

**Federal Decree-Law No. (10) of 2019**  
**On the Protection Against Domestic Violence**

**We, Khalifa bin Zayed Al Nahyan,        the President of the United Arab Emirate,**

- Having reviewed:
- The Constitution;
- Federal Law No. (1) of 1972, on the Competences of Ministries and the Powers of Ministers, as amended;
- Federal Law No. (9) of 1976, on Juvenile Offenders and Homeless People;
- Federal Law No. (5) of 1985, Enacting the UAE Civil Transactions Law, as amended;
- Federal Law No. (3) of 1987, Enacting the Penal Code, as amended;
- Federal Law No. (11) of 1992, Enacting the Civil Procedure Law, as amended;
- Federal Law No. (35) of 1992, Enacting the Criminal Procedure Law, as amended;
- Federal Law No. (14) of 1995, on Combating Narcotics and Psychotropic Substances;
- Federal Law No. (28) of 2005, on Personal Status;
- Federal Law No. (1) of 2012, on Children of Unknown Parentage;
- Federal Law No. (3) of 2016, on Child Rights (known as Wadeema's Law);
- Based on the Proposal submitted by the Minister of Community Development and the Cabinet's approval thereof,

**Hereby enact the following Decree-Law:**

**Article (1)**

**Objectives of the Decree-Law**

This Decree-Law aims at:

1. Combating domestic violence, promoting family social cohesion and preserving family structure.

2. Protecting personal privacy in a manner consistent with the legacy, customs and traditions in community.
3. Modifying behaviors harmful to family, woman and child and preserving social and moral legacy, customs, traditions and norms in the State.

## **Article (2)**

### **Applicability**

The provisions of this Decree-Law shall apply to the domestic violence crimes set forth therein.

## **Article (3)**

### **Domestic Violence Concept**

For the purpose of applying this Decree-Law, domestic violence means any act, word, offence, abuse or threat committed by a family member against another family member beyond the guardianship, custody, dependency, power or responsibility vested in him, involving a bodily, psychological, sexual or economic harm.

## **Article (4)**

### **Family Concept**

Upon applying the provisions of above Article (3), a family includes the following:

1. Husband and wife and their sons and grandsons.
2. Sons of a spouse from another marriage.
3. Father and mother of either spouse.
4. Relatives by blood or marriage up to the fourth degree.
5. Persons in the care of a foster family, pursuant to the provisions of statutes in force.

## **Article (5)**

### **Types of Domestic Violence**

The following acts, as per the provisions of this Decree-Law, constitute a domestic violence, subject to the provisions of statutes in force in the State:

1. **Physical Abuse:** Means any assault by any means on the victim's body, even if it has no impact.
2. **Psychological Abuse:** Means any acts or words causing a psychological harm.
3. **Sexual Abuse:** Means any act constituting a sexual assault or harassment on the victim or exploitation of the same by any means.
4. **Economic Abuse:** Means any act leading to depriving the victim of his right or freedom to dispose of his money with the intention of afflicting damage thereon.

## **Article (6)**

### **Restraining Order**

The Public Prosecution may, of its own accord or at the victim's request, issue a restraining order obligating the abuser of the following:

1. To stay away from the victim.
2. To stay away from the places prescribed for protecting the victim or any other place mentioned in the restraining order.
3. Not to afflict damage on personal property of the victim or any of his family members.
4. To enable the victim or his delegate to receive his necessary personal belongings.
5. Any other procedures the Public Prosecution deems necessary to include in the restraining order, which would provide an effective protection of the victim or any persons who are likely to be exposed to harm due to their relationship with the victim.

## **Article (7)**

### **Effective Period of the Restraining Order and Appealing it**

1. The period of the restraining order, issued by the Public Prosecution, shall not exceed (30) thirty days. The Public Prosecution may renew such order for two similar periods

not exceeding (60) sixty days.

2. If the period referred to in above Item (1), the restraining order may be renewed by a decision by the competent court up to (6) months.
3. Both the abuser and the victim may appeal the restraining order before the competent court, within (7) days from the date of its issuance.

## **Article (8)**

### **Penalties**

Whoever violates a restraining order issued under the provisions of this Decree-Law shall be sentenced to imprisonment for not more than (3) months and/or a fine of not less than (AED 1000) one thousand dirhams and not more than (AED 10,000) ten thousand dirhams.

The penalty shall be doubled if the restraining order is violated by using violence against any person covered by the provisions of this Decree-Law.

## **Article (9)**

1. Without prejudice to any severer penalty set forth in any other law, whoever commits any of the domestic violence acts set forth in Article (5) hereof shall be sentenced to imprisonment for not more than six months and/or a fine of not more than (AED 5,000).
2. The crimes set forth in Chapter VII, Book II of Federal Law No. (3) of 1987, referred to hereinabove, or in any other law are considered domestic violence crimes, pursuant to the provisions of Article (3) hereof, to which the provisions set forth therein shall be applied.
3. The court may double the penalty if the perpetrator commits any of the domestic violence acts set forth in Article (5) hereof within a year from committing the previous act.

## **Article (10)**

### **Reconciliation**

The Public Prosecution shall, before proceeding with the action related to domestic violence

crimes, propose reconciliation to the victim, pursuant to the controls and procedures set forth in Federal Law No. (35) of 1992, referred to herein above.

### **Article (11)**

#### **Final Provisions**

The Cabinet may issue resolutions, regulations and statutes necessary for fulfilling the objectives of this Decree-Law and implementing the provisions thereof, upon a proposal by the Minister of Community Development.

### **Article (12)**

Any provisions contradicting the provisions of this Decree-Law or are in conflict therewith shall be repealed.

### **Article (13)**

#### **Publication and Entry into Force**

This Decree-Law shall be published in the Official Gazette, and shall enter into force from the date to be set by a Cabinet's resolution.

**Khalifa bin Zayed Al Nahyan**

**The President of the United Arab Emirate**

Issued by us at Abu Dhabi Presidential Palace

Dated: 28 th Zulhijjah 1440 AH,

Corresponding to: 29 th August 2019 AD