

Decree No. (47) of 2013
Establishing the
Musabah Al Fattan Charitable Foundation¹

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

After perusal of:

The Establishing Document of Musabah Al Fattan Charitable Foundation, attached to this Decree; attested by the Notary Public of Dubai; and signed by the Promoter, Mr. Musabah Rashid Al Fattan Al Falasi, a national of the United Arab Emirates who resides in Dubai; and

The application, submitted by Mr. Musabah Rashid Al Fattan Al Falasi, for establishing the Foundation as a legal person pursuant to a decree issued by Us,

Do hereby issue this Decree.

Article (1)

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

UAE:	The United Arab Emirates.
Ruler:	His Highness the Ruler of Dubai.
Emirate:	The Emirate of Dubai.
Foundation:	The Musabah Al Fattan Charitable Foundation established pursuant to this Decree.

©2020 The Supreme Legislation Committee in the Emirate of Dubai

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.

Establishing Document:	The establishing document and charter of the Foundation.
Promoter:	Musabah Rashid Al Fattan Al Falasi.
Board of Trustees:	The board of trustees of the Foundation.

Establishment of the Foundation

Article (2)

Pursuant to this Decree, and in accordance with the Establishing Document attached hereto, a private foundation named the "Musabah Al Fattan Charitable Foundation" is established. The Foundation will have an independent legal personality, and the full capacity to act in accordance with its objectives, the provisions of this Decree, and the Establishing Document.

Head Office of the Foundation

Article (3)

The head office of the Foundation will be located in the city of Dubai. The Foundation may establish branches within and outside of the Emirate.

Objectives and Functions of the Foundation

Article (4)

The Foundation aims to provide charitable, humanitarian, cultural, and other public-benefit services within and outside of the UAE. For this purpose, the Foundation will:

1. establish, and contribute to establishing and supporting, mosques; Islamic cultural centres; Islamic research centres; and foundations that focus on increasing awareness of the Islamic heritage and civilisation and highlighting their role in shaping the human civilisation;
2. contribute to establishing and supporting educational institutions of all types and levels, academic research centres, and public libraries; offer study and research scholarships for students and researchers; and support translation and publishing endeavours;
3. contribute to establishing and supporting hospitals, medical centres, and rehabilitation centres; and provide medical and therapeutic aid to the needy;

4. contribute to establishing and supporting charitable housing projects, orphanages, elderly homes, nurseries, and disabled care centres;
5. contribute to environmental protection and preservation projects;
6. launch and organise awards in the name of the Promoter to honour scholars, researchers, and thinkers in all fields of science, knowledge, and literature;
7. establish companies and corporations for the purpose of achieving the objectives of the Foundation stipulated in this Decree in accordance with the legislation in force in the Emirate and the procedures adopted by the Department of Economic Development;
8. contribute to projects that aim to generate financial revenues for the Foundation to enable it to achieve the objectives stipulated in this Decree; and
9. contribute to supporting any projects or activities whose purposes are in line with the objectives of the Foundation.

Capital of the Foundation

Article (5)

The Capital of the Foundation consists of:

1. a sum of twenty-five million Dirhams (AED 25,000,000.00), fully paid up by the Promoter; and
2. any movable or immovable property to be allocated to the Foundation.

Management of the Foundation

Article (6)

The Foundation will be managed and operated pursuant to this Decree, the Establishing Document, and any amendments to be made to the Establishing Document in accordance with the rules stipulated therein.

Reneging on Establishing the Foundation or Dissolving it

Article (7)

Effective as of the date on which this Decree comes into force, neither the Promoter nor his heirs may renege on establishing the Foundation or cancel its Establishing Document.

Higher Authority of the Foundation

Article (8)

The Promoter will be the higher authority, and will undertake full supervision, of the Foundation. The Promoter will have the authority to approve all types of decisions, and the Board of Trustees will be bound to implement any such decisions.

Board of Trustees

Article (9)

- a. The Foundation will have a Board of Trustees, comprised of not less than six (6) and not more than nine (9) members known for their competence and integrity. The Board of Trustees members will be appointed, and removed from office, in accordance with the provisions of the Establishing Document.
- b. The first Board of Trustees will be formed, in accordance with the Establishing Document, of the following persons:
 1. Mr. Raed Musabah Rashid Al Fattan Al Falasi, as chairman;
 2. Mr. Rashid Musabah Rashid Al Fattan Al Falasi, as vice chairman;
 3. Mr. Mohamed Musabah Rashid Al Fattan Al Falasi, as member;
 4. Mrs. Raeda Musabah Rashid Al Fattan Al Falasi, as member;
 5. Mrs. Hend Musabah Rashid Al Fattan Al Falasi, as member; and
 6. Mrs. Latifa Musabah Rashid Al Fattan Al Falasi, as member.
- c. Where, at any time and for any reason, the Board of Trustees cannot be constituted in accordance with the provisions of the Establishing Document, or where the number of Board of Trustees members falls below six (6), the Board of Trustees will be constituted, or its vacancies will be filled, pursuant to a decree of the Ruler.

Dissolving the Board of Trustees

Article (10)

Where the property of the Foundation is used for any purpose that contradicts with its objectives, or where acts of gross mismanagement of the Foundation are committed, in violation of this Decree and the provisions of the Establishing Document, the Ruler may

issue a resolution dissolving the Board of Trustees and appointing a new Board of Trustees to replace it.

Amending the Establishing Document

Article (11)

The Promoter, or the Board of Trustees after the death of the Promoter, may amend the provisions of the Establishing Document, save for those related to the name; head office; objectives; reduction of the capital; or existence of the Foundation. Any such amendment must be made in accordance with the rules stipulated in the Establishing Document, and the amending document must be lodged with the Community Development Authority.

Property of the Foundation

Article (12)

The Board of Trustees may not exchange all or any of the moveable and immoveable property allocated or designated to the Foundation for any other property, unless the Foundation would gain an actual benefit from the exchange. This exchange may only be effected pursuant to a resolution of the Board of Trustees passed by a two-thirds majority of its members.

Financial Resources of the Foundation

Article (13)

The financial resources of the Foundation will consist of:

1. the capital of the Foundation in the amount of twenty-five million Dirhams (AED 25,000,000.00);
2. any movable and immovable property allocated to the Foundation; and
3. proceeds from the assets and investments owned by the Foundation.

Dissolving and Liquidating the Foundation

Article (14)

- a. The Foundation will be dissolved and liquidated if it becomes unable to achieve its objectives due to insufficiency or total loss of its capital. The Foundation may not be dissolved or liquidated for any other reason.
- b. The Foundation will be dissolved and liquidated pursuant to a decree issued by the Ruler.

Transfer of Ownership of the Foundation Property
Article (15)

In the event of liquidation of the property of the Foundation pursuant to the provisions of Article (14) of this Decree, the Government will determine the entity to which the property remaining after liquidation will be transferred. In this case, that entity must have the same objectives for which the Foundation is established.

Commencement and Publication
Article (16)

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

Mohammed bin Rashid Al Maktoum

Ruler of Dubai

Issued in Dubai on 19 December 2013

Corresponding to 16 Safar 1435 A.H.