

Cabinet Resolution No. (3) of 2015 Regarding Private Family Counseling Centers

The Cabinet:

- After reviewing the Constitution;
- Federal Law No. 1 of 1972 concerning the responsibilities of the ministries and the powers of the ministers, as amended,
- Cabinet Resolution No. 6 of 2008 concerning the organizational structure of the Ministry of Social Affairs, as amended,
- Cabinet Resolution No. 11 of 2014 concerning the fees for the services provided by the Ministry of Social Affairs,
- Upon the presentation made by the Minister of Social Affairs, as approved by the Cabinet,

Has resolved the following:

Article (1)

Definitions

In the application of the provisions of this Resolution, the following words and expressions shall have the meanings set out opposite to each of them, unless the context requires otherwise:

- State** : The United Arab Emirates.
- Ministry** : The Ministry of Social Affairs.
- Minister** : The Minister of Social Affairs.
- Competent Authority** : Any local entity in any emirate in the State that licenses commercial, economic or professional activities.
- Center** : The private family counseling center licensed in accordance with the provisions of this Resolution.
- License** : Such document issued by the Ministry, under which the center is licensed to provide family counseling services in accordance with the provisions of this Resolution.

Article (2)

Scope of Application

The provisions of this Resolution shall apply to all private family counseling centers operating in the State, which provide counseling services in the field of family, women and children.

Article (3)

Objectives of the Resolution

This Resolution aims to:

- a. Regulate the activities of the centers and to activate their role in the society.
- b. Enable the centers to provide specialized counseling services to contribute to the building, stability and social care of the family, so as to achieve family fusion and social solidarity.

Article (4)

Providing Family Counseling Services

No natural or corporate person may provide family counseling services other than through a center duly licensed by the Ministry and the competent authority.

Article (5)

Services to be Provided by the Center

The center shall provide any of the following services:

1. To assist the families, women and children to handle the social, educational and cultural problems and needs and the method of satisfying them and to propose such adequate means to deal with them.
2. To provide social consultancies and to deepen good understanding in handling marital life and family problems.
3. To develop positive thinking skills, selection bases and decision making.
4. To provide scientific advice to those about to marry, in terms of the basis of selection and planning for a successful family life.
5. To organize training courses in family guidance.
6. To bring in harmony those willing to marry.

Article (6)

Licensing Conditions

- a. Other than the services of bringing those willing to marry in harmony, it is conditional to license for the provision of services as provided in Article 5 of this Resolution that:
 1. The applicant for license is a UAE national if the applicant is a natural person; and the applicant may be a legal person if it takes one of the companies' forms stipulated in the Commercial Companies Law aforementioned.
 2. The applicant for licence holds a recognized university degree in private education, psychology, guidance and psychological health, sociology, social service or other family related scientific specialties from a recognized university in the State.
 3. The age of the applicant is at least 30 (thirty) years and has full civil capacity.
 4. Not to have been convicted in a felony, crime of honor or breach of trust, even if rehabilitated.
 5. The licence issued to the applicant has not been cancelled on account of breach of any of the terms and conditions as provided in this Resolution, unless the licence has been cancelled for over 3 (three) years.
 6. A separate and adequate premises for the center is made available, provided that such premises meets all the technical, engineering, health and environmental conditions as approved by the relevant entities in this respect.
- b. It is conditional for licensing the service of bringing those willing to marry in harmony that:
 1. The applicant for licence is a UAE national and holds the center in full.
 2. The scientific qualification of the applicant for licence is at least high school or its equivalent.
 3. That the activity of the center shall be limited to the service of bringing those willing to marry in harmony.
 4. The applicant for licence meets the conditions as provided in Clauses 3, 4, 5 and 6 of Paragraph A of this Article.
- c. Any other conditions as determined under a Resolution by the Minister.

Article (7)

Licensing Procedures

The center shall be licensed to provide family counseling services shall be issued according to the

following procedures:

- a. The application for licence shall be provided on such form as approved by the Ministry for such purpose, provided that all the documents and information as determined under a Resolution issued by the Minister are attached thereto.
- b. The Ministry shall study the application on the technical aspect and confirm that it meets the terms and conditions as provided in this Resolution and such other resolutions issued hereunder, including the inspection of the premises of the center, and to confirm that it meets the technical, engineering, health and environmental conditions as approved by the relevant entities in this respect.
- c. In the light of the results of inspection as provided in Paragraph B of this Article, the Ministry shall issue its Resolution accepting or rejecting the licence, within 30 (thirty) days from the date of providing the application.
- d. The applicant for licence shall be notified of the Resolution by the Ministry within 10 (ten) working days from the date of issuing such Resolution, provided that the Resolution shall be reasoned in the event of rejecting the application.

Article (8)

Term of the License

The term of the licence shall be one year renewable for similar terms under such application provided by the owner of the center, within 30 (thirty) days from the expiry date of the licence, provided that a Resolution cancelling the licence shall be issued by the Minister if it is not renewed for over 90 (ninety) days from its expiry date.

Article (9)

Obligations of the Center

The obligations of the center are as follows:

1. Not to provide any counseling services other than those services that the center is licensed by the Ministry to provide.
2. Not to provide any false statements, documents or information to the Ministry.
3. Not to transfer title to the center, join a new partner therein, change its location or create any other branches of the center without the prior written consent of the Ministry and the required licences from the competent authority.

4. Not to change the trade name of the center or any of its particulars without the prior consent in writing of the Ministry.
5. Not to make any change to the fees of the services provided by the center without the prior written consent of the Ministry, provided that the amount of such fees shall be appropriate to the services provided by the center.
6. To provide all information and statements to the Ministry and its personnel upon inspection and evaluation of the activities of the center and its documents, records and facilities.
7. That the center and its staff act strictly confidential in connection with the affairs related to the users of the services of the center, and they may not publish or provide any statements or information in their possession without the prior written consent of the manager or owner of the center.
8. Not to provide any counseling services outside the premises of the center or any of its branches as approved by the Ministry, provided that training and qualifying courses and seminars and workshops in any appropriate place outside the center, subject to the required approvals by the competent authorities in this respect.
9. To comply with such terms, conditions and procedures as issued by the Ministry in connection with performing the services as provided in Article 5 of this Resolution.
10. To strictly comply with the code of ethics upon practice of the family guidance profession, as approved by the Ministry.

Article (10)

Management of the Center

- a. Other than such centers held by corporate persons, the owner of the center shall generally supervise the center by himself, under his direct responsibility.
- b. Each center shall have a full time manager and technically and administratively qualified staff, provided that the Minister shall issue such Resolution determining the conditions and qualifications to available in each of them.

Article (11)

Control and Evaluation

- a. The center shall be subject to control and evaluation by the Ministry to confirm its compliance with the terms and conditions as provided in this Resolution and the resolutions issued

hereunder.

- b. If the Ministry confirms that the center is not able to perform its services for any reason whatsoever, or that the level of the services performed by the center is lower than the required level, the competent department at the Ministry shall, upon taking all such measures and procedures as determined under a Resolution by the Minister, provide a report to the Minister to consider the possibility to cancel the licence as required for the public interest.

Article (12)

Administrative Penalties

Without prejudice to any administrative penalties as provided in any other law, the Ministry shall apply any of the following administrative penalties if the center violates any of the provisions of this Resolution or the resolutions issued in execution of its provisions:

1. To notify the center in writing and to instruct the center not to repeat the violation.
2. To notify the center to remedy the violation within 15 (fifteen) days from the date of the notice.
3. To close the center for no later than six months at any one time.
4. To finally close the center.

Article (13)

Complaint

Any concerned person may provide a complaint in writing to the Minister against such resolutions and procedures taken against such person hereunder, within 15 (fifteen) days from the date of being notified of the relevant Resolution or procedure. Such complaint shall be determined within 30 (thirty) days from the date of providing it, by such committee formed by the Minister for such purpose. The Resolution in connection with such complaint shall be final.

Article (14)

Accommodating Positions

All centers existing on the effective date of this Resolution shall accommodate their positions in accordance with the provisions of this Resolution within 180 days from the effective date hereof.

Article (15)

Issuing Resolutions

The Minister shall issue such resolutions as required for the application of the provisions of this Resolution.

Article (16)

Revocation

Any provision of any other resolution is hereby repealed to the extent in conflict with the provisions of this Resolution.

Article (17)

Publication and Effective Date

This Resolution shall be published in the Official Gazette and shall come into force on the day following the date of its publication.

Mohammed Bin Rashid Al Maktoum

Prime Minister

Issued by us:

Date: 08 / Rabi Al- Thani / 1436 AH

Corresponding to: 28 / January / 2015 AD