

**Law No. (13) of 2020**  
**Regulating the**  
**Practice of the Expert Witness Profession**  
**before Judicial Authorities in the Emirate of Dubai<sup>1</sup>**

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

After perusal of:

Federal Law No. (10) of 1992 Issuing the Law of Evidence Governing Civil and Commercial Transactions and its amendments;

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

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

Federal Law No. (7) of 2012 Regulating the Practice of Expert Witness Profession before Judicial Authorities and its Implementing Bylaw;

Law No. (3) of 2003 Establishing the Executive Council of the Emirate of Dubai;

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

Law No. (14) of 2009 Concerning the Pricing of Government Services in the Emirate of Dubai and its amendments;

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

Law No. (13) of 2011 Regulating the Conduct of Economic Activities in the Emirate of Dubai and its amendments;

Law No. (1) of 2016 Concerning the Financial Regulations of the Government of Dubai; and

Law No. (13) of 2016 Concerning the Judicial Authorities in the Emirate of Dubai,

**Do hereby issue this Law.**

**Chapter One**  
**Title, Definitions, Objectives, and Scope of Application of the Law**

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<sup>1</sup>*Every 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.*

Law No. (13) of 2020 Regulating the Practice of the Expert Witness Profession before Judicial Authorities in the Emirate of Dubai

**Title of the Law**  
**Article (1)**

This Law will be cited as "Law No. (13) of 2020 Regulating the Practice of the Expert Witness Profession before Judicial Authorities in the Emirate 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:

UAE:	The United Arab Emirates.
Emirate:	The Emirate of Dubai.
Government:	The Government of Dubai.
Judicial Council:	The Judicial Council of the Emirate.
Dubai Courts:	The Courts of the Emirate regulated pursuant to the above-mentioned Law No. (6) of 2005.
Competent Court:	The courts of first instance, the Court of Appeal, the Court of Cassation at the Dubai Courts, or the tribunals formed pursuant to the above-mentioned Law No. (13) of 2016.
Public Prosecution:	The public prosecution of the Emirate.
Judicial Authority:	This includes the Competent Court and the Public Prosecution.
Director:	The Director of the Dubai Courts.
Government Entity:	Any of the Government departments, public agencies or corporations councils, authorities, or other public entities affiliated to the Government.
Expert Witness Profession:	Activities performed by an Expert Witness assigned by a Judicial Authority to provide verbal or written opinions on a case or incident.
Expert Witness Firm:	A firm or corporation licensed by the competent licensing authority in the Emirate, and registered on the Roll.
Expert Witness:	This includes a natural person or an Expert Witness Firm registered on the Roll.

Committee:	The Expert Witnesses Affairs Committee formed pursuant to this Law.
Organisational Unit:	The organisational unit responsible for managing the affairs of Expert Witnesses within the Dubai Courts.
Roll:	A paper or electronic record maintained by the Dubai Courts on which Expert Witnesses, who meet the conditions and requirements stipulated herein, are registered.
Professional Code of Conduct:	A set of professional rules and regulations that Expert Witnesses must comply with in practising the Expert Witness Profession.
UAE National:	A person holding the UAE nationality.
Person:	A natural or legal person.

### **Objectives of the Law Article (3)**

This Law aims to:

1. regulate the practice of the Expert Witness Profession before the Judicial Authorities;
2. support the Judicial Authorities by providing legally and technically qualified Expert Witnesses to enhance the accuracy of issued judgements and decisions and administration of prompt justice;
3. promote the role of Expert Witnesses in the administration of justice by providing technical and expert assistance to the Judicial Authorities;
4. develop the Expert Witness Profession and increase the efficiency of those who practise it, for purposes of expediting litigation procedures;
5. build the capacity of, and empower, the UAE national cadre to practise Expert Witness Profession; and
6. enhance trust in practitioners of Expert Witness Profession by prescribing specific professional, ethical, and behavioural rules.

### **Scope of Application Article (4)**

The provisions of this Law will apply to all Persons who practise the Expert Witness Profession before the Judicial Authorities, excluding:

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1. Government Entities whose technical opinion is solicited by a Judicial Authority in respect of an investigation or a claim that is being heard by that Judicial Authority;
2. a Person on whom the litigants agree to engage as an Expert Witness, subject to the approval of the Competent Court; and
3. a Person who is not registered on the Roll, but is appointed by a Judicial Authority to provide technical assistance in respect of any case or incident that requires technical opinion.

## **Chapter Two Regulating Expert Witness Registration**

### **Formation of the Expert Witnesses Affairs Committee Article (5)**

- a. A committee named "Expert Witnesses Affairs Committee" is hereby formed within the Dubai Courts. The terms of reference of the Committee, the procedures for holding its meetings; and the remuneration of its members will be determined pursuant to a resolution issued by the Chairman of the Judicial Council in this respect.
- b. The Committee must be comprised of a chairman, a vice chairman, and a number of members from amongst members of the Judicial Authorities, as well as experts and specialists from the Dubai Courts, Government Entities, and the Private Sector. The chairman and vice chairman of the Committee must be from amongst members of the Judicial Authorities.

### **Functions of the Expert Witnesses Affairs Committee Article (6)**

In addition to the functions assigned to it under this Law, the Committee will:

1. propose the rules and requirements for the classification of Expert Witnesses and submit the same to the Director for approval pursuant to a resolution he issues in this respect;
2. approve the Professional Code of Conduct, and submit the same to the Director for final approval pursuant to a resolution it issues in this respect;
3. approve the guidelines on the rules for estimating the fees of Expert Witnesses and for regulating the Expert Witness Profession, and submit the same to the Director for final approval pursuant to a resolution he issues in this respect;

4. approve the examinations required for Expert Witnesses to qualify for being registered on the Roll, and the Expert Witness training programmes;
5. determine applications for registration, and renewal of registration, of Expert Witnesses on the Roll; and for Expert Witnesses classification, in accordance with the provisions of this Law and the resolutions issued in pursuance hereof;
6. determine the applications submitted to it for striking Expert Witnesses off the Roll;
7. reclassify the registration of Expert Witnesses between categories in accordance with the rules and conditions approved in this respect;
8. consider grievances filed by Expert Witnesses against the results of their technical assessment;
9. take the necessary measures against any Expert Witness whose technical assessment result is below seventy percent (70%), including suspension from practising the Expert Witness Profession or striking off the Roll;
10. consider the violations committed by, and complaints against, Expert Witnesses, and take the necessary action in respect of these violations and complaints, including imposition, against violating Expert Witnesses, of the penalties prescribed by this Law and the resolutions issued in pursuance hereof;
11. review the annual report prepared by the Organisational Unit; and submit the appropriate recommendations in this respect to the Director;
12. form sub-committees from amongst its members or other persons, and determine their duties and obligations;
13. seek assistance from experts and specialists as it deems appropriate to assist it in exercising its duties and powers under this Law and the resolutions issued in pursuance hereof, provided that they do not have a vote in its deliberations; and
14. perform any other duties related to the Expert Witnesses Profession, as assigned to it by the Chairman of the Judicial Council.

### **Organisational Unit** **Article (7)**

An Organisational Unit is hereby created within the Organisation Structure of the Dubai Courts. In addition to its functions under this Law, the Organisational Unit will:

1. register, and determine the classification categories of, Expert Witnesses on the Roll, in accordance with the relevant resolutions issued by the Committee;
2. draft the Professional Code of Conduct and present the same to the Committee for approval, prior to submitting it to the Director for final approval;
3. supervise, audit, and inspect the activities of Expert Witnesses to verify their compliance with the provisions of this Law, the resolutions issued in pursuance hereof, and the Professional Code of Conduct;
4. conduct technical assessment of Expert Witnesses, in accordance with the rules and standards determined pursuant to a resolution issued by the Director in this respect; and submit the necessary recommendations to the Committee to take the appropriate actions and measures against Expert Witnesses whose technical assessment results are below seventy percent (70%);
5. refer the violations committed by, and the complaints filed against, Expert Witnesses to the Committee, supported by the relevant opinions and recommendations; and enforce the decisions rendered by the Committee in respect thereof;
6. follow up the Criminal Lawsuits filed against Expert Witnesses, and submit the relevant recommendations to the Committee in respect thereof;
7. conduct studies related to regulating the Expert Witnesses Profession, and make the necessary proposals for developing the same and addressing the challenges associated with it;
8. develop, in coordination with the Government Entities concerned with the specialities determined for Expert Witnesses, training programmes and Roll registration qualifying exams; submit the same to the Committee for approval; and follow up their delivery upon approval;
9. issue Expert Witness identification cards for those registered on the Roll;
10. organise conferences, workshops, and training courses for Expert Witnesses at the local and international levels, with a view to improving their competency, developing their skills, and sharing success stories;
11. prepare, and submit to the Committee, an annual report on all matters related to the Expert Witness Profession. This report will particularly include the following:

- a. the number of Expert Witnesses registered on the Roll under each area of expertise; the number of Expert Witnesses needed in each area of expertise; and ways to meet this demand;
  - b. the number of cases assigned to each Expert Witness, whether completed or in progress;
  - c. proposals by the Organisational Unit for introducing new categories into the Roll;
  - d. proposals by the Organisational Unit for opening or closing registration on the Roll under certain areas of expertise;
  - e. the number of complaints filed against an Expert Witness, and the actions and measures taken in respect thereof; and
  - f. outcomes of performance indicators;
12. draft the guidelines on the Expert Witness Profession and submit the same to the Committee to take the appropriate action in respect thereof; and
13. perform any other duties related to the Expert Witness Profession, as assigned to it by the Committee or the Director.

### **Roll Article (8)**

A roll for registering Expert Witnesses (the "**Roll**") will be created at the Dubai Courts. The form of the Roll, and the data and documents to be entered on it will be determined by a resolution of the Director.

### **Requirements for Registration of Natural Persons on the Roll Article (9)**

- a. A natural person may be registered on the Roll as an Expert Witness, subject to the following:
  1. He must be of full capacity.
  2. He must be medically fit.
  3. He must be of good conduct and repute and not have been sentenced for a felony or other crime affecting honour or trustworthiness, unless he has been rehabilitated or pardoned by the competent authorities.
  4. He must not have been dismissed from service by the entity for which he was working, pursuant to a court judgement or disciplinary action.
  5. He must be a holder of the academic qualifications and professional certificates determined by the Committee, and which must be relevant to the area of expertise under which he will be registered on the Roll.

6. He must have a minimum work experience in the area of expertise he has applied to be registered under as an Expert Witness of:
  - a. seven (7) years (for a UAE National);
  - b. ten (10) years for a non-UAE National, whether or not he is a UAE resident.
7. He must successfully pass the exams prescribed by the Committee.
8. He must provide an approval issued by the entity for which he works.
9. He must undertake to attend the Expert Witness training courses organised or prescribed by the Organisational Unit, in accordance with the relevant approved training plan.
10. Where he is a non-UAE National who is a resident of the UAE, he must have a notice of appointment or employment offer issued by an Expert Witness Firm.
11. At least two (2) years must have elapsed since his application for registration on the Roll was declined.
12. The number of areas of expertise under which he applies to be registered may not exceed two (2).
13. A professional indemnity insurance policy, specifying the Dubai Courts as beneficiary, and issued by an insurance company licensed in the Emirate, must be provided. This insurance policy must be valid throughout the period of validity of registration on the Roll. The Director will determine the insured sum and the methods of enforcement of that policy.
14. He must pay the fee prescribed for registration on the Roll.
15. He must satisfy any other technical requirements prescribed for the areas of expertise set out in the Schedule by the relevant resolution issued by the Director.
- b. Notwithstanding the provisions of paragraph (a) of this Article, the following natural persons may be exempted from compliance with certain Roll-registration requirements:
  1. Employees of Government Entities;
  2. natural persons who were registered on the Roll prior to the effective date of this Law, where it is established to the Committee that they have the necessary competency and experience in view of their portfolios and

the number of Expert Witness Profession duties assigned to, and completed by, them; and

3. natural persons who possess rare experience, as well as those who are versed in the customs followed in a particular activity, craft, or industry, provided there are no Expert Witnesses with similar experience and expertise, or where the number of such Expert Witnesses is insufficient. In these cases, exemptions will apply to the requirements related to academic qualifications, professional certificates, and the number of years of experience.

### **Requirements for Registration of Expert Witness Firms on the Roll Article (10)**

A firm or company may be registered on the Roll as an Expert Witness Firm, subject to the following requirements:

1. The company or firm must have a valid licence, authorising it to operate in the Emirate, issued by a competent commercial licensing authority.
2. The managing partner must be an Expert Witness registered on the Roll.
3. A professional indemnity insurance policy, specifying the Dubai Courts as beneficiary, and issued by an insurance company licensed in the Emirate, must be provided. This insurance policy must be valid throughout the period of validity of registration on the Roll. The Director will determine the insured sum and the methods of enforcement of that policy.
4. At least three (3) persons must be appointed, whether they are registered on the Roll, or approved by the Committee in view of satisfying the conditions stipulated in Article (9) of this Law, particularly the ones relating to academic qualifications and professional experience.
5. The fee prescribed for registration on the Roll must be paid.
6. Any other conditions determined pursuant to the relevant resolution of the Director must be met.

### **Procedures for Registration on the Roll Article (11)**

Registration on the Roll will be done in accordance with the procedures determined pursuant to the relevant resolution of the Director.

**Validity of Registration on the Roll  
Article (12)**

Registration on the Roll will be valid for a term of three (3) years, renewable for the same period. The application for renewal must be submitted at least thirty (30) days prior to the date of its expiry. A registration will be renewed in accordance with the conditions and procedures prescribed by a resolution of the Director.

**Taking the Legal Oath  
Article (13)**

- a. An Expert Witness may not practise the Expert Witness Profession unless he takes the following legal oath before the Director or his authorised representative: "I swear by Allah the Almighty to perform Expert Witness duties assigned to me with the utmost honesty, integrity, and dedication, without any discrimination or favouritism; and to comply with the legislation in force in the Emirate and with the Professional Code of Conduct".
- b. Oath-taking by an Expert Witness will be documented by a report that will be kept in the Expert Witness's file maintained by the Organisational Unit.

**Chapter Three  
Regulating the Expert Witness Profession**

**Practising the Expert Witness Profession  
Article (14)**

No person may practise Expert Witness Profession before Judicial Authorities, unless he is so permitted in the cases provided for in this Law.

**Appointment of Expert Witnesses  
Article (15)**

- a. A Judicial Authority may appoint any Expert Witness to perform specific duties related to a case or an incident that requires investigation; assessment; weighing various technical opinions and choosing the best in respect thereof; a determination; or a specialised technical opinion.
- b. Where the requested Expert Witness Profession duty requires taking a second opinion on another Expert Witness's report, the concerned Judicial Authority may appoint an Expert Witness or form a panel of Expert Witnesses. Unless otherwise decided by the Judicial Authority, the second Expert Witness or the panel of Expert Witnesses must be of the same area

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of expertise as that of the previous Expert Witness and are classified in a category higher than that expert, in accordance with the rules of classification of Expert Witnesses adopted under the provisions of this Law.

- c. Prior to commencing judicial proceedings, or in the course thereof, litigants may request the appointment of an Expert Witness to substantiate a case or claim. The Competent Court may, at its own discretion, decide to grant or dismiss this request based on whether it is warranted by the case.

### **Practising the Expert Witness Profession Article (16)**

- a. An Expert Witness must practise the Expert Witness Profession within the limits of the duty assigned to him by the Judicial Authority, in the manner he deems conducive to achieving the purpose of his assignment, and in line with the legally prescribed procedures and provisions.
- b. An Expert Witness assigned by the Judicial Authority must:
  1. set a start date for performing the duty assigned to him;
  2. invite the parties to the dispute for a meeting through any of the legally prescribed notification methods. The invitation notice must be delivered at least five (5) Working Days prior to the date scheduled for the meeting. However, where the case is urgent, the parties may be invited to the meeting at a short notice;
  3. review the subject matter of the case assigned to him; present a summary memorandum in which he affirms that the Expert Witness Profession duty assigned to him is relevant to his area of expertise, ; and specify the case completion phases, the time line of each phase, the place of performing the duty, the fees and expenses that he will charge for the assigned duty, the date of presenting the initial report to the concerned parties, and the date of submitting the final report to the Judicial Authority;
  4. amend the memorandum referred to in sub-paragraph (b)(3) of this Article, where any amendment is made by the Judicial Authority, in which case the Expert Witness is bound by any such amendments;
  5. allow parties to the dispute to access the summary memorandum approved by the Judicial Authority, and have them sign a copy thereof;
  6. meet with the parties to the dispute jointly, or separately where so decided by the Judicial Authority, to hold discussions with them and enable them to present their substantiating documents. An Expert Witness may also access any place, that is relevant to the assigned duty,

for inspection and detection of anything that may help him to form his opinion;

7. not hand over the original documents submitted by one party to the dispute to the other party, but rather attach a copy thereof to the initial report sent to the parties to the dispute for comments, prior to drafting his final report;
8. not disclose the information to which he has access, unless to the extent required for performing the assigned duty;
9. where the parties to the dispute submit any documents written in a foreign language, the Expert Witness may examine and study the said documents without requesting their translation into Arabic, provided that he does not find it necessary to do so and is able to understand the content of those documents in a way that does not conflict with their true meaning or lead to an interpretation that deviates from the intended meaning;
10. not exceed the time limit specified in the summary memorandum approved by the Judicial Authority, for reasons attributable to him or the parties to the dispute. The Judicial Authority may, at its own discretion, extend this period in certain cases; and
11. submit his final report to the Judicial Authority.

### **Obligations of the Parties to Disputes before the Competent Court Article (17)**

- a. the parties to a dispute must, upon signing the summary memorandum prepared by the Expert Witness and approved by the Competent Court, fully cooperate to implement it as per its phased plan.
- b. The Expert Witness fees and expected expenses will be deposited in the name of the Expert Witness by the party obligated by the Competent Court to pay them, with the Dubai Courts in cash or under a cashier's cheque or by any other payment method determined by the Dubai Courts.

### **Completion of Expert Witness Profession Duties Article (18)**

- a. An Expert Witness will not be deemed to have discharged the duty assigned to him by the Judicial Authority, unless after he has fulfilled all its requirements and responded to the remarks and inquiries of the Judicial Authority and the objections of the parties to the dispute in respect of his findings.

- b. The Judicial Authority that has appointed the Expert Witness may approve his final report as is; require him to reconsider it; or, where required, engage another Expert Witness.
- c. Upon approval of the Expert Witness's final report, the Judicial Authority will determine the Expert Witness fees and the reimbursable expenses.

### **Expert Witnesses Removal Article (19)**

An Expert Witness will be removed subject to the rules and time frames stipulated in the above-mentioned Federal Law No. (10) of 1992.

### **Soliciting Opinions from Expert Witnesses Article (20)**

- a. The Competent Court may, on its own motion or upon a request by any party to the dispute, appoint an Expert Witness to provide his opinion, at a public hearing, on any case or event that requires technical or scientific expertise.
- b. The opinion referred to in paragraph (a) of this Article will be delivered by the Expert Witness in person by appearing at the hearing, or through remote communication. The Expert Witness will deliver his opinion either verbally or by means of a written report, and his opinion will be kept in the case file or documented in the minutes of the hearing.
- c. The Competent Court must notify the Expert Witness, in accordance with the provisions of paragraph (b) of this Article, of his appointment sufficient time prior to the date of the hearing, and must enable him to review the facts of the case or incident on which his opinion is solicited, as well as with any information or data necessary for him to form his opinion.
- d. The party requesting the appointment of an Expert Witness must pay the security deposit prescribed by the Competent Court to cover the Expert Witness Fees and expenses, failing which his right to uphold the judgement or the decision to appoint the Expert Witness will be forfeited.

## **Chapter Four Obligations and Rights**

## **Expert Witness Obligations Article (21)**

An Expert Witness must:

1. comply with the legislation in force in the Emirate including this Law and the resolutions issued in pursuance hereof, and with the instructions issued by the Dubai Courts in respect of the Expert Witness Profession;
2. fulfil the requirements for registration on the Roll;
3. perform his assigned duty with the utmost accuracy, honesty, dedication, and objectivity, without any discrimination against any of the parties to the dispute; and comply with the professional standards included in the Professional Code of Conduct;
4. perform, by himself, the duty assigned to him by the Judicial Authority;
5. not disclose, except in the cases prescribed by law, the data or information to which he may have access in the course of practising the Expert Witness Profession;
6. ensure that neither his spouse, nor any of his relatives up to the fourth degree, has direct or indirect interest in the duty assigned to him by the Judicial Authority;
7. ensure that his employer is not a party to the dispute subject of the duty assigned to him by the Judicial Authority;
8. disclose to the Judicial Authority that appoints him if he has previously provided any opinion or consultation on the subject of duty assigned to him;
9. update and develop his skills in his area of expertise, and endeavour to improve his performance, develop his professional competencies, and remain informed of the latest developments in his area of expertise;
10. mention his name and registration number in all the correspondence, testimonies, memoranda, and reports he issues;
11. maintain a paper or electronic record of all duties assigned to him by Judicial Authorities, for a period of five (5) years from the date of completion of these assignments, in which copies of the written reports, correspondence, and memoranda related to these assignments are included;
12. inform the Organisational Unit of his address, and of any change thereof within a period not exceeding one (1) month from the date of the change;
13. perform the duties of the Expert Witness Profession assigned to him accurately and objectively as required;

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14. disclose to the Judicial Authority any pressure or actions he may have been subjected to before or during the performance of his duty from any Person;
15. not accept or solicit, from any litigant, any gifts or any material or moral benefits for himself, his spouse, any of his relatives up to the fourth degree, his owner, or shareholders, as the case may be;
16. not exploit or use the information that he obtains in the course of performing, or upon completing, his duties to achieve personal gains or to cause harm to others;
17. not communicate with any of the parties to the dispute without the presence of the other party, unless instructed otherwise by the Judicial Authority;
18. not perform any act that may give rise to a real, apparent, or potential conflict of interest between his personal interests and his obligation to discharge the duty assigned to him by the Judicial Authority;
19. return all the instruments, documents, and other items handed over to him by the Judicial Authority or the parties to the dispute, upon completing the assigned duty;
20. provide the insurance policy prescribed by the Director, and ensure that the insurance policy remain valid throughout the term of his registration on the Roll;
21. inform the Organisational Unit of any impediment that causes him to cease to practise the profession under which he is registered on the Roll. An Expert Witness may request to resume to practise the profession, where the impediment ceases to exist;
22. not request any additional fees from the litigants; and
23. comply with any other obligations determined pursuant to the relevant resolution of the Director.

### **Entitlement to Fees** **Article (22)**

- a. An Expert Witness is entitled to his fees upon completion of the Expert Witness Profession duties, unless the Judicial Authority decides, on its own initiative or upon the request of the Expert Witness, to disburse part of his fees at any earlier stage;
- b. An Expert Witness is entitled to his fees and to a reimbursement of expenses as estimated by the Judicial Authority. In determining the fees and reimbursable expenses, the Judicial Authority must take into consideration

the Expert Witness's classification, in addition to other factors related to the assigned duty, foremost among which are:

1. the workload and complexity of the assigned duty;
2. the activities undertaken by the Expert Witness, the time spent for completing the duty, and the stages of completion of the assigned duty;
3. the extent of the Expert Witness's commitment to the performance of the assigned duty, and covering all its aspects;
4. the quality of Expert Witness Profession duties he has performed and his achievement of the purpose for which he has been appointed;
5. the extent of his compliance with the Expert Witness Profession rules of practice;
6. his technical performance assessment rating in respect of the assigned duty; and
7. the expenses verified by the Judicial Authority to have been incurred by the Expert Witness and required for performing the assigned duty, including the cost of setting up a place for meeting with the parties to the dispute; commuting to the inspection site; the fees paid for obtaining any papers, certificates, maps, or documents; and fees for the engaging specialists and technicians for opinion on aspects that fall outside the scope of his area of expertise.

## **Chapter Five**

### **Technical Assessment, Audit, and Disciplinary Penalties**

#### **Technical Assessment of Expert Witnesses**

##### **Article (23)**

Technical assessment of an Expert Witness's performance will be conducted upon completing the duty assigned to him, by means of a performance report prepared by the Judicial Authority and the Organisational Unit. The performance report will be prepared in accordance with the relevant standards approved by the Director, and based on a one hundred (100) weighted point rating system, distributed as follows:

1. fifty (50) points allocated for the Judicial Authority that appointed the Expert Witness; and
2. fifty (50) points allocated for the Organisational Unit.

**Filing Technical Assessment Reports**  
**Article (24)**

An Expert Witness's technical assessment report will be kept in his personal file maintained by the Organisational Unit. No person may have access to the said report except for the Judicial Authority, the concerned Expert Witness, the Committee, the Organisational Unit, the Director, and any other person determined by him.

**Grievances against Technical Assessment Ratings**  
**Article (25)**

- a. The Organisational Unit must provide the Expert Witness with a copy of the technical assessment report within fifteen (15) days from the date of its issuance.
- b. An Expert Witness may submit to the Committee a written grievance in respect of his technical assessment report within thirty (30) days following the date of receiving the same.
- c. The Committee will issue a decision accepting or dismissing the grievance, or amending the technical assessment rating within thirty (30) days from the date of submission of the grievance. The decision issued by the Committee in respect of the grievance will be final and not subject to appeal before any entity whatsoever.

**Effects of Technical Assessment Reports**

**Article (26)**

Where an Expert Witness scores a technical assessment rating of less than seventy percent (70%), the Committee will take against him the following actions in the same order:

1. where it is the first time the Expert Witness has received this low rating, serve a written warning on him to address the issues with his performance;
2. where the Expert Witness receives this low rating after receiving a written warning, suspend the Expert Witness from practising the Expert Witness Profession before Judicial Authorities for a period not exceeding six (6) months; and
3. strike the Expert Witness off the Roll, where he scores a low rating after being suspended from practising the Expert Witness Profession.

**Audit of Expert Witnesses**  
**Article (27)**

The audit of Expert Witnesses will be regulated by a resolution issued by the Director in this respect.

**Procedures for Filing and Investigating Complaints**  
**Article (28)**

A complaint filed with the Organisational Unit against an Expert Witness will be subject to the following procedures:

1. A complaint against an Expert Witness will be filed with the Organisational Unit on the form prescribed by the Dubai Courts for this purpose, supported by the documents substantiating the claims cited therein.
2. The Organisational Unit will inform the Expert Witness of the complaint filed against him to respond thereto within ten (10) days from the date of its submission.
3. The Organisational Unit will submit to the Committee a report that includes all claims cited in the complaint against the Expert Witness as well as his response to such claims, within ten (10) days from the date of receiving the Expert Witness's response, or from the lapse of the deadline referred to in paragraph (2) of this Article.
4. The Committee will consider the report submitted to it by the Organisational Unit in respect of the complaint filed against the Expert Witness. The Committee may close the complaint, or refer it for investigation by a sub-committee formed by the Committee for this purpose.
5. The sub-committee referred to in paragraph (4) of this Article will investigate the complaint and submit a report thereon to the Committee. This report must include an explanation of the facts of the complaint, the relevant findings of the sub-committee, and the recommended measures that must be taken against the Expert Witness.
6. The Committee will impose any of the disciplinary penalties stipulated in this Law on the Expert Witness, where it is established that he has committed the actions ascribed to him in the complaint.
7. The Committee may require the complainant to pay the expenses incurred in relation to the complaint, where it is established to the Committee that the complaint is vexatious. Where the complaint is found to be justified, the Committee may require the Expert Witness to pay the incurred expenses. The decision issued by the Committee in this respect will be final and not subject to appeal before any entity whatsoever.

8. The Organisational Unit will enforce the decision issued by the Committee against the Expert Witness, and inform the Expert Witness of the action taken against him.

### **Disciplinary Penalties Article (29)**

- a. Without prejudice to any applicable civil or criminal liability, and where it is established through an investigation with an Expert Witness that he is not compliant with his obligations under this Law, or has committed any ethical or professional violation, the Committee will impose any of the following disciplinary penalties:
  1. warning;
  2. suspension from practising the Expert Witness Profession for a period not exceeding one (1) year; or
  3. striking the Expert Witness off the Roll.
- b. The Committee may reinstate an Expert Witness who has been struck off the Roll, where he meets the requirements for registration on the Roll, and a minimum period of two (2) years has lapsed since his de-registration.

### **Challenging Disciplinary Penalties Article (30)**

An Expert Witness may file a challenge before the Court of Appeal of the Dubai Courts against the decision of the Committee within thirty (30) days from the date of imposing the disciplinary penalty on him, in case the decision is rendered in the presence of the Expert Witness; or within thirty (30) days from the date of being notified of the decision, in case it is rendered in absentia. The decision issued by the Court of Appeal in this respect will be final, and not subject to further appeal before any entity whatsoever.

## **Chapter Six Final Provisions**

### **Applicable Supplementary Legislation Article (31)**

Except in the cases stipulated in this Law and the resolutions issued in pursuance hereof, the federal and local legislation in force in the Emirate,

including the above-mentioned Federal Law No. (7) of 2012 and its Implementing Bylaw, will apply to Expert Witnesses.

### **Fees**

#### **Article (32)**

In return for registration of Expert Witnesses on the Roll, and providing other services under this Law and the resolutions issued in pursuance hereof, the Dubai Courts will charge the fees prescribed by a resolution of the Chairman of the Executive Council. The collected fees will be paid to the Public Treasury of the Government.

### **Cooperation with the Courts**

#### **Article (33)**

For the purpose of enabling the Dubai Courts to perform its functions under this Law and the resolutions issued in pursuance hereof, Government Entities must, upon request, cooperate with, and provide support and assistance to, the Dubai Courts.

### **Issuing Implementing Resolutions**

#### **Article (34)**

The Director will issue the resolutions required for the implementation of this Law. These resolutions will be published in the Official Gazette.

### **Compliance**

#### **Article (35)**

Any person who is registered on the Roll by the effective date of this Law must comply with the provisions of this Law upon the expiry of his registration, or within a period of one (1) year from the effective date of this Law, whichever is earlier. The Director may, where required, extend this grace period once for the same period.

### **Repeals**

#### **Article (36)**

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

**Publication and Commencement**  
**Article (37)**

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**

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