



الأمانة العامة للمجلس التنفيذي
GENERAL SECRETARIAT OF THE
EXECUTIVE COUNCIL

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Laws



Law No. (13) of 2018
Concerning the Amendment of Some Provisions
of Law No. (23) of 2006 Concerning the Judicial
Department in the Emirate of Abu Dhabi

We, Khalifa bin Zayed Al Nahyan, Ruler of Abu Dhabi

Having reviewed:

- Law No. (1) of 1974 concerning the Reorganisation of the Governmental Body in the Emirate of Abu Dhabi and its amendments;
- Law No. (2) of 1971 concerning the National Consultative Council and its amendments;
- Law No. (23) of 2006 concerning the Judicial Department in the Emirate of Abu Dhabi and its amendments;
- Federal Law No. (3) of 1983 concerning the Federal Judicial Authority and its amendments;
- Federal Law No. (10) of 1992 concerning the issuance of the Evidence Law in Civil and Commercial Transactions and its amendments;
- Federal Law No. (11) of 1992 concerning the issuance of the Civil Procedure Law and its amendments;
- Federal Law No. (35) of 1992 concerning the issuance of the Criminal Procedure Law and its amendments; and

Based on what was presented to and approved by the Executive Council,

Issued the following Law:

Article (1)

The provisions of Articles (7), (10), (15), (23), (27), (27 bis 1), (27 bis 4), (30), and (31) of aforementioned Law No. (23) of 2006 shall be replaced by the following texts:

Article (7)

1. Courts of First Instance, Courts of Appeal and a Court of Cassation shall be formed in the Emirate.
2. Specialised Courts for the examination of certain disputes may be established and their competencies may be determined by a resolution of the Chairman based on the recommendation of the Council. Each court may comprise circuits of first instance, circuits of appeal, and circuits of enforcement of the judgments issued thereby.

Article (10)

The Court of Cassation shall be located in Abu Dhabi city. Three judges shall issue the judgments of the Court that shall have jurisdiction over the following matters:

- 1- Appeals in cassation against judgments issued by the Courts of Appeal and other instances where the law provides for the possibility of lodging an appeal in cassation.
- 2- Jurisdiction conflict between the courts of the Emirate.
- 3- Accountability of the members of the Executive Council and senior employees of the Emirate appointed by Amiri Decrees for their acts in the performance of their official functions, based on the presentation of the Chairman of the Executive Council and approval of the Ruler.

Article (15)

1- The Department shall have a Council known as the “Judicial Council” to be formed under the chairmanship of the Head of the Court of Cassation and the membership of:

- A judge of the Court of Cassation, chosen by the Chairman as Deputy of the Council’s Chairman.
- Undersecretary of the Department
- The Attorney General
- Director of the Judicial Inspection Division
- The two most senior Heads of the Courts of Appeal
- The most senior Head of the Court of First Instance
- Two jurists chosen by the Chairman.

The Deputy Chairman of the Council shall act on behalf of the Chairman of the Council during his absence or in case of an impediment.

2- The Council shall have a General Secretariat to be formed and regulated by a resolution of the Chairman based on the proposal of the Department’s Undersecretary.

Article (23)

The rules of immunity stipulated in this Law shall apply to judges which shall not end unless for any of the following reasons:

- 1- Death
- 2- Resignation
- 3- Expiry of the term of the contracts of those who have contracts or the secondment period of those who are seconded. The termination of the

contract or secondment before expiry of their term shall be in accordance with the applicable regulations by a resolution of the Chairman.

- 4- Reaching the retirement age or being retired by an Amiri Decree before the legal age based on the proposal of the Council and the recommendation of the Chairman. In all cases, the judge sent to retirement shall be entitled to a pension regardless of the duration of his service.
- 5- Proof of their incapacity to perform their duties and functions for health reasons. Incapacity shall be proved by a decision of the competent medical authority.
- 6- Disciplinary dismissal based on the reasons and in accordance with the procedures set forth in this Law.
- 7- Assigning non-judicial functions thereto by a recommendation of the Council, or their transfer to a non-judicial position based on the judgment of the Disciplinary Council. The Chairman shall issue the resolution in both cases.

Article (27)

- 1- If the judge violates any of the obligations imposed thereupon or fails to perform due diligence in his work, the Council may, *sua sponte* or at the request of the Director of the Judicial Inspection Division, send a warning thereto after the conduct of the required investigation. This warning shall be kept in his secret file. The Attorney General shall have the same competence with respect to the public prosecution members within the frame of the same controls.
- 2- The warning procedure in both cases may not be appealed in any way.

Article (27 bis 1)

- 1- With consideration to the provision of Article (27) of this Law, the accountability of judges shall take place before the Circuit known as the “Judge Affairs Circuit” to be formed by the Head of the Court of Cassation or whomever is acting on his behalf of five judges of this Court who are not members of the Council.
- 2- The accountability claim shall be filed by the Attorney General or whomever is acting on his behalf, at the request of the Council, based on a petition containing the violation attributed to the judge as well as the appointed evidence. The request for filing the lawsuit shall be preceded by an investigation conducted by one of the judges of the Court of Cassation, delegated by the Council for this purpose.
- 3- The Judge Affairs Circuit may conduct any investigation it deems necessary and may delegate any of its members to do so. If it finds that the accountability procedures are necessary, it will summon the judge to appear before it within one week. The judge shall appear in person, may present his defence in writing, and may have recourse to any member of the judiciary or public prosecution or lawyers to defend him. If he fails to appear, or does not appoint any of the aforementioned legal representatives, a judgment may be issued *in absentia* after verifying the validity of the notice served thereto.
- 4- The accountability hearings shall be confidential and the Public Prosecution shall be represented therein by whomever holds at least the position of Solicitor General. A judgment shall be issued after hearing the Public prosecution’s requests and the Judge’s defence. The judgment issued in the presence of the judge shall be considered as final and unappealable.

5- The accountability claim shall be terminated by the resignation of the Judge, however, such termination shall not affect the criminal or civil lawsuit resulting from the same incident subject to accountability.

Article (27 bis 4)

The disciplinary penalties that may be imposed on judges are the following:

- 1- Warning.
- 2- Censure.
- 3- Deprivation of the periodic allowance for two consecutive years.
- 4- Deprivation of the next promotion.
- 5- Transfer to a non-judicial position.
- 6- Termination of service.

Article (30)

1- The Department shall have a Division under the name of “Judicial Inspection Division” that reports to the Chairman. It shall be formed of a Director at the grade of Judge of the Court of Cassation and a number of judges and public prosecution members to work as inspectors therein. Their delegation shall be issued by a resolution of the Chairman based on the proposal of the Council.

Judicial inspectors having a previous experience of a minimum of twenty years in judicial work, three of which shall be in the judicial inspection field, may be appointed by a resolution of the Chairman of the Department without prejudice to the provisions prescribed for Judges’ accountability in accordance with the provisions of this Law.

2- A regulation of the technical work shall be issued by a resolution of the

Chairman based on the proposal of the Council, and shall determine the rules of delegation to the Division, the elements of inspection of the work of judges and public prosecution members, and the adequacy required for promotion.

Article 31

The Division shall have the following competencies:

1. Conduct periodical inspection of the work of judges up to the grade of Chief Appellate Judge as well as public prosecution members up to the grade of Solicitor General.
2. Conduct sudden inspection of the work of judges and public prosecution members, to verify and evaluate the work progress and regularity.
3. Follow up the work progress at all the courts of all degrees to verify the speed of deciding upon lawsuits and appeals, whether appeal is lodged by ordinary or extraordinary means, and the way of conducting investigation by the Public Prosecution without any unjustified delay.
4. Examine and investigate the complaints related to the work of judges and public prosecution members, or any other disciplinary matters, take the necessary procedures and resolutions, and submit quarterly reports thereon to the Chairman and Council.

In case the inspection process detects any shortage, the Division shall raise the matter to the Chairman and the Council, the Council may *sua sponte* or at the request of the Chairman, decide to conduct another inspection or take any procedures for the accountability of judges or public prosecution members, where necessary, in accordance with the applicable legislations.

Article 2

New Articles shall be added to the aforementioned Law No. (23) of 2006 under the numbers (10 bis 1), (10 bis 2), (10 bis 3), (31) bis, to read as follows:

Article (10 bis 1)

- The Court of Cassation shall have a General Assembly consisting of all the judges of said Court under the chairmanship of the Head of the Court or the most senior judge of the Court who shall act on his behalf. This General Assembly shall have the competence to examine the formation of circuits, distribute the work between them, and determine the number and schedule of sessions as well as other things related to the internal regulation and matters of the Court and other competencies stipulated by law.
- The General Assembly may delegate some of its competencies to the Head of the Court.

Article (10 bis 2)

- The General Assembly shall be convened at the invitation of the Head of the Court or the most senior judge of the Court who represents him, at the beginning of each judicial year or whenever needed.
- The Public prosecution shall be invited to attend the General Assembly meeting, the representative thereof may express an opinion on the matters related to the Public Prosecution work.
- The General Assembly meeting shall only be deemed valid if attended by at least the majority of the judges thereof, provided that the Head of the Court or the most senior judge of the Court who represents him is

among them. It shall issue its resolutions by the absolute majority of the attendees. In case of a tie, the side which includes the Chairman of the meeting shall have the casting vote. The General Assembly's meeting shall be evidenced in a special register.

Article (10 bis 3)

- The General Assembly of the Court of Cassation shall form two Panels at the Court presided by the Head of the Court or the most senior Judge thereof and composed of 9 judges including the Head of the Court. One Panel shall have jurisdiction over penal matters and the other's jurisdiction shall be over civil, commercial, personal status matters and others.
- If any circuit at the Court of Cassation decides, in the course of examining a lawsuit or an appeal in cassation, to overturn a legal principal upheld in previous judgments issued thereby or that contradicting principles were issued by the Court, it shall refer the matter to the Head of the Court to present the appeal in cassation before the Panel that has jurisdiction to decide thereupon. In the case of overturning a legal principal, the Panel shall issue its judgment with the majority of at least 6 members. The Head of the Court may, if he deems it convenient, present the appeal in cassation before both Panels jointly, and the judgment of overturning may not be passed unless by a majority of 13 members.

Article (31) bis

The Government Cases Division at the Judicial Department shall represent the governmental departments and entities and public institutions affiliated to the Emirate, in the submission of applications, statements of claims, appeals, in presenting defences, and in any acts required for the filing of

lawsuits and appeals before all courts of all instances, inside or outside the State, as well as before the arbitration tribunals inside or outside the State or any other entity granted a judicial jurisdiction by law, whether such governmental departments and entities and public institutions were Plaintiffs or Defendants.

Article (3)

Table (B) determining the categories and functions of the members of Fatwa and Government Cases Divisions attached to Law No. (3) of 2011 amending some provisions of the aforementioned Law No. (23) of 2006 shall be replaced by the following Table:

Table (B)

Determining the categories and functions of the members of Fatwa and Government Cases

Category	Function
First	Director of the Government Cases Division
Second	Senior Advisors at Fatwa and Government Cases
Third	Heads of Sections and Advisors at Fatwa and Government Cases
Fourth	Assistant Advisors at Fatwa and Government Cases
Fifth	Researchers at Fatwa and Senior Lawyers at the Government Cases
Sixth	Assistant Researchers at Fatwa and Lawyers at the Government Cases

Article (4)

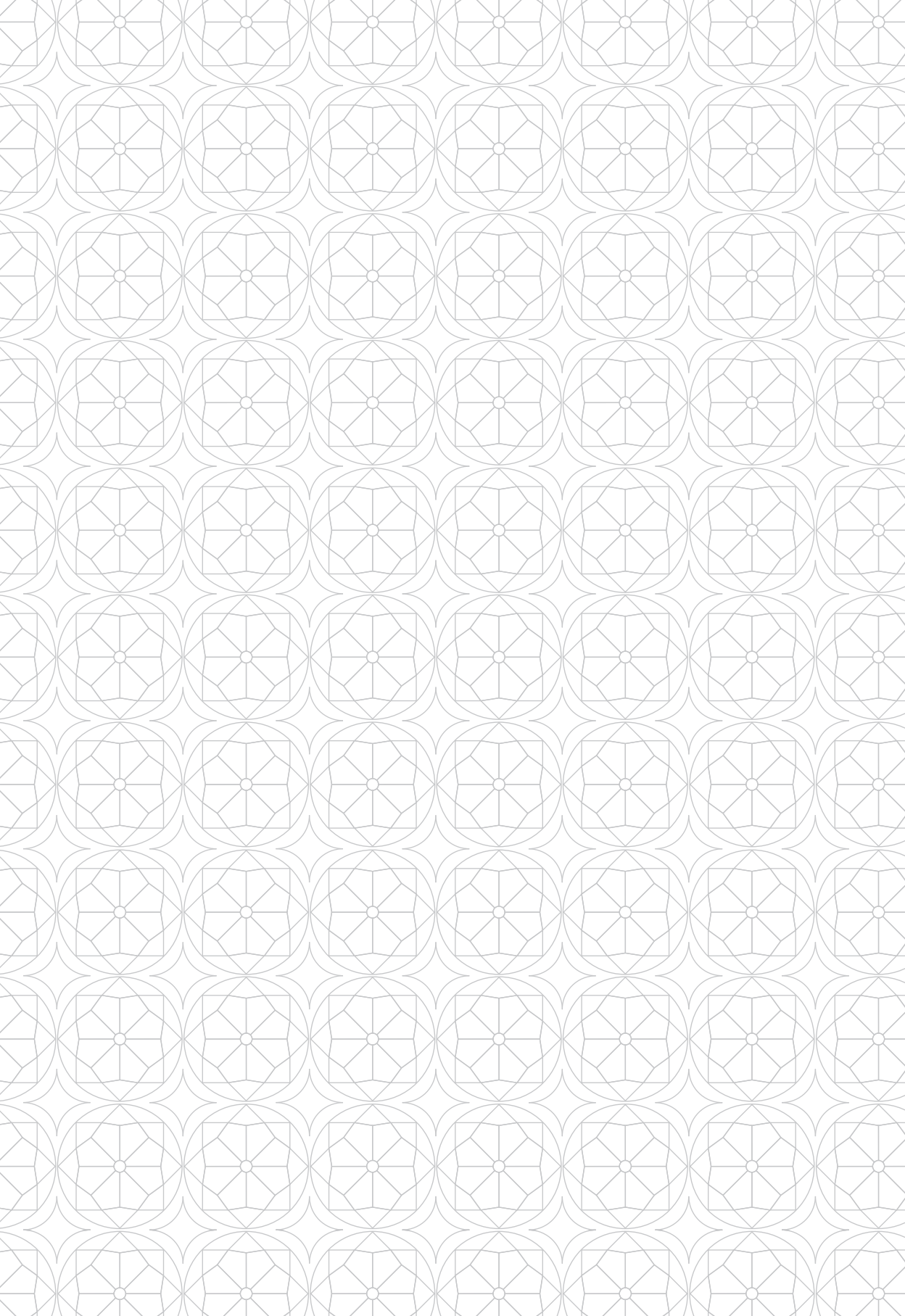
This Law shall be published in the Official Gazette and shall be effective from the date of its publication.

Khalifa bin Zayed Al Nahyan
Ruler of Abu Dhabi

Issued by us in Abu Dhabi

On: 14 March 2018

Corresponding to: 26 Jumada Al Akher 1439 H



Crown Prince Chairman of the Executive Council Resolutions



Crown Prince Chairman of the Executive Council
Resolution
No. (29) of 2018
Concerning the Granting of Abu Dhabi Medal

We, Mohamed bin Zayed Al Nahyan, Crown Prince, Chairman of the Executive Council,

Having reviewed:

- Law No. (1) of 1974 concerning the Reorganisation of the Governmental Body in the Emirate of Abu Dhabi and its amendments;
- Law No. (29) of 2005 concerning the establishment and granting of Abu Dhabi Medal,

Issued the following Resolution:

Article (1)

The Abu Dhabi Medal shall be granted to H.E. Ibrahim Abdulrahman Ali Al Abed, in honour of his excellent services for the Emirate.

Article (2)

This Resolution shall be effective from the date of its issuance and shall be published in the Official Gazette.

Mohamed bin Zayed Al Nahyan
Crown Prince
Chairman of the Executive Council

Issued by us in Abu Dhabi
On: 8 March 2018
Corresponding to: 20 Jumada Al Akher 1439 H

Crown Prince Chairman of the Executive Council
Resolution
No. (30) of 2018
Concerning the Granting of Abu Dhabi Medal

We, Mohamed bin Zayed Al Nahyan, Crown Prince, Chairman of the Executive Council,

Having reviewed:

- Law No. (1) of 1974 concerning the Reorganisation of the Governmental Body in the Emirate of Abu Dhabi and its amendments;
- Law No. (29) of 2005 concerning the establishment and granting of Abu Dhabi Medal,

Issued the following Resolution:

Article (1)

The Abu Dhabi Medal shall be granted to Mr. Ali Manea Mufreh Al Ahabbi, in honour of his excellent services for the Emirate.

Article (2)

This Resolution shall be effective from the date of its issuance and shall be published in the Official Gazette.

Mohamed bin Zayed Al Nahyan
Crown Prince
Chairman of the Executive Council

Issued by us in Abu Dhabi
On: 8 March 2018
Corresponding to: 20 Jumada Al Akher 1439 H

Crown Prince Chairman of the Executive Council
Resolution
No. (31) of 2018
Concerning the Granting of Abu Dhabi Medal

We, Mohamed bin Zayed Al Nahyan, Crown Prince, Chairman of the Executive Council,

Having reviewed:

- Law No. (1) of 1974 concerning the Reorganisation of the Governmental Body in the Emirate of Abu Dhabi and its amendments;
- Law No. (29) of 2005 concerning the establishment and granting of Abu Dhabi Medal,

Issued the following Resolution:

Article (1)

The Abu Dhabi Medal shall be granted to Mrs. Fatima Ali Mohammed Rashed Al Kaabi, in honour of her excellent services for the Emirate.

Article (2)

This Resolution shall be effective from the date of its issuance and shall be published in the Official Gazette.

Mohamed bin Zayed Al Nahyan
Crown Prince
Chairman of the Executive Council

Issued by us in Abu Dhabi
On: 8 March 2018
Corresponding to: 20 Jumada Al Akher 1439 H

Crown Prince Chairman of the Executive Council
Resolution
No. (32) of 2018
Concerning the Granting of Abu Dhabi Medal

We, Mohamed bin Zayed Al Nahyan, Crown Prince, Chairman of the Executive Council,

Having reviewed:

- Law No. (1) of 1974 concerning the Reorganisation of the Governmental Body in the Emirate of Abu Dhabi and its amendments;
- Law No. (29) of 2005 concerning the establishment and granting of Abu Dhabi Medal,

Issued the following Resolution:

Article (1)

The Abu Dhabi Medal shall be granted to Dr. Jayanti Maitra Robin Mukherjee, in honour of her excellent services for the Emirate.

Article (2)

This Resolution shall be effective from the date of its issuance and shall be published in the Official Gazette.

**Mohamed bin Zayed Al Nahyan
Crown Prince
Chairman of the Executive Council**

Issued by us in Abu Dhabi
On: 8 March 2018
Corresponding to: 20 Jumada Al Akher 1439 H

Crown Prince Chairman of the Executive Council
Resolution
No. (33) of 2018
Concerning the Granting of Abu Dhabi Medal

We, Mohamed bin Zayed Al Nahyan, Crown Prince, Chairman of the Executive Council,

Having reviewed:

- Law No. (1) of 1974 concerning the Reorganisation of the Governmental Body in the Emirate of Abu Dhabi and its amendments;
- Law No. (29) of 2005 concerning the establishment and granting of Abu Dhabi Medal,

Issued the following Resolution:

Article (1)

The Abu Dhabi Medal shall be granted to the late Dr. Azzam Al Zoghbie, in honour of his excellent services for the Emirate.

Article (2)

This Resolution shall be effective from the date of its issuance and shall be published in the Official Gazette.

Mohamed bin Zayed Al Nahyan
Crown Prince
Chairman of the Executive Council

Issued by us in Abu Dhabi
On: 8 March 2018
Corresponding to: 20 Jumada Al Akher 1439 H

Crown Prince Chairman of the Executive Council
Resolution
No. (34) of 2018
Concerning the Granting of Abu Dhabi Medal

We, Mohamed bin Zayed Al Nahyan, Crown Prince, Chairman of the Executive Council,

Having reviewed:

- Law No. (1) of 1974 concerning the Reorganisation of the Governmental Body in the Emirate of Abu Dhabi and its amendments;
- Law No. (29) of 2005 concerning the establishment and granting of Abu Dhabi Medal,

Issued the following Resolution:

Article (1)

The Abu Dhabi Medal shall be granted to Mrs. Farah Hashem Ahmed Ali Al Qaissieh, in honour of her excellent services for the Emirate.

Article (2)

This Resolution shall be effective from the date of its issuance and shall be published in the Official Gazette.

Mohamed bin Zayed Al Nahyan
Crown Prince
Chairman of the Executive Council

Issued by us in Abu Dhabi
On: 8 March 2018
Corresponding to: 20 Jumada Al Akher 1439 H

Crown Prince Chairman of the Executive Council
Resolution
No. (35) of 2018
Concerning the Granting of Abu Dhabi Medal

We, Mohamed bin Zayed Al Nahyan, Crown Prince, Chairman of the Executive Council,

Having reviewed:

- Law No. (1) of 1974 concerning the Reorganisation of the Governmental Body in the Emirate of Abu Dhabi and its amendments;
- Law No. (29) of 2005 concerning the establishment and granting of Abu Dhabi Medal,

Issued the following Resolution:

Article (1)

The Abu Dhabi Medal shall be granted to Mr. Theban Salem Mohammed Theban Al Mehairi, in honour of his excellent services for the Emirate.

Article (2)

This Resolution shall be effective from the date of its issuance and shall be published in the Official Gazette.

Mohamed bin Zayed Al Nahyan
Crown Prince
Chairman of the Executive Council

Issued by us in Abu Dhabi
On: 8 March 2018
Corresponding to: 20 Jumada Al Akher 1439 H

Crown Prince Chairman of the Executive Council
Resolution
No. (36) of 2018
Concerning the Granting of Abu Dhabi Medal

We, Mohamed bin Zayed Al Nahyan, Crown Prince, Chairman of the Executive Council,

Having reviewed:

- Law No. (1) of 1974 concerning the Reorganisation of the Governmental Body in the Emirate of Abu Dhabi and its amendments;
- Law No. (29) of 2005 concerning the establishment and granting of Abu Dhabi Medal,

Issued the following Resolution:

Article (1)

The Abu Dhabi Medal shall be granted to Sheikh/ Mubarak Qarran Rashed Al Mansoori, in honour of his excellent services for the Emirate.

Article (2)

This Resolution shall be effective from the date of its issuance and shall be published in the Official Gazette.

Mohamed bin Zayed Al Nahyan
Crown Prince
Chairman of the Executive Council

Issued by us in Abu Dhabi
On: 8 March 2018
Corresponding to: 20 Jumada Al Akher 1439 H

Crown Prince Chairman of the Executive Council
Resolution
No. (37) of 2018
Concerning the Granting of Abu Dhabi Medal

We, Mohamed bin Zayed Al Nahyan, Crown Prince, Chairman of the Executive Council,

Having reviewed:

- Law No. (1) of 1974 concerning the Reorganisation of the Governmental Body in the Emirate of Abu Dhabi and its amendments;
- Law No. (29) of 2005 concerning the establishment and granting of Abu Dhabi Medal,

Issued the following Resolution:

Article (1)

The Abu Dhabi Medal shall be granted to Dr. George Mathew, in honour of his excellent services for the Emirate.

Article (2)

This Resolution shall be effective from the date of its issuance and shall be published in the Official Gazette.

Mohamed bin Zayed Al Nahyan
Crown Prince
Chairman of the Executive Council

Issued by us in Abu Dhabi
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