

Resolution No. (7) of 2022
Forming the
Foster Care Committee in the Emirate of Dubai¹

We, Maktoum bin Mohammed bin Rashid Al Maktoum, Deputy Ruler of Dubai, Chairman of the Judicial Council,

After perusal of:

Federal Law No. (28) of 2005 Concerning Family Affairs and its amendments;

Federal Law No. (3) of 2016 Concerning the Rights of Children ("**Wadeema's Law**") and its Implementing Bylaw;

Decree No. (35) of 2021 Designating the Head of the Local Judiciary in the Emirate of Dubai for the Purposes of Implementing Federal Legislation;

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

Law No. (8) of 2015 Concerning the Community Development Authority in Dubai; and

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

Do 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:

UAE: The United Arab Emirates.

Emirate: The Emirate of Dubai.

Courts: The Dubai Courts.

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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.

Director	The director of the Courts.
CDA:	The Community Development Authority in Dubai.
Child:	A human being who is born alive and has not reached the age of eighteen (18) years.
Foster Care:	The protection, nurturing, and care of a Child. This includes the protection of his life and his physical, psychological, mental, and moral well-being from danger and the preservation of all his rights.
Child Fostering:	The provision of Foster Care to a Child.
Foster Parent:	A person who is awarded the right of Child Fostering by the competent court in accordance with applicable legislation.
Committee:	The Foster Care Committee formed pursuant to this Resolution.
Report:	A report prepared by the Committee on the eligibility of a prospect Foster Parent for Child Fostering.

Formation of the Committee Article (2)

- a. A committee at the Courts named the "Foster Care Committee" is hereby formed of two (2) representatives from the Courts nominated by the Director to serve as the chairman and vice chairman of the Committee; two (2) representatives from the CDA nominated by the Director General of the CDA, of whom one representative must be from the Child Protection Unit; and two (2) representatives from the Dubai Police nominated by the Commander-in-Chief of the Dubai Police from amongst the staff in charge of Child protection.
- b. A rapporteur will be appointed by the Director from amongst the employees of the Courts. The rapporteur will not have the right to vote on the resolutions or recommendations of the Committee.
- c. Where the position of any member of the Committee falls vacant for any reason whatsoever, a replacement member will be appointed in accordance with the procedures referred to in paragraph (a) of this Article.

Functions of the Committee Article (3)

The Committee will have the duties and powers to:

1. prepare a detailed Report on the marital status, the psychological and medical condition, and the criminal record of any person applying for Child Fostering or to be awarded the right of Child Fostering by the competent court;
2. verify, as per the procedures it adopts in this respect, including the conduct of necessary tests, that the person applying for Child Fostering or to be awarded the right of Child Fostering by the competent court has the necessary legal capacity;
3. seek assistance from experts and specialists as it deems appropriate to assist it in performing its duties. However, these experts and specialists will not have the right to vote on the resolutions or recommendations of the Committee;
4. form sub-committees and specialised work teams from amongst its members and determine the duties of these sub-committees and work teams;
5. prepare the forms required to enable it to exercise its duties and powers;
6. document its work and data, and maintain the same for the period it determines; and
7. exercise any other duties or powers that are assigned to it by the Director or the competent court and that are related to Child Fostering.

Meetings of the Committee Article (4)

- a. Where necessary, the Committee will convene at the invitation of its chairman, or vice chairman in case of absence of the chairman.
- b. The Committee will convene at the head office of the Courts. It may also convene at any other convenient place or through telecommunication means.
- c. The Committee's meetings will be valid if attended by the majority of its members, provided that its chairman or vice chairman and a representative of the Child Protection Unit of the CDA are in attendance.
- d. The Committee will issue its resolutions and recommendations by majority vote of the attending members; and in the event of a tie, the chair of the meeting will have a casting vote.

- e. The Committee's resolutions and recommendations will be recorded in minutes of meetings signed by the chair of the meeting and attending members. Any dissenting opinion expressed by a member must be recorded in the minutes of meetings.
- f. The Committee's rapporteur will be responsible for sending invitations to the meetings of the Committee, preparing its agendas, recording the minutes of its meetings, following up the implementation of its resolutions and recommendations, and performing any other duties assigned to him by the chairman of the Committee.

Procedures for Issuing Reports Article (5)

A Report will be issued in accordance with the following procedures:

1. The competent court considering the relevant dispute or the application for Child Fostering will request the Committee to prepare the Report.
2. The Committee member representing the Child Protection Unit of the CDA will conduct a field visit to the applicant for Child Fostering or the person to be awarded the right of Child Fostering by the competent court in order to verify his family, social, and economic conditions; and his ability to meet the living, learning, and health needs of the Child.
3. A certificate will be issued by an accredited medical facility to confirm that the applicant for Child Fostering or the person to be awarded the right of Child Fostering by the competent court is free from any disease that may endanger the life of the Child.
4. A valid certificate of good conduct of the applicant for Child Fostering or the person to be awarded the right of Child Fostering by the competent court, as the case may be, will be submitted.
5. The applicant for Child Fostering or the person to be awarded the right of Child Fostering by the competent court will sign a declaration, in the form prescribed by the Committee, stating that he has not committed any crime outside of the UAE.
6. The applicant for Child Fostering or the person to be awarded the right of Child Fostering by the competent court will, at the time of applying for Child Fostering, submit a certificate issued by the police station having jurisdiction over his neighbourhood stating that no reports are filed against him, whether or not the relevant case is concluded by providing an undertaking, serving a warning, or closure of investigation.
7. After preparing the Report, the rapporteur of the Committee will present the Report to the chairman and members of the Committee for signature.

8. The Committee will present the Report to the competent court that has requested the Report.

Cooperation with the Committee
Article (6)

All entities concerned with Children's affairs in the Emirate must fully cooperate with the Committee, and provide it with the data, information, and statistics requested by the Committee to enable it to perform its duties under this Resolution and the above-mentioned Federal Law No. (3) of 2016 and its Implementing Bylaw.

Commencement and Publication
Article (7)

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

Maktoum bin Mohammed bin Rashid Al Maktoum
Deputy Ruler of Dubai
Chairman of the Judicial Council

Issued in Dubai on 15 April 2022
Corresponding to 14 Ramadan 1443 A.H.