

Status: Law in force

FED LAW No. 10 of 2019

**Gazette No. 669**

## **UAE Official Gazette**

### **Federal Law No. (10) of 2019 on Regulating Judicial Relations Among the Judicial, Federal and Local Authorities**

**We, Khalifa Bin Zayed Al Nahyan President of the United Arab Emirates;**

Having reviewed the Constitution;

[Federal Law No. \(1\) of 1971](#) concerning the Official Gazette in the United Arab Emirates and the amendments thereof;

[Federal Law No. \(1\) of 1972](#), concerning the Competencies of Ministries and Powers of the Ministers, and the amendments thereof;

[Federal Law No. \(10\) of 1973](#) on the Federal Supreme Court and the amendments thereof,

[Federal Law No. \(11\) of 1973](#) Regulating Judicial Relationships Amongst Member Emirates of the Federation;

[Federal Law No. \(6\) of 1978](#) on The Establishment of Federal Courts and Transfer of The Jurisdiction of the Local Judicial Authorities In Some Emirates To Them and the amendments thereof,

[Federal Law No. \(17\) of 1978](#) Regulating the Cases and Procedures of Appeal by Cassation before the Federal Supreme Court, and the amendments thereof;

[Federal Law No. \(3\) of 1983](#) on the Federal Judicial Authority and the amendments thereof,

[Federal Law No. \(10\) of 1992](#) Promulgating the Law of Evidence in Civil and Commercial Transactions, and the amendments thereof;

[Federal Law No. \(11\) of 1992](#) Promulgating the Civil Procedure Code, and the amendments thereof;

[Federal Law No. \(35\) of 1992](#) concerning the Criminal Procedures, and the amendments thereof;

[Federal Law No. \(7\) of 2012](#) Regulating the Expertise Profession before Judicial Authorities;

[Federal Law No. \(17\) of 2016](#) on Establishing the Reconciliation and Settlement Centres in Civil and Commercial Disputes; and the amendments thereof;

[Federal Law No. \(5\) of 2017](#) on the Use of Remote Communication Technology in Criminal Proceedings; and

[Federal Law No. \(6\) of 2018](#) on Arbitration. - Pursuant to the proposal presented by the Minister of Justice, and approval of the Cabinet and the Federal National Council, and ratification of the Supreme Federal Council;

**We promulgate the following Law:**

**Article 1 Definitions**

In application of the provisions of this Law, the following words and expressions shall have the meanings ascribed thereto unless the context requires otherwise:

State : United Arab Emirates.

Ministry : The Ministry of Justice

Minister : Minister of Justice.

Authority : Authority for Unification of the Conflicting Judicial Principles established by one or more of the State's Supreme Courts, and the areas of its competence thereof are determined in accordance with the provisions of this Law.

Federal or Local Judicial Authority : The federal or local judicial entities, including courts and public prosecutions.

Chairmen of Local : The Chairmen of the local judicial entities in accordance with the legislation regulating the works thereof. Judicial Authority

Bonds of Execution : The bonds specified in the legislation and regulations in force in the State.

**Article 2 Exchange of information**

The Federal or Local Judicial Authorities shall exchange the information and data related to all adjudicated lawsuits thereof and any other information and data obtained from the official records and documents thereof in all the considered disputes, upon request. The information and data mentioned in this Article shall be considered as official documents. In addition, the exchange of information and data, in writing or via any other electronic means, is admissible.

### **Article 3 Publication**

The judicial papers and documents shall be published among the Federal or Local Judicial Authorities, in accordance with the legislation in force in the State.

### **Article 4 Publication Fees and Expenses related to the Witnesses and Experts**

The Federal or Local Judicial Authority shall collect - in accordance with the federal and local legislation, as the case may be - the publication fees, wherever they are published in the State.

The judicial authority that requested the publication shall be responsible for the expenses of the attendance of the witnesses or experts, as well as the costs of accommodation and return thereof.

### **Article 5 Letters Rogatory**

Each Federal or Local Judicial Authority shall have the right to request other authorities to initiate, on its behalf, any judicial proceeding related to a lawsuit under consideration or a judicial investigation, in accordance with the following procedures:

1. The Federal or Local Judicial Authority shall send the letter rogatory to the authority requested to implement such procedures, as the case may be.
2. The judicial authority requested to implement shall execute the letter rogatory in accordance with the legal procedures followed thereby, provided that if the requesting judicial authority wishes the letter rogatory to be executed by a different method, the other authority shall comply with its wish, unless that would contravene the laws of the judicial authority requested to implement.
3. The requesting judicial authority shall be given a notice of the place and time of execution of the letter rogatory, in order to allow the interested party to appear in person or by proxy.
4. If the letter rogatory pertains to a subject or procedure precluded by the local law or cannot be executed, the judicial authority requested to implement shall notify the requesting authority thereof, stating the reasons.
5. The judicial authority requested to implement shall pay the costs of letters rogatory, except for the fees of experts, which shall be paid by the requesting authority and shall send a statement of such fees attached to the letter rogatory file, provided that the judicial authority requested to implement shall be paid for the charges of the documents submitted during the execution of the letter rogatory, in accordance with the laws thereof.
6. The letter rogatory, specified in this Article, may be executed by using remote communication technology, in accordance with the legislation in force in the State.

### **Article 6 Legal Effect of a Letter Rogatory**

Any judicial procedure carried out pursuant to a letter rogatory, in accordance with Article

(5) hereof, shall have the same legal effect as it would have had, if it had been carried out before the requesting judicial authority.

### **Article 7 Assignment of Members of the Federal or Local Judicial Authority and Persons of Equivalent Status**

1. The Minister of Justice may, after consulting the Supreme Council of Federal Judiciary, ask the Chairmen of Local Judicial Authorities to assign any of the members of the judicial authority and persons of equivalent status working therein to take the same federal judicial positions. An approval of such assignment shall be issued by the competent local judicial authority in which the assigned member of the judicial authority or anyone of equivalent status works, and the term of assignment shall be determined therein in accordance with the legislation in force in the State.

2. The Chairman of Local Judicial Authority may ask the Minister of Justice to assign any of the members of the federal judicial authority or persons of equivalent status to take the same local judicial positions. An approval of such assignment shall be issued by the Minister of Justice, after consulting the Supreme Council of Federal Judiciary, provided that the term of assignment shall be determined therein, in accordance with the legislation in force in the State.

3. The Chairman of Local Judicial Authority may ask the chairman of another local judicial authority to assign any members of the judicial authority or persons of equivalent status to take the same local judicial positions. An approval of such shall be issued by the Chairman of Local Judicial Authority, provided that the term of assignment shall be determined therein in accordance with the legislation in force in the State.

### **Article 8 Binding Force of the Resolutions Issued by the Assigned Member of the Judicial Authority**

The resolutions or judgments issued by the assigned member of the judicial authority shall be deemed as equal as those issued by the judicial authority to which the member is assigned to work in, and they shall have the same legal effect.

### **Article 9 Authority Bearing the Assignment Costs**

The requesting judicial authority shall bear all financial entitlements and expenses incurred by the members of the judicial authority assigned to work therein, unless otherwise agreed between both judicial authorities.

### **Article 10 Execution of Judgments and Judicial Orders**

Any final or enforceable judgment or judicial order issued by a federal or local judicial authority shall be enforceable throughout the State, in accordance with the legislation in force in the State.

## **Article 11 Execution of Judgments of Arbitral Tribunals and Committees**

The judgments of arbitral tribunals, conciliation decisions issued by reconciliation and settlement committees, judgments issued by committees of Rental Disputes and other committees with the same jurisdiction shall be enforceable in the State, in accordance with the procedures and controls regulated by the legislation in force in the State.

## **Article 12 Bonds of Execution**

Taking into consideration the provisions of Articles (10) and (11) hereof, all Bonds of Execution issued by a Federal or Local Judicial Authority, in accordance with the conditions and regulations legally prescribed, shall be enforceable throughout the State.

## **Article 13 Implementation Proceedings**

Implementation shall take place according to the laws and procedures followed in the Emirate requested to carry out such implementation, in a manner consistent with the Code of Federal Regulations in this regard.

## **Article 14 Unification of Local and Federal Judicial Principles**

A judicial body called the "Authority for Unification of Local and Federal Judicial Principles" shall be established and headed by the president of the Federal Supreme Court or a representative thereof, with the membership of two judges from the Federal Supreme Court, and the State's Supreme and Cassation Courts, nominated by the presidents of such courts.

In the event that one of the members is unable to attend, the concerned court president shall nominate a substitute judge.

## **Article 15 Competence of the Authority**

The Authority shall be concerned with unifying the conflicting judicial principles issued by two or more of the supreme courts in the State, and it shall also be concerned with considering the requests to renounce a principle previously established thereby, in accordance with the procedures specified in Article (16) of this Law.

## **Article 16 Procedures of Submitting Requests to the Authority**

Requests of unifying the judicial principles shall be submitted to the Authority with a reasoned report from any of the presidents of the supreme courts in the State, federal Attorney-General or local public prosecutors, automatically or upon a request submitted to the same by federal or local governmental bodies. The president of any of the State's supreme courts may request the Authority, with a reasoned report and without the request being related to a specific appeal, to renounce a principle or principles previously

established by the Authority.

### **Article 17 Meetings and Procedures of the Authority**

1. The Authority shall convene, at the invitation of the president thereof, a regular meeting per year and whenever the need arises, to consider the requests submitted thereto, where its decisions, shall be issued, in all cases, by a majority of six of its members, and the meetings thereof shall be held at the headquarters of the Federal Supreme Court, or at the headquarters of any of the local judicial authorities, when necessary.

2. Requests submitted to the Authority shall not impede the courts from adjudicating the cases considered before the same.

### **Article 18 Binding Force of the Principles Established by the Authority**

All Federal or Local Judicial Authorities of various degrees shall abide by the principles established by the Authority.

Any subsequent judgment contravention of any of such principles shall be one of the grounds of appeal against such judgment by any of the legally prescribed methods.

In case a contravention of such principles is committed by one of the State's supreme courts after the principle has been established by the Authority, the interested party may request, within sixty days from the issuance of the violating judgment, from the Supreme Court that issued such judgment, to repeal this judgment and reconsider its appeal, according to the principle established by the Authority.

### **Article 19 Organizing the Work of the Authority**

The Authority shall issue a resolution on the system of work thereof, the procedures followed before it, and the organization of the auxiliary body thereof.

### **Article 20 Publication of the Principles Established by the Authority**

Taking into consideration the [Federal Law No. \(1\) of 1971](#) concerning the Official Gazette and the amendments thereof, referred to herein, the principles issued by the Authority formed in accordance with Article (14) hereof, shall be published in the official gazette, within 15 days from the day following the date of issuance thereof.

### **Article 21 Exceptions to the Application**

This law shall not apply to the judgments issued against the authorities of the Emirates requested to implement or against one of employees thereof for actions taken thereby due to the position, and the same shall not apply to the provisions that are incompatible with the international treaties and agreements, by which the Emirate requested to implement is

bounded, within the provisions of the Constitution.

### **Article 22 Repeals**

1. [Federal Law No. \(11\) of 1973](#) Regulating Judicial Relationships Amongst Member Emirates of the Federation, referred to herein, shall be repealed.
2. Any provision contrary to or inconsistent with the provisions of this Law shall be repealed.

### **Article 23 Publication and Entry into Force**

This Law shall be published in the official Gazette and it shall come into force three months after the date of publication thereof.

### **Signed**

**Khalifa Bin Zayed Al Nahyan**

**President of The United Arab Emirates**

Issued by us at the Presidential Palace in Abu Dhabi:

On: 22 Rabi' al-Thani 1441 H

Corresponding to: December 19, 2019 AD