

Cabinet Resolution No. (54) of 2020
Regarding the Non-Governmental Institutions Providing Rehabilitation for
Persons with Disabilities “People of Determination”

The Cabinet:

- 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. (29) of 2006 on Rights of Persons with Disabilities, as amended;
- Federal Law by Decree No. (8) of 2017 on VAT;
- Cabinet Resolution No. (7) of 2010 Concerning Non-Governmental Institutions Providing Care and Rehabilitation to Persons with Disabilities;
- Cabinet Resolution No. (11) of 2014 on Fees of Services Provided by Ministry of Community Development;
- Based on the proposal of the Minister of Community Development, and the approval of the Cabinet;

Has resolved the following:

Article (1)

Definitions

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

Ministry : Ministry of Community Development.

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Institution : Every non-governmental institution, profit or non-profit, with a rehabilitation educational and social purpose that mainly or

subsidiary provides services of special education and its supportive therapeutic services within an integrated program for the various disability categories, and that is licensed according to provisions of this Resolution.

Person with Disability : A person suffering from a long-term or short-term physical, sensory, mental, communicative, educational or psychological deficiency or impairment that may hinder his full and effective participation in the society on an equal footing with others.

Card of Person with Disability : A personal card granted by the Ministry for the persons with disabilities (people of determination) and it is deemed a formal document that its holder is a person with disability.

Concerned Authorities : Local authorities concerned with any matter related to licensing the non-governmental institutions for rehabilitation of persons with disabilities (people of determination).

Early Intervention Service : A supportive and rehabilitation educational and therapeutic service for children from the age of birth to (6) six years old who are disabled, have developmental delay or are at risk of disability, in accordance with an integrated program.

Integrated Service : An educational and therapeutic service for persons with disability similar to the school attendance, for ages from (4) four years to (18) eighteen years old.

Professional Qualification Service : A specialized service for persons with disabilities which activity is limited to training, professional qualification, employment and follow-up, for ages from (16) sixteen years to (35) thirty-five years old.

Life Skills Service : A service provided to the persons with disabilities who are above

(18) eighteen years old and do not join the institutions for persons with disability or join them but it is not possible to train or qualify them professionally for the nature or severity of disability. Its activity is limited to train them on certain skills of the daily life skills, in line with the nature and degree of disability.

Individual Therapeutic-Rehabilitation Sessions Service : : A service provided in form of individual therapeutic sessions including, the language and speech therapy, occupational therapy, sessions of special education, programs of behavior modification, psychological evaluation and family counselling.

Educational-Psychological Evaluation Service : A set of procedures, examinations and information collection made by the educational psychiatrist or clinician to evaluate the mental and cognitive abilities of the beneficiaries to determine their appropriate educational needs, it include applying the psychological measures, observation and interviews with beneficiaries and their care providers.

License : A document issued from the Ministry whereby an institution is licensed to provide the services of rehabilitation of persons with disabilities according to provisions of this Resolution.

Article (2)

Scope of Application

Provisions of this Resolution shall apply to all non-governmental institutions for rehabilitation of persons with disabilities (people of determination) that are operating in the State.

Article (3)

Provision of Services for Rehabilitation of Persons with Disabilities

It is prohibited for any natural or legal person to provide the services of rehabilitation of persons with disabilities unless through an institution licensed from the Ministry and the Concerned Authorities.

Article (4)

Services Provided by the Institution

The institution shall provide any of the following services:

1. **Early Intervention Service:** Services provided for children from the age of birth to (6) six years old who have a confirmed disability or developmental delay or are at risk of disability.
2. **Integrated Service:** Provided for persons with multiple mental disability, autism, for ages from (4) four years to (18) eighteen years old.
3. **Individual Therapeutic-Rehabilitation Sessions Service:** Provided for the cases in need to individual therapeutic sessions in the filed of language, speech, occupational therapy, special education, behavior modification, psychological evaluation and family counselling for persons till age of (18) eighteen years old.
4. **Professional Qualification Service:** Provided for every case holding a card for person with disability, from the age of (16) sixteen till (35) thirty-five years old who are trainable and eligible for qualification.
5. **Life Skills Service for Persons with Disabilities:** Provided for persons with disabilities who are above (18) years old according to the following two cases:
 - a. Those who joined the institutions for persons with disability but cannot be trained or qualified professionally for the nature or severity of disability;
 - b. Or those who did not join the institutions for persons with disability.
6. **Educational-Psychological Evaluation Service:** Provided for all categories.

Article (5)

Requirements of Issuance of License

To obtain a license for establishing an institution to provide the services stipulated in Article (4) of this Resolution, it is required that:

1. The license applicant is a natural person; they shall be a citizen of the State. The applicant may also be a legal person, provided that it is established in one of the forms of companies stipulated in the aforementioned Commercial Companies Law.
2. The license applicant holds an academic qualification certified from one of the universities recognized in State.

3. The license applicant is not less than (25) twenty-five years old and have the full civil capacity.
4. The license applicant has not been convicted of a crime of offence against honor or trust, even if he has been rehabilitated.
5. The license issued to him has not been cancelled for violating any of the terms and controls stipulated in this Resolution, unless more than (3) three years have passed on such cancellation.
6. An independent and appropriate head office is provided for the institution and is suitable for the service to be licensed, provided this head office fulfils all the technical, engineering, health and environmental requirements approved from the authorities concerned in this regard.
7. He obtains the formal approvals required for license from the concerned authorities.
8. He is able to fulfil the financial obligations of the Institution, as determined by the decision issued from the Minister.
9. The work of institution is limited to carrying out the services licensed under this Resolution.
10. The institution has a name indicating that it is an institution specialized in providing services for persons with disabilities.
11. Any other requirements identified by a decision from the Minister.

Article (6)

Procedures of Issuance of License

The license for establishing an institution for providing the services of rehabilitation of persons with disability shall be made according to the following procedures:

1. The licensing application shall be submitted on the form approved from the Ministry for such purpose and all documents and data decided by the Minister shall be attached thereto.
2. The Ministry shall consider the application technically to ensure that it fulfils the terms and requirements stipulated in this Resolution and the resolutions issued thereunder including, the inspection of head office of the institution and ensuring that it fulfils the technical, engineering, health and environmental requirements approved from the authorities concerned in this regard.
3. The Ministry shall decide accepting or rejecting the license within the results of inspection mentioned in Clause (2) of this Article within (30) thirty days from the date of submitting the application.
4. The license applicant shall be notified of decision of the Minister within (10) ten working days from the date it is issued, provided the decision is reasoned in case of rejection.

Article (7)

Term of License

The license shall be valid for one year renewable for similar terms upon a request submitted by the owner of institution within (30) thirty days from the date it is expired.

Article (8)

Cancellation of License

The Minister shall decide cancelling the license in the following cases:

1. In case of not renewing the license for more than (90) ninety days from the date it is expired.
2. Upon a request from the owner of institution according to the form approved from the Ministry.
3. If the Ministry finds a violation tor provisions of this Resolution although it warns of removing the violation according to provisions of Article (12) of this Resolution.

Article (9)

Obligations of Institution

The institution shall be committed to the following:

1. Not to provide any services other than the services it is licensed to provide by the Ministry.
2. Not to submit any incorrect data, documents or information to the Ministry.
3. Not to transfer the ownership of the institution, add a partner, change its location or establish other branches before obtaining a written consent from the Ministry and obtain the licenses required from the concerned authorities.
4. Not to change the trade name of the institution or any of its data before obtaining a written consent from the Ministry.
5. Not to make any change to the fees of the services provided by the institution before obtaining a written consent from the Ministry, provided the value of these fees is in commensurate with the services provided by the institution.
6. Provide all information and data to the Ministry and its employees upon conducting the works of inspection and evaluation of the activities, documents, instruments and facilities of

the institution.

7. Place the license issued thereto in a visible place in the head office of the institution.
8. Adhere to the terms, controls and procedures issued by the Ministry with regard to providing the services stipulated in Article (4) of this Resolution.
9. Provide the qualified administrative and technical cadres according to the standards and controls determined by a decision from the Ministry.
10. Provide the rehabilitating and educational programs for the persons with disabilities according to the abilities and skills of each person by those specialized, qualified and licensed in the field.
11. Provide a comprehensive statement on its rehabilitating programs, curriculum and plans to the Ministry upon obtaining the license or making any change to the used programs and curriculum.
12. Obtain a prior consent from the Ministry before making any change to its curriculum or plans or making any change or additions to the building of the institution.
13. Provide the statistics and data requested by the Ministry at time for delivery.
14. Respect the Islamic and Arab principles and values, laws, customs and traditions prevailing in the UAE community in all the programs it applies.
15. Carry out a comprehensive evaluation for every beneficiary separately when s/he joins the institution, provided this evaluation includes:
 - a. Detailed social case study.
 - b. Educational-psychological evaluation.
 - c. Evaluation of language and speech.
 - d. Motor evaluation when required.
16. Not to receive persons with disabilities to reside in the institution unless according to the controls and terms issued under a decision from the Minister.
17. Keep a copy of the medical reports and examinations and medical diagnosis for every beneficiary from the persons with disabilities.
18. Not to accept any beneficiary from the persons with disabilities without delivering a comprehensive medical report for the case stating the nature of problem of the beneficiary, medical diagnosis of the case, if possible, and the medical procedures taken before and during his/her enrolment in the institution.
19. Keep a file for the beneficiaries from the persons with disabilities including, the psychological, social, linguistic and medical reports, a copy of the card of persons with disabilities issued by

- the Ministry, the report of the specialist in the physical and occupational therapy, in addition to the individual plan prepared for each beneficiary, how the set goals are achieved, date of accomplishment, results of re-evaluation or the quarterly evaluation of the beneficiaries.
20. The institutions operating on the individual therapeutic-rehabilitation sessions system shall be excluded from this Clause.
 21. The institutions operating on the individual therapeutic-rehabilitation sessions system shall be committed to provide the following services only as per the consent issued from the Ministry:
 - a. Educational-psychological evaluation
 - b. Rehabilitation of language and speech disorders.
 - c. Occupational therapy.
 - d. Behavior modification.
 - e. Special education sessions.
 - f. Family counselling.
 22. Keep a special file in the institution including the following:
 - a. A copy of the license of the institution issued from the Ministry.
 - b. The purpose behind establishing the institution.
 - c. Shareholders in establishing the institution.
 - d. The benefit to be achieved from establishing the institution.
 - e. A map for the building where the service is provided and a map for the site approved from the competent authority.
 23. Keep the approvals of the Ministry of accepting the donations given to the institution.
 24. Submit an annual financial report about the institution to the Ministry.
 25. Send a list of the occasions and events it will organize to the Ministry.
 26. Provide equipped buses to transport the persons with disabilities registered with it within the integrated service if requested by the parents for the service, committing to provide security and safety and equipping the buses with the required supplies according to the category of disability served by the institution; the specification to be available in the buses shall be determined by the authority competent with school transport; and
 27. Provide bus supervisors trained on how to deal with the persons with disabilities.

Article (10)

Management of Institution

1. Owner of the institution or the one in charge of the works of management in the institutions owned by legal corporates shall be committed to generally supervise the institution by himself and to be responsible for it directly.
2. Every institution shall have a full-time manager to manage it and a qualified technical and administrative cadres, provided that the Minister shall issue a decision to determine the terms and qualifications that each of them should have.

Article (11)

Control and Evaluation

The institution shall be subject to the control, inspection and evaluation by the Ministry to ensure that it complies with the terms and controls stipulated in this Resolution and the resolutions issued thereunder.

Article (12)

Administrative Sanctions

Without violation to any administrative sanctions stipulated in any other legislation, the Ministry shall -in case it is established that the institution violates any of the provisions of this Resolution or the resolutions issued to enforce its provisions- take one or more of the following administrative sanctions:

1. Warning the institution of removing the violation within (15) fifteen days from the date of warning.
2. Imposing a financial fine according to the table attached to this Resolution.
3. Closing the institution for not more than six months.
4. Cancelling the license.

Article (13)

Grievances

1. Every interested party may complain in written before the Minister of the decisions and procedures taken against him under this Resolution, provided the grievance is submitted within not more than (15) fifteen days from the date of being notified of the complained decision. The grievance shall be reasoned and accompanied by all its supporting documents according to the procedures determined by the Ministry.
2. The Minister shall decide on the grievance according to the procedures she issues within not more than (30) thirty days from the date it is submitted. The decision issued in this regard shall be final. The grievance shall be deemed rejected at the termination of this period without replying to the complainant.

Article (14)

Regularization

All institutions existing at the time of enforcement of provisions of this Resolution shall be regularized in line with its provisions within (6) six months from the date it comes into force. The Minister may extend the period for not exceeding other (6) six months when justified.

Article (15)

Executive Resolutions

The Minister shall issue the resolutions required to apply the provisions of this Resolution.

Article (16)

Repeals

The Cabinet Resolution No. (7) of 2010 on the System of Non-Governmental Institution Providing Care and Rehabilitation for Persons with Disabilities shall be repealed, in addition to any provision violating or contradicting this Resolution.

Article (17)

Publication and Enforcement of Resolution

This Resolution shall be published in the Official Gazette and shall be enforced as of the day following the date of its publication.

Mohamed bin Rashid Al Maktoum

Prime Minister

Date: 14 Dhul Hijjah 1441 AH

Corresponding to: 04 August 2020 A.D

Annex 1

Table of Violations and Administrative Sanctions attached to the Cabinet Resolution No. (54) of 2020 Concerning the Non-Governmental Institutions Providing Rehabilitation for Persons with Disabilities (People of Determination)

Serial	Violation	Value of Fine in Dirham
1	Failure to renew the license of the institution after thirty days from its expiration.	2.000
2	Increasing the school fees or fulfilling other fees without prior consent from the Ministry.	10.000
3	Adding any services outside the granted license without prior consent from the Ministry.	10.000
4	Suspending the study without prior consent from the Ministry or failure to comply with suspending the study.	10.000
5	Publishing any advertising in the various media without prior consent from the Ministry.	5.000
6	Adding annex buildings to the building, establishing new buildings or making a change to the building.	5.000
7	Failure to complete the appointment of members of administrative and technical boards from the beginning of study.	5.000
8	Publishing, printing or issuing magazines or bulletins without prior consent from the	5.000

	Ministry.	
9	Failure to obtain the prior consent from the Ministry at the appointment of the staff or terminating their services.	5.000
10	Exceeding the maximum limit of capacity of classrooms.	5.000
11	Issuing certificates or documents violating the official records at the Ministry and the institution.	5.000
12	Moving to another building without prior consent from the Ministry.	5.000
13	Carrying out an activity without obtaining a license.	10.000
14	Assigning the services provided in the institution to other specialists.	5.000
15	Delaying in delivering the statistics 15 days post its date.	2.000
16	Failure to commit to enforce the provisions of this Resolution and the resolutions issued to enforce it.	10.000
17	Following new therapeutic, rehabilitation and educational methods and programs without notifying the Ministry.	10.000
18	Applying psychological examinations that are not adopted or approved from the Ministry.	5.000