

Resolution No. (11) of 2024
Concerning the Procedures and Terms of Reference of the
Judicial Tribunal for Resolving Jurisdictional Conflicts between the
Dubai International Financial Centre Courts and
Judicial Bodies in the Emirate of Dubai¹

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

After perusal of:

Federal Law by Decree No. (42) of 2022 Issuing the Civil Procedure Code; and

Decree No. (29) of 2024 Concerning the Judicial Tribunal for Resolving Jurisdictional Conflicts between the Dubai International Financial Centre Courts and Judicial Bodies in the Emirate of Dubai,

Do hereby issue this Resolution.

Definitions
Article (1)

The words and expressions mentioned in this Resolution will have the same meaning assigned to them in the above-mentioned Decree No. (29) of 2024. The following words and expressions, wherever mentioned in this Resolution, will have the meaning indicated opposite each of them unless the context implies otherwise:

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| Decree: | Decree No. (29) of 2024 Concerning the Judicial Tribunal for Resolving Conflicts of Jurisdiction between the Dubai International Financial Centre Courts and Judicial Bodies in the Emirate of Dubai. |
| Application: | An application submitted to the Judicial Tribunal to determine the competent Judicial Body having jurisdiction over a claim in respect of which a jurisdictional conflict has arisen between the DIFC Courts and any other Judicial Body in the Emirate. This includes applications for determining the enforceable judgement from amongst conflicting judgements issued by the |

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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.*

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DIFC Courts and any other Judicial Body in respect of claims involving the same parties and subject matter.

Applicant: The party submitting an Application.

Respondent: The Applicant's opponent.

Secretary: The secretary of the Judicial Tribunal appointed by its chairman.

Digital Platform: A digital platform designated for the registration and management of Applications.

Requirements for Submitting Applications to the Judicial Tribunal Article (2)

- a. When submitting an Application to the Judicial Tribunal, the following requirements must be met:
 1. The Application must be submitted through the Digital Platform in both Arabic and English, using the form prescribed by the Judicial Tribunal for this purpose.
 2. The security deposit prescribed by the Decree must be paid and held in trust with the treasury of the DIFC Courts.
- b. If an Application does not satisfy the requirements specified in paragraph (a) of this Article, the Applicant will be granted a grace period not exceeding seven (7) days to fulfil these requirements, failing which, the Application will be deregistered. However, this will not preclude the Applicant from resubmitting the Application to the Judicial Tribunal, provided that all requirements stipulated in paragraph (a) of this Article are satisfied.
- c. The security deposit will be withheld and paid into the treasury of the DIFC Courts, if the Application fails to satisfy the requirements upon the expiry of the grace period specified in paragraph (b) of this Article.

Procedures for Referring Applications to the Judicial Tribunal Article (3)

- a. An Application that satisfies the requirements stipulated in Article (2) of this Resolution will be registered on the Digital Platform and assigned a serial number. The Applicant may not, without the approval of the chairman of the Judicial Tribunal, submit any additional requests or documents after the Application has been registered on the Digital Platform.

- b. The Secretary will notify the Judicial Body involved in a jurisdictional conflict with the DIFC Courts of the Application submitted to the Judicial Tribunal within one (1) working day from the date of its registration on the Digital Platform.
- c. The Secretary will notify the Respondent of the Application submitted to the Judicial Tribunal within two (2) working days from the date of its registration on the Digital Platform.
- d. The Respondent must file a statement of response to the Application, in both Arabic and English, within seven (7) working days from the date of being notified of the Application. The Respondent may request a one-time extension for the same period, provided that the request is submitted before the expiry of the initial time limit. After the expiry of the prescribed time limit, the Respondent may not file the statement of response or any additional requests or documents without the approval of the chairman of the Judicial Tribunal.
- e. If the Respondent fails to file the statement of response within the time limit specified in paragraph (d) of this Article, the Secretary will proceed with referring the Application to the Judicial Tribunal for determination as it stands. The Judicial Tribunal may admit a statement of response filed after the expiry of that time limit, provided that the Respondent has not already filed a statement with the Judicial Tribunal for review.
- f. The Secretary will refer the Application to the Judicial Tribunal within five (5) working days from the expiry of the time limit specified in paragraph (d) of this Article.

Establishing the Judicial Tribunal's Authority over Applications Article (4)

The effects of establishing the Judicial Tribunal's authority over an Application, as specified in the provisions of Article (7) of the Decree, will apply as of the date on which the Application is registered on the Digital Platform.

Considering and Determining Applications Article (5)

- a. The Judicial Tribunal will consider and determine any Application referred to it within thirty (30) days from the date of its referral by the Secretary in accordance with the provisions of paragraph (e) of Article (3) of this Resolution. This time frame may be extended once for the same period, depending on the circumstances of the Application and the progress of proceedings, pursuant to a decision of the chairman of the Judicial Tribunal, or in his absence, the vice chairman.

- b. The Secretary will notify the parties, litigants, the DIFC Courts, and the Judicial Body party to the jurisdictional conflict, of the decision rendered by the Judicial Tribunal within two (2) working days from the date of its issuance.

Contents of the Judicial Tribunal's Decisions

Article (6)

A decision of the Judicial Tribunal must include the following:

1. the Application number;
2. the names of the Applicant and the Respondent;
3. proof that the Application satisfies the requirements for submission to the Judicial Tribunal;
4. the facts related to the Application, including the parties' claims and their responses thereto;
5. a summary of the reasoning behind the Judicial Tribunal's decision, including its response to the parties' claims and defences; and
6. the date on which the Judicial Tribunal's decision is rendered.

Annual Report

Article (7)

The Judicial Tribunal will prepare an annual report on the Applications submitted to it and the decisions rendered in respect thereof; and will submit the same to the Chairman to give the relevant directives as he deems appropriate.

Providing Support to the Judicial Tribunal

Article (8)

The DIFC Courts will provide the Judicial Tribunal with all the administrative, financial, and technical support required to enable it to exercise its duties and powers under the Decree, this Resolution, and the resolutions issued in pursuance thereof.

Issuing Implementing Resolutions

Article (9)

The Chairman of the Judicial Tribunal will issue the resolutions and instructions required for the implementation of the provisions of this Resolution.

Commencement and Publication
Article (10)

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
First Deputy Ruler of Dubai
Chairman of the Judicial Council

Issued in Dubai on 7 October 2024
Corresponding to 4 Rabi al-Thani 1446 A.H.