

Federal Law No. (6) of 1978 regarding establishing federal courts and transferring powers of local judicial authorities in some Emirates to such courts.

We, Zayed bin Sultan Al Nahyan, President of the United Arab Emirates;

- In cognizance of the Provisional Constitution constitution; and
- Federal Law No.: (1) of 1972 regarding the capacities of ministries and the powers of ministers, and the amendment laws thereof; and
- Law No.: (10) of 1973 regarding the Supreme Federal Court; and
- Law No.: (1) of 1974 to reorganize the governmental structure in the Emirate of Abu Dhabi; and
- Pursuant to the request of the Emirates of Abu Dhabi, Sharjah, Ajman and Fujairah to have the jurisdictions of their local judicial tribunals to the federal courts of first instance; and
- According to the consent of the Minister of Justice, Islamic Affairs and Awqaf, approval of the Cabinet and the Federal National Council, and attestation of the Supreme Council of the Federation;

Promulgated the following Law:

Article (1)

First Instance Courts existing in the capitals of the Emirates of Abu Dhabi, Sharjah, Ajman and Fujairah at the time of enactment of this Law shall be Federal Courts of First Instance. First Instance Courts existing in the cities or areas other than those in the capitals of the said

Emirates shall be departments subsidiary to the Federal Courts of First Instance.

The Courts of Appeal existing in the capitals of the aforesaid Emirates shall be Federal Courts of Appeal.

Article (1 BIS)

The courts and competences of the judicial Authority in the emirate of Um Al Quwain shall be combined with the federal courts.

Article (2)

Shall be transferred to the Federal Courts prescribed in the aforesaid article the jurisdictions undertaken by the local judicial tribunals existing in the aforesaid emirates.

Article (3)

Subject to the provision of the preceding article, the Federal Courts of First Instance – each in its own capacity – shall have the jurisdiction to examine:

1. Civil, commercial, and administrative disputes between the Union and individuals whether the Union is acting in the capacity of plaintiff or defendant therein.
2. Crimes with exception to those subject to the Union Supreme Court's jurisdiction pursuant to Article (99) of the Constitution.
3. Personal status, civil, commercial, and other cases between individuals.

Article (4)

The Court hearings shall be held in public, unless the Court decides, at its own discretion, or at the request of the public prosecution or a litigant, to hold same in closed chambers to

maintain public order or manners.

In all cases, the verdict shall have to be pronounced in a public hearing.

Article (5)

The courts of first instance's verdicts shall be rendered by an individual judge, while those rendered by the courts of appeal shall be made by a panel of three judges.

Article 5 (BIS)

In exemption of the provisions of the preceding article, judgments of the First Instance Courts shall be issued by a panel of three judges in certain civil and commercial disputes as determined by the Law governing the procedures of civil courts.

And the judgments of criminal circuits shall be issued by a panel of three judges at the Court of Appeal in crimes of premeditated murder, rape, and theft with coercion, with exception to crimes affection the Union's security and interests which fall under the jurisdiction of the Union Supreme Court – and the said judgments issued by the Criminal Circuits cannot be appealed, however they may be objected to by cassation in accordance with the provisions of Article (20) of Federal Law No. (17) of 1978 referred to above.

Article (6)

Verdicts shall be inclusive of the grounds on which they were based.

Article (7)

Litigants may contest the verdicts of the federal courts before the Supreme Federal Court in the cases and according to the procedures enforced by the law promulgated in this respect.

Article (8)

The Federal Courts shall apply the provisions of the Islamic Sharia, federal laws and other laws in force, as well as applying the rules of custom and general legal principles insofar as they do not contravene the provisions of Sharia.

Article (9)

Verdicts shall be rendered by the federal courts and executed in the name of the President of the UAE.

Article (10)

Disputes looked into before the courts and which have become by virtue of this Law under the jurisdiction of the federal courts shall be transferred to this latter as is and without fees. However, this provision shall not apply to the lawsuits where pleading is closed and stayed for a verdict to be pronounced.

Article (11)

The staff working in the local judicial tribunals in the emirates stated in Article (1) hereof, including judges, public prosecutors, clerks, summoners etc., shall be transferred to the federal courts as is and with the same seniority and salaries.

Judges and public prosecutors shall take the legal oath before the Minister of Justice, Islamic Affairs and Awqaf as follows:

(I do solemnly swear by God Almighty to discharge my duties rightfully and impartially,

without fear or favor, and keep the UAE constitution and laws.)

The oath taken by the public prosecutors shall be in the presence of the Attorney General.

Article (12)

Subject to what is provided for in Federal Law No. (17) of 1978 and Federal Law No. (3) of 1983 referred to above, there shall be adherence before the Federal Courts of First Instance and Federal Courts of Appeal to the procedures and rules on the execution of judgments applicable in each Emirate – and whatever amendments that may impact such rules and regulations – until such time as the Law regulating the procedures before the Federal Courts is promulgated.

Article (13)

Legal fees before the federal courts shall be determined by a decree. Until such time as this decree is issued, the rules currently in place shall remain applicable.

Article (14)

The Minister of Justice shall have the authority to supervise federal courts in such a manner that would ensure the performance of their mission and realize the due course of justice without prejudice to the autonomy of the judiciary system. Forming the courts circuits and assigning judges thereto shall be vide a decree issued by the Minister of Justice.

Article (15)

The Minister of Justice, Islamic Affairs and Awqaf and the concerned authorities in the emirates mentioned in Article (1) shall execute the provisions of this Law.

Article (16)

This Law shall be published in the Gazette and become enforceable as of the date of its promulgation.

[Signed]

Zayed bin Sultan al Nahyan,

President of the United Arab Emirates

Promulgated by us in the Presidential Palace in Abu Dhabi, On:

Jumada Thani 29, 1398 A.H.

Corresponding to: 5/6/1978 A.D.