Resolution No. (3) of 2023
Regulating the Work of the Committee for Deferral of and Exemption from Payment of Judicial Fees[1]

The President of the Dubai Courts,

After perusal of:

Law No. (21) of 2015 Concerning Judicial Fees of the Dubai Courts and its amendments;

Executive Council Resolution No. (38) of 2020 Approving the Organisational Structure of the Dubai Courts; and

Resolution No. (6) of 2022 Forming the Committee for Deferral of and Exemption from the Payment of Judicial Fees,

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:

UAE:	The United Arab Emirates.
Law:	Law No. (21) of 2015 Concerning Judicial Fees of the Dubai Courts and its amendments.
Committee:	The Committee for Deferral of and Exemption from the Payment of Judicial Fees established pursuant to the Law.

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[1] *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.*

Application: An application for deferral of or exemption from the payment of judicial fees.

Applicant: This includes the plaintiff, the appellant, and any applicant for legal protection, who apply for deferral of or exemption from the payment of the judicial fees prescribed by the Law and the legislation in force.

Functions of the Committee
Article (2)

In addition to the functions assigned to it under the Law, the Committee will have the duties and powers to:

1. consider the Applications submitted to it for deferral of or exemption from the payment of judicial fees, and verify that they meet all relevant conditions and requirements and that they are accompanied by all required documents;

2. determine the Applications for deferral of or exemption, in whole or in part, from the payment of judicial fees;

3. issue, at its discretion, the decisions approving the deferral of judicial fees rather than exemption from the payment thereof; and

4. require any guarantees, as it deems appropriate, from the Applicant.

Meetings of the Committee
Article (3)

a. The Committee will, where necessary, convene at the invitation of its chairman at the time and place determined by him.

b. Meetings of the Committee will be valid if attended by at least three (3) of its members.

c. Where the chairman of the Committee is unable to attend any of its meetings, the most senior member will deputise for him.

d. The resolutions of the Committee will be passed unanimously or 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 resolutions of the Committee will be recorded in minutes signed by the chair of the meeting and the attending members.

f. Committee meetings may be convened using electronic media, and Committee resolutions may be passed by circulation.

g. A rapporteur will be appointed to the Committee by its chairman. The rapporteur will, in coordination with the chairman, be responsible for sending meeting invitations to the Committee members, preparing its meeting agendas, recording its minutes of meetings, following up the implementation of its resolutions and recommendations, and performing any other duties assigned to him by the chairman of the Committee.

Requirements for Deferral of and Exemption from Payment of Judicial Fees
Article (4)

a. For the purpose of exempting an Applicant from payment of judicial fees, he must be:

    1. a person who has no income; who is insolvent and incapable of paying the judicial fees; or whose only source of income is the social aid provided by competent government entities;

    2. a person who is a victim of domestic violence, as verified by the Dubai Foundation for Women and Children, or

    3. a person who is an heir of a martyr, in case of claims related to the rights of the heir and entitlements of the martyr.

b. For the purpose of deferring the payment of judicial fees, an Applicant must:

    1. be insolvent and incapable of paying the judicial fees at the time of registration of the lawsuit; and

    2. hold a valid UAE residence permit at the time of submitting the Application (for non-UAE nationals).

c. The Committee has the discretionary power to determine whether the Applicant meets the requirements referred to in paragraphs (a) and (b) of this Article and whether he is eligible for exemption from or deferral of payment of judicial fees.

Documents Required for Considering and Determining Applications
Article (5)

An Application will be submitted to the Chief Justices' Office Affairs Section at the Case Preparation Department. The Application must be accompanied by the following:

1. copies of the statement of claim and the relevant documents;
2. a copy of the definitive judgement, where the Application is related to penal proceedings;
3. an undertaking to pay judicial fees, signed by the Applicant in person, as per the form prescribed by the Committee for this purpose;
4. a copy of the salary certificate of the Applicant issued by his employer, where the Applicant is an employee of any public or private entity within the UAE;
5. a copy of the valid passport of the Applicant;
6. a copy of the Applicant's valid residence permit, where the Applicant is a non-UAE national;
7. a copy of the power of attorney, where the Application is submitted on behalf of the Applicant;
8. a summary report on the financial position of the Applicant;
9. a copy of the Applicant's bank statement for the last six (6) months preceding the date of submission of the Application;
10. a copy of the decree of distribution, where the Application is submitted by heirs, and
11. any other documents required by the Committee.

Repeals
Article (6)

The above-mentioned Resolution No. (6) of 2022 is hereby repealed. Any provision in any other resolution is hereby also repealed to the extent that it contradicts the provisions of this Resolution.

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.

President of the Dubai Courts

Issued in Dubai on 17 January 2023

Corresponding to 24 Jumada al-Thaniyah 1444 A.H.