

Law No. (5) of 2017
Amending Law No. (12) of 2004
Concerning the
Dubai International Financial Centre Courts¹

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

After perusal of:

Law No. (9) of 2004 Concerning the Dubai International Financial Centre and its amendments; and

Law No. (12) of 2004 Concerning the Dubai International Financial Centre Courts and its amendments,

Do hereby issue this Law.

Superseded Article
Article (1)

Article (5) of the above-mentioned Law No. (12) of 2004 is hereby superseded by the following:

Jurisdiction
Article (5)

a. The Court of First Instance:

1. The Court of First Instance will have exclusive jurisdiction to hear and determine the following:
 - a. the civil, commercial, or labour claims to which the DIFC, or any of the DIFC Bodies, DIFC Establishments, or DIFC-licensed Establishments, is a party;
 - b. the civil, commercial, or labour applications and claims arising out of, or in connection with, a contract, or a promise to enter into contract, that has been concluded, fulfilled, or implemented

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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.

- in whole or in part in the DIFC; or that will be, or is presumed to be, implemented in the DIFC pursuant to explicit or implicit terms stipulated in that contract;
- c. the civil, commercial, or labour applications and claims arising out of, or in connection with, an incident or a transaction that takes place, in whole or in part, in the DIFC and that is related to DIFC activities;
 - d. the appeals filed against the actions or decisions that are rendered by the DIFC Bodies and that are appealable under the DIFC laws and regulations; and
 - e. any other application or claim which the DIFC Courts have jurisdiction to hear under the DIFC laws and regulations.
2. The Court of First Instance may hear and determine the civil and commercial applications and claims referred to it based on a written agreement between the parties thereto, whether made before or after the relevant dispute arises. This agreement must be clearly and expressly stipulated in a separate provision.
 3. The Court of First Instance may hear and determine civil, commercial, or labour applications and claims that fall within its jurisdiction in case of dismissal of the application or claim, for lack of jurisdiction, by the court of choice agreed upon in writing by the parties.
 4. The Court of First Instance may not hear or determine any civil, commercial, or labour application or claim in respect of which a final judgement has been rendered by another court.

b. The Court of Appeal:

1. The Court of Appeal will have exclusive jurisdiction to:
 - a. hear and determine appeals against judgments and decisions rendered by the Court of First Instance; and
 - b. provide the interpretation of any provisions of the DIFC laws and regulations upon the request of the Chief Justice of the DIFC Courts based on an application submitted by any of the DIFC Bodies, DIFC Establishments, or DIFC-licensed Establishments. The interpretation provided by the Court of Appeal will have the same legal force as the interpreted legislation.
2. The judgments rendered by the Court of Appeal will be irrevocable, definitive, and not subject to any form of appeal.

c. Litigation Proceedings:

The proceedings prescribed by the DIFC Courts Regulations will apply to the civil, commercial, and labour applications and claims being heard by the DIFC Courts.

d. DIFC Execution Judges

The Chief Justice of the DIFC Courts will appoint one or more DIFC Court judges as Execution Judge(s).

**Commencement and Publication
Article (2)**

This Law 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 30 January 2017

Corresponding to 2 Jumada al-Ula 1438 A.H.