to the extent that it contradicts the provisions of this Resolution.

Publication and Commencement Article (12)

This Resolution will be published in the Official Gazette and will come into force on the day on which it is published.

Dawood Abdul Rahman Al Hajiri
Director General
Dubai Municipality

Issued in Dubai on 13 January 2019
Corresponding to 7 Jumada al-Ula 1440 A.H.