

**Federal Decree Law No. (34) of 2022**  
**Regulating the Legal Profession and Legal Consultation Profession**

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

- Having reviewed the Constitution;
- Federal Law No. (6) of 1978 On the Establishment of Federal Courts and Transfer of the Jurisdiction of Local Judicial Authorities in some Emirates to Them; as amended;
- The Civil Code, promulgated by Federal Law No. (5) of 1985, as amended;
- Federal Law No. (23) of 1991 Regulating the Legal profession, as amended;
- The Law of Evidence in Civil and Commercial Transactions, promulgated by Federal Law No. (10) of 1992, as amended;
- The Civil Procedure Law, promulgated by Federal Law No. (11) of 1992, as amended;
- The Criminal Procedure Law, promulgated by Federal Law No. (35) of 1992, as amended;
- The Commercial Code, promulgated by Federal Law No. (18) of 1993, as amended;
- The Law establishing Conciliation and Mediation Centers for Civil and Commercial Disputes, promulgated by Federal Law No. (17) of 2016, as amended;
- Federal Law No. (5) of 2017 on the Use of Telecommunication in Criminal Proceedings;
- Federal Law No. (6) of 2018 on Arbitration;
- Federal Decree Law No. (14) of 2018 Concerning the Central Bank and Organization of Financial Activities and Institutions, as amended;
- Federal Decree Law No. (20) of 2018 on Anti-Money Laundering and Combating the financing of terrorism and of Illegal Organizations, as amended;
- Federal law No. (10) of 2019 Regulating the Judicial Relationship between the Federal and Local Judicial Authorities;
- Federal law No. (6) of 2021 on the Mediation for Settlement of Civil and Commercial Disputes;

- Federal Decree Law No. (31) of 2021 Promulgating the Crimes and Penalties Law;
  - Federal Decree Law No. (32) of 2021 on the Commercial Companies;
  - Federal Decree Law No. (46) of 2021 on the Electronic Transactions and Trust Services;
  - Federal Decree Law No. (20) of 2022 Regulating the Notary Profession;
  - Federal Decree Law No. (21) of 2022 Regulating the Expertise Profession before the Judicial Bodies;
  - Federal Decree Law No. (32) of 2022 on the Federal Judicial Authority;
  - Federal Decree Law No. (33) of 2022 on the Federal Supreme Court; and
  - Based on the Minister of Justice's proposal, as approved by the Cabinet,
- Hereby promulgated this Decree Law:**

## **Part One**

### **Definitions, Objectives and Scope of Application**

#### **Article (1)**

#### **Definitions**

For the purpose of applying the provisions of this Decree Law, the following words and expressions shall bear the meanings assigned thereto respectively, unless the context requires otherwise:

<b>The State</b>	:	The United Arab Emirates
<b>The Ministry</b>	:	The Ministry of Justice
<b>The Minister</b>	:	The Minister of Justice
<b>Head of Local Judicial Authority</b>	:	The heads of local judicial bodies according to the legislation regulating their work.
<b>The Committee</b>	:	The Lawyers and Legal Consultants Affairs Committee that is established pursuant to Article (79) hereof.
<b>The Competent Department</b>	:	The Ministry's Lawyers and Legal Consultants Affairs Department

<b>The Roll</b>	:	A paper or electronic document kept by the Competent Department for recording the lawyers' data, and each of which shall have an independent roll according to the provisions of this Decree Law and its Executive Regulations.
<b>The Register</b>	:	The paper or electronic document kept by the Competent Department for recording the data of lawyers' assistants; i.e. legal researchers, legal consultants and representatives, according to the provisions of this Decree Law and its Executive Regulations.
<b>The Lawyer</b>	:	The natural person whose name is recorded in the roll of practicing or non-practicing lawyers with the Ministry.
<b>Legal Consultant</b>	:	The natural person whose name is recorded in the roll of legal consultants with the Ministry.
<b>The profession</b>	:	The legal profession or legal consultation profession
<b>The Code</b>	:	Regulations that set out a set of rules and controls that regulate the work of the lawyers and their assistants, as well as the professional ethics and conduct.
<b>The Firm</b>	:	The law firm or legal consultation firm duly licensed in the State, whether as a sole proprietorship or a professional company.
<b>The Foreign Firm</b>	:	The branch of a foreign firm or company duly licensed in the State to engage in the legal profession and legal consultation and which satisfies the requirements set out in Article (70) hereof.
<b>Legal Fees</b>	:	The monetary consideration payable to the lawyer or legal consultant against performing the legal work assigned to him / her by the client.
<b>Retainer Agreement</b>	:	An agreement between the lawyer or legal consultant and the client, which sets out the agreed fees and payment method, as well as the type and nature of the duties assigned to the

lawyer or legal consultant

## **Article (2)**

### **Objectives of this Decree Law**

This decree law shall aim to:

1. Regulate the legal profession and legal consultation profession.
2. Develop the legal profession and legal consultation profession and upgrade the efficiency of its practitioners; and
3. Promote the trust in those performing the legal profession and legal consultation profession under the umbrella of specific professional, ethical and behavioral controls.

## **Article (3)**

### **Scope of Application**

1. The professions of this Decree Law shall apply to all persons and entities practicing the legal profession and legal consultation profession in the State.
2. The emirates having local judicial authorities may regulate the legal profession and legal consultation profession in accordance with their own local legislation.

## **Part Two**

### **Practice of the Legal Profession**

#### **Chapter One**

#### **Independence and Controls of the Profession**

### **Article (4)**

The legal profession is an independent, liberal profession regulated by this Decree Law, and contributes to achieving justice, ensuring the rule of law and promoting the right to defense.

### **Article (5)**

Lawyers are the professionals who engage in the legal profession for the sake of providing judicial assistance to the wishing persons. In the course of performing their profession the

lawyers shall have the rights and guarantees and shall be subject to the duties imposed on them in accordance with the provisions of this Decree Law and its Executive Regulations and the Code.

### **Article (6)**

1. Only lawyers duly licensed in the State shall practice the legal profession or carry out any activities related thereto or use the title "lawyer" upon performing any other relevant work. The legal profession's activities shall include, without limitation, the following work:
  - a. Appearing on behalf of, and representing, the persons concerned before the courts, the public prosecution, the committees of a judicial mandate, the investigation bodies and the police, defending such persons in relation to the legal proceedings instituted by or against them, and carry out relevant judicial work;
  - b. Giving legal opinion and advice;
  - c. Drafting the contracts and relevant legal procedures; and
  - d. Representing the parties in respect of any non-judicial legal work under a limited power of attorney.

The courts, the public prosecution and government entities shall only admit the lawyer's legal representation if his / her name is recorded in the Roll of Practicing Lawyers kept with the Ministry.

### **Article (7)**

Without prejudice to Article (9) hereof, only the lawyers admitted for pleading before the Federal Supreme Court shall be allowed to appear before such a court on behalf of the parties to the case and to file motions, appeals and statements of claim.

### **Article (8)**

Notwithstanding the provisions of Article (6) hereof:

1. The persons concerned may authorize their spouses, in-laws or blood relatives up to the fourth degree to appear on their behalf before the courts and judicial committees.

2. An attorney-in-fact appointed under a limited power of attorney may represent the legal representative of the private legal person in relation to any legal proceedings, whether before the Case Management Office or the Court, as the case may be. In which case, the attorney-in-fact shall satisfy the following requirements:
  - a. To be a national citizen having full legal capacity;
  - b. To be holding a university degree in law or in Sharia and law from a university or college recognized in the State or the equivalent certificate thereof. In addition, the Executive Regulations hereof shall set out the controls and requirements of the equivalent certificates;
  - c. To be an employee of the private legal person; and
  - d. To have its name recorded in the Roll of Non-Practicing Lawyers.

### **Article (9)**

Notwithstanding the provisions of Articles (6) and (7) hereof:

1. The State Lawsuits Department of the Ministry shall represent the ministries, government departments, and federal public bodies and institutions in relation to filing the motions, statements of claim, appeals and statements of defense, and, in general, performing all acts and activities relating to the handling of legal proceedings and appeals before the courts of all jurisdictions, the arbitral tribunals in the State and any other entity having a judicial mandate under this Decree Law, whether the ministries, government departments, and federal public bodies and institutions are acting as Plaintiff or Defendant, both within and outside of the State.
2. Without prejudice to Article (7) hereof, such entities may be represented by the following persons in respect of performing the activities referred to in Clause (1) of this Article:
  - a. The legal consultants who are employed by such entities, provided that their names are recorded in the Roll of Non-Practicing Lawyers; and
  - b. The law firms in relation to certain important legal proceedings, subject to prior approval of the Minister.
3. The local government entities and State-owned companies may be represented by either

the Ministry's State Lawsuits Department for carrying out the activities referred to in Clause (1) of this Article, or the legal consultants and experts who are national citizens employed by such entities, provided that their names are recorded in the Roll of Non-Practicing Lawyers. Such entities may also be represented by lawyers to carry out the said activities, provided that the representing lawyers are admitted for pleading before the Court handling the underlying legal proceeding.

### **Article (10)**

1. A non-national lawyer may be licensed to practice the legal profession in the State subject to satisfying both the requirements set forth in Articles (13.2), (13.3), (13.4), (13.6), (13.7), (13.8), (13.9) and (13.10) hereof, and the following requirements:
  - a. The non-national lawyer must have practiced the legal profession for at least fifteen (15) years, and is still registered as a practicing lawyer in the State wherein the legal profession has been practiced by him;
  - b. The non-national lawyer must be a partner of a foreign law firm that is both duly licensed in the State and satisfying the requirements set out in Article (70) hereof, and according to the conditions set out in the Executive Regulations hereof, and must be practicing the legal profession only through such a firm;
  - c. The non-national lawyer shall carry out the legal representation only in relation to the legal proceedings handled by the specialized circuits to be determined based on a decision of the Head of the Federal Judicial Council or the Heads of Local Judicial Bodies, as the case may be, and excluding the criminal proceedings, administrative proceedings, family proceedings and personal status proceedings of Muslims; and
  - d. The other requirements set out in the Executive Regulations of this Decree Law.
2. During, and on the occasion of, practicing the legal profession, the non-national lawyer shall be subject to all the rights, obligations and disciplinary measures that are applicable to the national lawyers and described herein.
3. The Executive Regulations of this Decree Law shall regulate the procedures and controls of licensing and delicensing the non-national lawyers to practice the legal profession, as well as the licensing term and renewal mechanism.

**Chapter Two**  
**Listing in Rolls of Lawyers**

**Article (11)**

Roll of lawyers shall be created by the Ministry as follows:

1. The Roll of Practicing Lawyers;
2. The Roll of Non-Practicing Lawyers; and
3. The Roll of Trainee Lawyers.

**Section One**

**Listing in Rolls of Practicing Lawyers**

**Article (12)**

1. The Rolls of Lawyers shall be divided into:
  - a. The Roll of Practicing Lawyers admitted before the Courts of First Instance and Appeal; and
  - b. The Roll of Practicing Lawyers admitted before the Federal Supreme Court.
2. The Executive Regulations of this Decree Law shall set out the conditions and procedures of moving the lawyer's name from the Roll of Practicing Lawyers admitted before the Courts of First Instance and Appeal to the Roll of Practicing Lawyers admitted before the Federal Supreme Court.

**Article (13)**

Any lawyer whose name is listed in the Roll of Practicing Lawyers shall satisfy the following requirements:

1. To be a national citizen;
2. To be at least twenty-one (21) calendar years of age;
3. To be of full legal capacity and good reputation and conduct, and has neither been convicted by a court on the grounds of any felony or misdemeanor involving moral turpitude or breach of trust, nor been convicted on disciplinary grounds in relation to any of such crimes, even if rehabilitated;



4. To be holding a university degree in law or in Sharia and law or the equivalent certificate thereof from a university or college recognized in the State;
5. To successfully pass the training period determined and regulated by the Executive Regulations hereof;
6. To successfully pass the written exams and interview before a committee to be formed by a resolution of the Minister;
7. To successfully pass the medical examination in order to verify his eligibility to practice the legal profession, as described in the Executive Regulations hereof;
8. To complete the necessary procedures and approval of listing not later than three (3) months following the date of being notified of the listing application approval; otherwise, his application shall be invalidated;
9. To submit a valid professional liability insurance policy, to be issued by an insurer duly licensed to operate in the State, unless the lawyer's liability is covered by the insurance policy of the law firm at which the lawyer works, according to the controls to be determined by the Minister; and
10. To pay the prescribed fees.

#### **Article (14)**

Notwithstanding the provisions of Articles (13.5) and (13.6) hereof, any person who has already occupied a judicial or public prosecution position or any legal position at the legal departments of the ministries or government bodies, or performed any job equivalent to the profession for a period of not less than three (3) years, may have his / her name listed in the Roll of Practicing Lawyers admitted before the Courts of First Instance and Appeal or the Federal Supreme Court, as regulated by the Executive Regulations hereof.

#### **Article (15)**

1. Listing in the Roll of Practicing Lawyers shall be valid for three (3) years renewable for a similar period(s) at the request of the person concerned.
2. Listing in the Roll of Non-Practicing Lawyers shall be valid for five (5) years.
3. The Executive Regulations hereof shall determine the listing renewal conditions and

controls.

### **Article (16)**

1. The lawyer shall only practice the legal profession after taking the following legal oath: "**I swear by Allah, the Almighty Lord, that I shall perform my duties honestly and honorably, respect the laws of the State, and preserve the profession and abide by its ethics and core values**".
2. The lawyer admitted before the Federal Supreme Court shall take the oath before any circuit of the Court, while the lawyer admitted before the other courts shall take the oath before a circuit of the Courts of Appeal.
3. The lawyer's taking of the oath shall be record in a report a copy of which shall be kept in his / her personal file at the competent department.

### **Article (17)**

The Executive Regulations hereof shall set out the conditions and procedures of moving the listing details from the Roll of Non-Practicing Lawyers to the Roll of Practicing Lawyers or re-listing after removal of listing.

## **Section Two**

### **Listing in the Rolls of Trainee Lawyers**

#### **Article (18)**

The trainer shall have his / her name listed in the Roll of Trainee Lawyers subject to satisfying the requirements set out in the Articles (13.1), (13.2), (13.3) and (13.4) hereof.

#### **Article (19)**

1. The application for moving the listing details of the trainee lawyer to the Roll of Practicing Lawyers or to the Roll of Non-Practicing Lawyers shall be admitted within one year of the date of successfully passing the training the training period and taking the legal oath ser forth in Article (16) hereof.

2. The Executive Regulations of this Decree Law shall set out the training conditions and procedures.

### **Article (20)**

1. Each lawyer admitted for pleading before the Federal Supreme Court shall admit at least one trainee lawyer at his / her law firm, and shall pay to the same a monthly remuneration the minimum value of which is to be determined by the Committee. However, the Committee may relieve the lawyer of admitting any trainee lawyer at his / her law firm if the surrounding circumstances so justify.
2. The Trainee Lawyer shall, during his / her practical training period, appear and plead before the Courts of First Instance and Appeal on behalf, and under the supervision, of the employer lawyer, according to the conditions to be determined by the Executive Regulations of this Decree Law.

### **Article (21)**

No lawyer, whose name is listed in the Rolls of Practicing Lawyers, shall be permitted to assume any of the following positions:

1. Presidency or membership of the Cabinet;
2. Presidency of the Federal National Council;
3. The public office, and the Committee may, however, as determined by the Executive Regulations of this Decree Law, grant an exemption to the faculty members of the law or Sharia and law at any university or faculty who are both nationals of the State and holder of PhD degree;
4. The private job, unless the same is conforming to Articles (8.2) and (23) of this Decree Law.

If the lawyer occupies any of such positions in violation of the provision of this Article, any disciplinary penalties shall be imposed on him / her as determined by Article (86) of this Decree Law.

## Section Three

### Listing in the Roll of Non-Practicing Lawyers

#### Article (22)

1. The following persons shall have their names listed in Roll of Non-Practicing Lawyers:
  - a. The Practicing Lawyer wishing to have his / her names moved to the Roll of Non-Practicing Lawyers for whatever reasons; and
  - b. The Trainee Lawyer who has successfully completed his / her training period and taken the legal oath provided for in Article (16) of this Decree Law, and is wishing to have his / her name moved to the Roll of Non-Practicing Lawyers.
2. The lawyer, who has any reason preventing him / her from practicing the legal profession, may submit an application to the Committee, within thirty (30) days of the occurrence date of the underlying reason, to have his / her name moved to the Roll of Non-Practicing Lawyers; otherwise, he / she shall be held accountable on disciplinary grounds. When such a reason ceases to exist, he / she may request that his / her name be re-listed in the Roll of Practicing Lawyers.
3. If the lawyer, whose name is listed in the Roll of Non-Practicing Lawyers prior to the entry into force of the provisions hereof, is wishing to have his / her name moved to the Roll of Non-Practicing, provided that he / she is not subject to the provisions of Article (14) hereof, and his name has never been listed in the Roll of Practicing, he / she shall be subject to the provisions of Articles (13.6) and (13.8) of this Decree Law.
4. Lawyers, whose names are listed in the Rolls of Practicing Lawyers and Non-Practicing Lawyers, shall have their affairs adjusted within one year following the date of entry into force of the provisions of this Decree Law.
5. The persons, who satisfy the requirements set forth in Article (13) of this Decree Law, may have their names listed in the Rolls of Non-Practicing Lawyers, as long as they work for government entities or state-owned companies. The Executive Regulations of this Decree Law shall determine the conditions and procedures for listing and the controls for its renewal.

## **Article (23)**

1. Subject to the provisions of Articles (6.2) and (7) of this Decree Law, the Lawyers, whose names are listed in the Roll of Non-Practicing Lawyers, may practice the professional duties described in Article (6) of this Decree Law, through legal departments of the private legal persons licensed in the State.
2. Lawyers working at such departments shall have their names listed in a special register kept with the competent department, and shall only be allowed to practice the profession after having their names listed in the Roll. The Executive Regulations of this Decree Law shall determine the procedures, terms and conditions for listing their names in, and removing their names from, the said Roll.
3. Lawyers working at such departments shall only practice the legal profession for the benefit of their employers, and violating this prohibition shall be a ground for removing their names from the Roll. In addition, they may only appear before the criminal courts in respect of the civil claims relating to the legal proceedings to which their employers are a party, as well as the legal proceedings instituted against the managers or employees of their employers by virtue of their positions.
4. The prohibition provided for in Clause (3) of this Article shall not apply to the legal proceedings involving them and their spouses and relatives up to the fourth degree, in respect of matters other than the judicial matters relating to their employers.

## **Section Four**

### **Removing Lawyers' Names from the Rolls**

## **Article (24)**

Every Lawyer deregistered under a decision of the Committee shall have his / her name removed from the Rolls of Lawyers.

**Part Three**  
**Lawyers' Rights and Duties and Lawyer-Client Relationship**  
**Chapter One**  
**Rights of Lawyers**  
**Article (25)**

While carrying out the duties of his profession, the Lawyer shall be treated with as much respect as due for the profession.

**Article (26)**

The Lawyer shall have the full freedom to accept or reject legal representation in respect of any specific case based on his own choice, and may adopt the methods he / she considers successful in accordance with the professional standards while defending the rights of his / her clients. In addition, the lawyer shall not be held liable for the contents of his / her oral pleadings or written submissions as required for the right of defense within the scope of the law and professional ethics.

**Article (27)**

Subject to the provisions of laws regulating civil and criminal procedure, the Lawyer shall have the right to:

1. Review the cases and judicial papers and obtain any data relevant to the cases managed by him / her;
2. Attend at the court hearings and investigation sessions with his / her client in accordance with the laws regulating civil and criminal procedure; and
3. Visit his / her client who is imprisoned at the public prisons and to meet with his / her client in private at a decent place within the prison.

**Article (28)**

In no event may the Lawyer be questioned, nor may his / her office be searched for any matters in relation to the performance of his / her profession, without prior permission from

the Public Prosecution and an order of at least the Advocate General, in addition, the person managing the investigation with the lawyer shall have the rank of at least a director of prosecution.

### **Article (29)**

No attachment may be imposed on the office firm of the Lawyer or the foreign firm or the assets of such firms that are necessary for practicing the profession.

## **Chapter Two**

### **Duties and Prohibitions of Lawyers**

#### **Article (30)**

1. The Lawyer shall attend in person in respect of the case assigned to him / her.
2. The Lawyer may, in writing, authorize any other Lawyer for appearance, pleading or taking any other litigation procedures on his / he behalf.
3. If the client stipulates under the power of attorney that the lawyer must appear in person in respect of the cases assigned to him / her, the Lawyer shall comply with such a requirement and may only authorize any third party to act on his / her behalf only when necessary.

#### **Article (31)**

The Executive Regulations of this Decree Law shall determine the controls for authorizations, and disciplinary measures shall be imposed against any lawyer who authorizes any other lawyer to appear on his / her behalf in violation of such relevant controls.

#### **Article (32)**

1. Before accepting the legal representation, the Lawyer shall keep his / her client informed of any circumstance that may potentially conflict with his / her interests; otherwise, he shall refuse such representation.

2. The Lawyer shall keep his / her client informed of the stages and progress of the relevant case, shall, in a timely manner, inform his / her client of the decisions and judgments issued in respect thereof, shall provide his / her client with the necessary advice and consultation with regard to the case and challenging the judgment, and shall draw his / her client's attention to the dates of appealing against the judgments and decisions.

### **Article (33)**

While appearing before the courts, the Lawyer shall wear the court dress specified by the Ministry.

### **Article (34)**

1. If the court appoints a lawyer to defend an accused in accordance with the provisions of the Criminal Procedure Law, the Lawyer so appointed shall appear and defend the accused in all trial hearings in accordance with the controls set forth in Article (32) of this Decree Law.
2. When adjudicating on a case in respect of which a lawyer is appointed, the court shall determine the latter's fees, and its decision in this regard shall be conclusive. The Executive Regulations of this Decree Law shall determine the controls for determining the fees of Lawyers appointed to handle criminal proceedings and the payment mechanism thereof.

### **Article (35)**

1. The Lawyer appointed in accordance with Article (34) of this Decree Law shall carry out the duties assigned to him / her, and may only step down for any reasons admitted by the court.
2. The court shall take disciplinary measures any Lawyer who either refuses to abide by the appointment decision without a lawful reason or excuse or fails to properly perform his / her professional duties.



### **Article (36)**

1. The Lawyer shall submit to the court his / her duly attested power of attorney at the first hearing he attends on behalf of his / her client, unless the court approves the submission of the same at the following hearing.
2. If the power of attorney is of a limited nature, it shall be kept in the case file, and if the same is of a general nature, only its number, date, and issuing authority shall be recorded in the transcript of the hearing and a copy thereof shall be kept in the case file.
3. If the client appears alongside the lawyer in the criminal case, the judge shall record the same in the transcript of the hearing, and such appearance shall be valid in lieu of the power of attorney.

### **Article (37)**

1. When the legal representation is completed, the Lawyer shall return to his / her client the power of attorney together with the original documents and paperwork belonging to the client if requested by the latter.
2. If the Lawyer has not received his professional fees, he may obtain, at the expense of his / her client, photocopies of all paperwork that could be used as a ground for claiming his / her professional fees.
3. The obligation provided for in Clause (1) of this Article shall not include the delivery to the client of the draft paperwork issued by the client in respect of the case, the letters received by the lawyer from the client, or the documents relating to the activities performed by the lawyer on his / her client's behalf, as long as the lawyer has not received his / her professional fees for any such activities.
4. The client's right to request that the Lawyer deliver back to him / her the documents and paperwork, which were initially handed over to the lawyer, shall lapse either in the event that the client fails to pay full professional fees of the lawyer or after the passage of five (5) years following the date of termination of their relationship, unless otherwise agreed between them.

### **Article (38)**

1. If the Lawyer wishes to step down or to have his / her legal representation for the client terminated, he / she shall notify his / her client or the latter's representative either by registered post with acknowledgment due or via e-mail, as the case may be. In addition, the lawyer shall continue to handle the case procedures for not more than one month following the date of sending the aforementioned notice, whenever the same is necessary to defend the interests of the client or its representative, unless the client or the court notifies the lawyer that the termination is accepted.
2. If the Lawyer steps down or requests the termination of his / her legal representation for the client when the case is being processed, he / she shall deliver to his / her client the power of attorney, the original documents and paperwork and fees paid upfront, unless otherwise agreed.
3. In all cases, the lawyer shall not be allowed to step down if the case is set for adjudication, without the approval of the court hearing the underlying case.

### **Article (39)**

1. The Lawyer may not engage in any activity that goes against the dignity or norms of the legal profession, shall perform his / her duties honorably and honestly, and shall abide by the ethics and professional conduct of the legal profession, including, in particular, those provided for in this Decree Law and its Executive Regulations and the Code.
2. Upon dealing with members of the judicial authority, the Lawyer shall act in a decent manner that observes the dignity and standing of the judicial authority, and shall avoid anything that may preclude the adjudication on cases or disturb the rule of law.

### **Article (40)**

The Lawyer shall neither accept, nor continue to perform, legal representation with respect to a case or legal procedure before any judge or public prosecution member with whom the lawyer knowingly has any relationship by marriage or blood up the fourth degree, even if the adverse party of his / her client accepts the same.

### **Article (41)**

Any person, who had occupied a public or private job and left the same, and is currently practicing the legal profession, shall not accept the legal representation, whether by himself / herself or through any lawyer acting on his / her behalf, in respect of any case against his / her former employer, within the year following the date of leaving his / her job, unless the merits of the underlying case are relating to anything falling under his / her responsibility or in respect of which he had performed any action with the former employer. In the latter case, the lawyer shall never accept the legal representation whether by himself / herself or through any lawyer acting on his / her behalf.

### **Article (42)**

1. The Lawyer shall be prohibited from engaging in business activities.
2. The Lawyer may own and invest in financial and real estate assets.
3. Notwithstanding the provisions of Clause (1) of this Article, the Lawyer may engage in the business activities specified by the Executive Regulations of this Decree Law.
4. The Lawyer may be a founder, shareholder or partner of any company in respect of which his / her liability is limited to the capital contribution provided by him / her.

### **Article (43)**

The Lawyer may not accept the legal representation in respect of any legal proceeding against any person or entity that had previously consulted him / her and allowed him / her to get access to its documents and aspects of defense.

### **Article (44)**

The Lawyer shall refrain from giving statements about the facts or information that comes to his / her knowledge **ex officio**, unless the owner of such information accepts the same.

### **Article (45)**

1. The Lawyer shall be prohibited from:

- a. Disclosing any secret entrusted to him / her, whether orally, in writing or via e-mail, means of modern technology or any other means of communication, or which comes to his / her knowledge **ex officio**, unless the disclosure of the same would prevent the commission of an offense affecting a person's life or safety or would cause serious damage to a person's property, or unless the disclosure of the same is an obligatory duty under the laws in force in the State;
  - b. Revealing the personal matters that offend or spoil the reputation, honor or dignity of the adverse parties, attorneys or witnesses, unless the same is necessary to defend the interests of his / her client;
  - c. Disclosing any information about the cases assigned to him / her or any secret entrusted to him / her;
  - d. Abusing the right to litigation, including prolongation of the proceedings;
  - e. Deceiving or misleading his / her client in any way;
  - f. Providing any assistance, even in the form of advice, to his / her client's adverse party in respect of the same dispute in question or any dispute thereto related, even after the legal representation for such a client ends;
  - g. Accepting the legal representation in respect of any legal proceeding that had already been handled by him / her or which falls within the scope of his / her area of competence for the jobs covered by the provisions of Article (14) hereof; or
  - h. Promoting, or attempting to promote, himself / herself in any manner that goes against the ethics of the profession, by any means of promotion or enticement by intermediaries. The Executive Regulations of this Decree Law shall determine the controls and means of promotion.
2. Whoever violates the provisions of Clause (1) of this Article shall be subject to the disciplinary measures, without prejudice to any other penalties set forth in this Decree Law and the laws in force in the State.

## **Chapter Three**

### **Legal fees**

#### **Article (46)**

1. The Lawyer shall have the right to receive legal fees for the professional activities he/she performs within the limits of his / her power of attorney, and may recover the expenses he/she incurs as required for handling the cases or duties assigned to him / her.
2. The retainer agreement shall be executed in writing by any means prior to the performance of the agreed upon work, and the legal fee shall become due according to such an agreement.

#### **Article (47)**

The following aspects shall be taken into account upon determining the effort and estimating the legal fees due:

1. The type and nature of the work assigned to the Lawyer, the estimated effort and the skills required to perform the same;
2. The expected time required by the lawyer to complete the work;
3. The importance of the case or the interests involved in the dispute;
4. The lawyer's experience, standing, seniority, degree of registration, and the reputation and prestige of his / her law firm; and
5. Expenses of the lawyer's firm for gathering the information, and other costs and encumbrances.

#### **Article (48)**

Legal fees may be agreed upon in advance depending on the type, nature or circumstances of the work assigned to the Lawyer, or according to the hourly rate system adopted by the firm for the handling and completion of the underlying work.

#### **Article (49)**

1. The retainer agreement shall set out the details of the work assigned to the Lawyer, as

well as its requirements in accordance with the law, customary practice and the nature of such work;

2. The retainer agreement may be relating to a legal proceeding, the execution or review of a contract or agreement, the giving of a legal opinion or advice, a stage of the legal proceeding such as appealing a judgment by any means of appeal or the initiation of enforcement procedures, or just a specific procedural action in respect of any existing legal proceeding, and the legal fees shall become due according to the agreement.
3. In the absence of a retainer agreement, the legal fees shall become due as follows:
  - a. If the work assigned to the lawyer is relating to a particular legal proceeding or any phase thereof, such as appealing the judgment by any means of appeal, the lawyer shall, as a prerequisite to be entitled to the legal fees, handle the procedures on behalf of his / her client in respect of such a legal proceeding until both a judgment is rendered on the merits thereof at the litigation instance for which the lawyer is appointed, and such a judgment is served upon the adverse party;
  - b. If the work assigned to the lawyer is relating to enforcement procedures of a legal proceeding, the lawyer shall, as a prerequisite to be entitled to the legal fees, handle the enforcement procedures on behalf of his / her client until a final judgment is rendered by the court or where the enforcement procedures could not be completed due to any reasons beyond the reasonable will of the lawyer, and after exhausting all legal procedures of enforcement; or
  - c. If the work assigned to the lawyer is relating to a specific procedural task in respect of a pending legal proceeding or a specific procedure in respect of any enforcement matter, the lawyer shall, as a prerequisite to be entitled to the legal fees, complete the work assigned to him / her.
4. If the lawyer-client agreement provides that the legal fees shall be a percentage of the court-awarded amount, such a percentage shall not exceed (25%) of the value of the court-awarded amount, and the Executive Regulations hereof shall determine the conditions governing the lawyer's eligibility to receive such fees. In which case, no fees shall be due to the lawyer if the latter loses the underlying legal proceeding.

### **Article (51)**

If the lawyer is hired by several clients, each client shall be liable for his / her share in the legal fees, with the exception of cases where each client undertakes to pay full fees to the lawyer if either the subject of the work is indivisible or they agree under the retainer agreement to jointly pay the legal fees. Any client who pays off the debt in either case shall claim from the remaining clients the payment of their respective shares.

### **Article (52)**

If there are several lawyers handling a single case and are belonging to different law firms, each lawyer of them shall be entitled to receive his / her fees according to the retainer agreement. In which case, the resignation or stepping down of any lawyer of them shall not affect the legal representation of the other lawyers, unless the power of attorney stipulates that all lawyers must jointly handle the same case.

### **Article (52)**

1. The lawyer shall receive his / her fees according to the retainer agreement with the client. In addition, the Court that hears the case shall have the exclusive jurisdiction to reduce, at the client's request, the agreed fees of the lawyer, if the court is convinced that such fees are overestimated compared to the effort of the case and the benefit generated by the client. Moreover, the Court may increase the value of the agreed fees at the request of the lawyer if the latter makes effort and dedicates time for the underlying case in excess of the effort and time initially estimated as being required from the lawyer under the agreement and according to the consideration set forth in Article (47) of this Decree Law.
2. The legal fees may neither be reduced nor increased if their value is agreed upon after the agreed work is completed.
3. In the absence of a retainer agreement, or of the retainer agreement is null and void, the Court that hears the case shall, where there is a matter of disagreement, determine the fees due to the lawyer in the light of the effort made by the lawyer and the benefit

generated by the client.

4. In all cases, the fees estimate application set forth in Clauses (1) and (3) of this Article shall be submitted to the Court under a petition that is subject to the procedures and controls of the writs on petitions referred to in the Civil Procedure Law and its Executive Regulations, and shall be served upon the adverse party.
5. The lawyer and client shall each have the right to file a grievance against the fees estimate writ within fifteen (15) days following the date of being notified of the underlying writ, by requiring its adverse party to appear before the court issuing the writ. Such a grievance shall be heard on an urgent basis.
6. If the legal fees that are a matter of disagreement belong to any work that has nothing to do with the legal proceeding heard by the court, the lawyer and client may each institute a case for estimating and claiming the legal fees according to the standard rules for instituting the case.

### **Article (53)**

1. The lawyer's right to claim his / her legal fees shall lapse upon the passage of three (3) years following the termination date of the legal representation, the completion date of the underlying work or the date of removal of the lawyer, in the absence of any lawful excuse, whether the agreement is of an oral or written nature.
2. Where there are several tasks assigned to the lawyer, the prescriptive period set out in the foregoing clause shall apply to every task thereof on a case-by-case basis. Notwithstanding this stipulation, the prescriptive period shall only apply after the last of such tasks is completed, in the event that the underlying tasks are inseparably interconnected, or if it explicitly agreed that the fees shall only become due after all tasks are completed.

### **Article (54)**

1. If the case assigned to the lawyer is finalized by amicable settlement as authorized by the client, the lawyer shall be entitled to full legal fees unless otherwise agreed with the client.



2. If the case covered by the agreement gives rise to legal proceedings and activities that have not been taken into consideration upon executing the agreement, the lawyer may claim legal fees for the same.

### **Article (55)**

The lawyer may not assign all or any part of the rights in dispute.

### **Article (56)**

The lawyers' legal fees and relevant expenses shall have a lien that is ranked directly next to the government's rights over the client's gains resulting from the lawyer's effort or from the judgment on the legal proceeding in question.

### **Article (57)**

1. If the client removes the lawyer without a lawful reason after the lawyer has initiated the task assigned to him / her, the client shall be required to pay the full legal fees agreed upon, as if the lawyer has properly completed the whole work in favor of his / her client.
2. If the lawyer is removed before initiating the task assigned to him / her, the lawyer shall be entitled to fees for the effort made by him / her in preparation for initiating the underlying task, but not exceeding (25%) of the agreed-upon fees.
3. In the absence of a retainer agreement, a case shall be instituted for estimating and claiming the same according to the standard procedures of instituting the case.

### **Article (58)**

1. If the client passes away and the heirs decide that the lawyer would not continue to act as their lawyer, the latter shall be entitled to legal fees for the effort made by him / her, taking into consideration the provisions of the retainer agreement between the lawyer and the deceased client, if any.
2. In the absence of a retainer agreement between the lawyer and the deceased client, the lawyer may institute a case for estimating and claiming the legal fees according to the standard procedures of instituting the case.

**Part Four**  
**Paralegals**  
**Chapter One**  
**Legal Researchers and Consultants**  
**Article (59)**

1. The work of the legal researcher and consultant shall be restricted to providing the legal services – not including the pleadings and legal representation before the courts and judicial committees – through the firm at which the same works. The paperwork of the legal researcher and consultant shall be issued on the law firm's letterhead and signed by a lawyer whose name is listed in the Roll of Practicing Lawyers of the same firm.
2. The legal researcher and consultant shall be prohibited from instituting or following up on the legal proceedings before the public prosecution or the courts of the State of all instances by any means whatsoever, or representing third parties before the rental dispute resolution committees or tax dispute committees or any committee of a judicial mandate.

**Article (60)**

1. The competent department shall keep a register for recording the names of legal researchers and consultants therein.
2. The legal researchers and consultants shall only perform their job duties after both having their names listed in the register and payment of the prescribed fees.
3. The Executive Regulations of this Decree Law shall set out the conditions, controls and procedures of listing and renewal of listing of the names in, and transfer and removal of the names from, the said register.

**Article (61)**

1. Upon performing their duties, the legal researcher and consultant shall abide by the principles of honor, honesty and integrity, shall safeguard the values of the profession, and shall respect its norms and ethics, relevant laws and decisions in the State, and the

Code.

2. Upon performing the legal services, the legal researcher and consultant shall be prohibited from:
  - a. Signing the statements of claim and submissions to be filed with the courts of all instances;
  - b. Signing retainer agreements with the clients, whether in his / her own name or in his / her capacity as a representative of the law firm;
  - c. Providing legal consultations for his / her own benefit or for the benefit of any entity other than the law firm at which he / she is working;
  - d. Claiming from the client an in-kind share of any right in dispute;
  - e. Performing any work requested by the client if the same is involving violation of the applicable legislation in the State or of the ethics and norms of the profession;  
or
  - f. Managing or co-managing the law firm on behalf of the firm's owner in any way whatsoever, except for the circumstances set out in the Executive Regulations of this Decree Law.

### **Article (62)**

The Competent Department may, at any point of time, verify the compliance by the legal researcher and consultant with the duties and obligations set forth in this Decree Law and its Executive Regulations and the relevant decisions. It may also request that any documents or paperwork be provided by the affiliated firms or conduct any investigation to verify the same, after notifying the lawyer owing the firm.

### **Article (63)**

The practicing legal consultant, who encounters any compelling circumstance that would preclude him / her from the practicing the profession, may submit an application to the Department in order to have his / her name moved to the Register of Non-Practicing Legal Consultants within thirty (30) days according to the controls set out in the Executive Regulations of this Decree Law. Once the compelling circumstance ceases to exist, the legal

consultant concerned may submit an application to have his / her name moved back to the Register of Practicing Legal Consultants.

## **Chapter Two**

### **Representatives**

#### **Article (64)**

1. The Competent Department shall keep a register that contains the names of representatives working at the law firms, in order to accept their dealings with the federal judicial authorities and competent bodies.
2. The representative shall only perform his / her job duties at the law firm only after his / her name is listed in the said register.
3. The Executive Regulations of this Decree Law shall set out the conditions, controls and procedures for listing the representatives' names in the said register and removing such names from the same.
4. The Competent Department may, at any point of time, verify the compliance by the representatives with the duties and obligations set forth in this Decree Law and its Executive Regulations, and may request that any documents or paperwork be provided by the law firms and their representatives, or conduct any investigation to verify the same such compliance.
5. The representative or the lawyer owning the law firm at which the representative works, as the case may be, file a grievance against the decisions issued by the Competent Department according to the procedures set out in the Executive Regulations of this Decree Law.

#### **Article (65)**

The period of listing the representative's name in the Register shall be three (3) years renewable for further similar periods against the prescribed fees, and the Executive Regulations shall determine the requirements to be satisfied for the listing, and renewal of listing, of the representatives' names in the said register.

### **Article (66)**

Upon performing his / her job duties, the representative shall abide by the principles of honor, honesty and integrity, shall safeguard the values of the profession, and shall respect its norms and ethics, and relevant laws and decisions in force in the State. In particular, the representative shall:

1. Ensure that his / her work is performed in favor of the employer firm, and not in favor of his / her personal interest or the interest of any third party; and
2. Respect the judges and their assistants.

### **Article (67)**

The representative shall be prohibited from:

1. Pleading before the courts or public prosecution, or drawing up or signing any submissions or statements of claim;
2. Delivering the representation deeds to the lawyers within the courtrooms;
3. Disclosing the secrets that come to his / her knowledge **ex officio**, unless such disclosure would preclude the commission of a crime;
4. Promoting the law firm at the buildings of courts and public prosecutions or at any other competent administrative authority;
5. Communicating with the court judges or members of the public prosecution, unless such communication is based on their request; and
6. Dealing with any entity in his / her capacity as a representative once the registration period recorded in the card delivered to him / her from the competent department expires, unless the same is renewed according to the procedures and periods described in the Executive Regulations of this Decree Law.

## **Part Five**

### **Regulation of Law and Legal Consultation Firms and Companies**

### **Article (68)**

The lawyer shall practice the legal profession singlehandedly through his / her own law firm,

in association with other lawyers whose names are listed in the Roll of Practicing Lawyers, in partnership with an international law firm under the umbrella of a professional law company, through a branch of a foreign law firm duly licensed in the State, or based on an employment contract with a law firm or company that is licensed under this Decree Law.

### **Article (69)**

1. National citizens, who are listed in the registers of legal consultants kept with the Ministry, may be licensed to practice the legal consultation profession that is relating to the provision of non-judicial legal services, including, but not limited to, giving the legal opinion, advice and consultation, drafting and drawing up the contracts and documents and relevant legal procedures, and other profession-related services that do not require appearance with the litigants or representing them before the judicial or judicial-assigning entities.
2. The legal consultant shall practice the profession singlehandedly through his / her own firm, in association with other legal consultants whose names are listed in the registers of legal consultants with the Ministry under the umbrella of a professional legal consultation company, through a branch of a foreign legal consultation firm duly licensed in the State, or based on an employment contract with a legal consultation firm or company that is licensed under this Decree Law.
3. The owner or partners of the legal consultation firm shall not receive a license for establishing a law firm.

### **Article (70)**

The law firm or legal consultation firm may be a branch of a foreign firm. As a prerequisite for approving the licensing of the foreign firm's branch, the following requirements shall be satisfied:

1. The parent foreign firm must have an outstanding international reputation in the legal field;
2. The parent foreign firm must have been operating for at least fifteen (15) years in the country of origin, and must have branches or subsidiaries in at least three (3) different

countries;

3. The foreign firm's branch required to be licensed must have a manager in charge of the branch's activities in the State. Such a manager must have at least ten (10) years of experience in the legal field, and must have his / her name listed in the Roll of Legal Consultants with the Ministry;
4. The parent foreign firm and its branches must have at least twenty-five (25) partners, and shall nominate at least two partners to represent it in the State;
5. Appointing national lawyers and legal consultants according to the quota to be determined under a resolution of the Cabinet;
6. Developing and qualifying the national personnel operating at the firm, and transferring the expertise and legal knowledge to them;
7. Providing training to national lawyers whose names are listed in the Roll of Trainee lawyers; and
8. Satisfying any other requirements set out in the Executive Regulations of this Decree Law.

### **Article (71)**

Every lawyer or legal consultant shall have an appropriate firm for practicing the professional services according to the controls set out in the Executive Regulations of this Decree Law. In addition, the lawyer or legal consultant, as the case may be, shall keep the Ministry notified within fifteen (15) days of the date of issue of the firm's license, of the address of his / her firm and every change to it. Such a firm shall be deemed legally valid for the legal and judicial notices and communications according to this Decree Law.

### **Article (72)**

Any professional license for the firm may only be issued by the local economic departments or the competent authorities in the free zones of the State or the legal consultant whose name is listed in the Roll of Practicing Legal Consultants kept with the Ministry based on prior approval of the Ministry.

### **Article (73)**

The lawyer or legal consultant shall not be allowed to have more than one firm in a single city. If the lawyer or legal consultant has more than one firm in any emirate of the State, each firm shall have at least one lawyer or legal consultant whose name is listed in the Roll of Practicing Lawyers or Legal Consultants.

### **Article (74)**

The Competent Department shall keep a register of licensed firms in every emirate and free zone, containing details of the firm's legal form and the areas of work performed thereby, details of the license and its renewal, as well as the details of the partners and managers of such firms and any changes thereto.

### **Article (75)**

1. The law firms and legal consultation firms shall have any of the following legal forms:
  - a. Sole proprietorship;
  - b. Professional company; or
  - c. Branch of a foreign firm.
2. The Executive Regulations of this Decree Law shall set out the controls, conditions and procedures of licensing, suspending, delicensing and liquidating the law firms and legal consultation firms that have the legal form of a sole proprietorship or a branch of a foreign firm.
3. The cabinet shall, based upon the Minister's proposal, issue the regulations of professional law companies and legal consultation companies.

### **Article (76)**

1. The committee may, based on a well-grounded application to be submitted thereto by the law firm or legal consultation firm, give permission to the firm to cease to provide the legal services for a specific period of time, provided that the firm furnishes an undertaking confirming the absence of any obligations on the part of the firm as a result of providing the legal services, and that there would be no harm to the clients' interests.
2. The committee may revoke the license of the firm, provided that the firm furnishes



an undertaking confirming the absence of any obligations on the part of the firm as a result of providing the legal services, and that there would be no harm to the clients' interests.

### **Article (77)**

The license of the law firm or legal consultation firm shall either be temporarily suspended by the Committee for a period not exceeding one year or be revoked by a decision of the committee under any of the following circumstances:

1. If the law firm or legal consultation firm fails to have its license renewed for a period exceeding ninety (90) days without a lawful excuse admitted by the Committee.
2. If the license granted to the firm is revoked by the licensing authority;
3. If a judicial order is issued suspending or revoking the license issued by the committee or licensing authority;
4. Liquidation of the firm;
5. If the firm merges with any other firm that practices the profession according to the procedures and conditions set out in the Executive Regulations of this Decree Law; or
6. If the firm no longer satisfies, or fails to comply with, any licensing requirements, or violates the legislation in force in the State or any of the provisions set out in the Executive Regulations of this Decree Law.

### **Article (78)**

Every stakeholder may file a written grievance with the Ministry against any of the decisions issued against himself / herself pursuant to the provisions hereof, within thirty (30) days following the date of issue of the underlying decisions. Such a grievance shall be heard and decided on by the committee whose decision shall be conclusive.

## **Part Six**

### **Supervision of the Law and Legal Consultation Profession**

#### **Chapter One**

#### **Lawyers and Legal Consultants Affairs Committee**

### Article (79)

A committee, to be known as the "Lawyers and Legal Consultants Affairs Committee" shall be formed based on a resolution of the Minister, as follows:

The Undersecretary	Chairman
A judge of the Federal Supreme Court	Member
A judge of the Court of Appeal	Member
A public prosecution member the rank of at least Advocate General	Member
The assistant undersecretary	Member
Three practicing lawyers	Members
A legal expert	Member
Director of the Competent Department	Member and Rapporteur

### Article (80)

1. The Committee shall exercise the following functions:
  - a. Decide on the applications for listing, renewal of listing, suspension, transfer and removal, of the names in / from the roll of lawyers and registers of legal consultants;
  - b. Moving the names from any roll to another roll of the lawyers and legal consultants;
  - c. Giving opinion on the counterpart work of the lawyers;
  - d. Giving temporary permission to the lawyers of other State to conduct pleadings in particular legal proceedings;
  - e. Receiving and investigating the complaints and grievances according to the provisions of this Decree Law; and
  - f. Forming subcommittees among the members of the committee and assigning thereto certain duties of the committee.
2. The Executive Regulations of this Decree Law shall set out the committee's terms of reference and the conditions for granting the temporary permission to the lawyers of

other States to conduct pleadings before the courts of the State.

## **Chapter Two**

### **The Ministry's Competent Department**

#### **Article (81)**

The Competent Department may verify the compliance by the lawyers, legal consultants and law firms with the duties and obligations set forth in this Decree Law and its Executive Regulations and the relevant ministerial resolutions. It may also request that any documents or paperwork be provided by the lawyers or law firms and shall take the appropriate measures to verify the same, as determined by the Executive Regulations of this Decree Law, and shall submit a report to the committee on any violations committed by the lawyers and legal consultants.

#### **Article (82)**

1. The applications for listing, and renewal of listing, in the rolls of lawyers shall be submitted to the Competent Department on the relevant forms, accompanied by the supporting documents of the application.
2. The committee may demand any further clarifications or information if deemed necessary.

## **Part Seven**

### **Judicial Assistance**

#### **Article (83)**

The public prosecution or the competent court, as the case may be, shall appoint a lawyer to represent the party who is relieved of the judicial fees due to its insolvency or as a means of providing judicial assistance to the parties that are unable to handle the legal proceedings that are required by this Decree Law to be handled by a lawyer.

### **Article (84)**

If several lawyers refuse legal representation in respect of the legal proceedings that are required by this Decree Law to be handled by a lawyer, the competent court shall, based on the interested person's request, appoint a lawyer for such purpose.

### **Article (85)**

If the lawyer passes away, is suspended, his / her name is removed from the roll, his / her freedom is restricted, or becomes unable to conduct the legal representation, the court may, at the request of his / her client, appoint a lawyer, belonging to at least the same registration rank, to temporarily replace him / her until the client hires any substitute lawyer, unless the lawyer or his / her heirs nominate any substitute lawyer whose task would be to take the necessary actions for safeguarding their interests.

## **Part Nine**

### **Disciplinary and Penal Liability**

#### **Chapter One**

#### **Disciplinary Liability**

### **Article (86)**

Any lawyer or legal consultant, who violates the duties of his / her profession, breaches any professional obligations, commits any of the prohibited acts set forth in this Decree Law or its Executive Regulations or the decisions to be issued in implementation hereof or the Code, or acts in any inappropriate way that spoils the prestige of the profession, shall be subject to any of the following disciplinary penalties:

1. Warning;
2. Administrative fine of not less than AED (5,000) five thousand dirhams, and not exceeding AED (30,000) thirty thousand dirhams;
3. Suspension from practicing the profession for not more than two years; or
4. Irrevocably removing his / her name from the Roll or Register.

The Executive Regulations of this Decree Law shall set out the effects of the suspension and

removal of the lawyer's / legal consultant's name from the Roll.

### **Article (87)**

1. The Committee may either of the penalties set forth in Articles (86.1) and (86.2) of this Decree Law, if it becomes convinced, in light of the evidence to be furnished by the party concerned, that the underlying violation is insignificant.
2. The lawyer and legal consultant may each file a grievance with the Minister against the committee's decision of conviction, within fifteen (15) days of the date of receiving the notice of the decision.
3. The Disciplinary Board may impose any of the penalties set forth in Article (86) of this Decree Law.

### **Article (88)**

1. The complaint against the lawyer or legal consultant shall be filed with the committee against the prescribed fee, and the complainant may file a grievance against the committee's decision to dismiss the complaint with the Minister within fifteen (15) days of the date of being notified of the underlying decision.
2. If an insignificant violation is committed by the lawyer or legal consultant more than once, or if the violation is of a significant effect, the matter shall be escalated to the Public Prosecution.
3. Referral of the complaint to the Disciplinary Board shall be conducted based on an order of the Public Prosecution after an investigation to be conducted by the Public Prosecution, and the latter may order that the complaint be dismissed. In all cases, the committee shall be notified of the Public Prosecution's decision.

### **Article (89)**

The lawyer's or legal consultant's resignation shall not be deemed a ground precluding the imposition of disciplinary measures against them, for any wrongful acts committed in the course of practicing the profession, within the three years following their resignation date.

## Article (90)

### Disciplinary Board

The disciplinary board shall be formed based on a resolution of the Minister, under the chairmanship of a chief judge of the Courts of Appeal, and shall have two members from the Courts of Appeal.

## Article (91)

1. The lawyer or legal consultant, as the case may be, shall be notified to appear before the competent disciplinary board by personal delivery, via email, or by any means of modern communication, at least fifteen (15) days prior to the scheduled hearing date. If the lawyer or legal consultant concerned fails to appear, the board may proceed with the trial in absentia.
2. The lawyer or legal consultant, as the case may be, may appoint a lawyer to defend him / her before the disciplinary board, and the latter may order that the lawyer or legal consultant appear in person, if necessary.

## Article (92)

The disciplinary board may, either **sua sponte** or based on the request of the Public Prosecution or the Lawyer or Legal Consultant - as the case may be – who is referred to the disciplinary board, summon any witnesses whose statement is deemed important. If any witness fails to appear without any acceptable justification, or if any witness appears but willfully fails to give his / her statement, the board may impose on him / her a fine of not less than AED (1,000) one thousand dirhams, and not exceeding AED (3,000) three thousand dirhams.

## Article (93)

Hearings of the disciplinary board shall be held behind closed doors, and the decisions shall be issued after hearing the claims of the Public Prosecution and the defense of the Lawyer or Legal Consultant - as the case may be – who is referred to the disciplinary board, or his / her

legal representative. The board's decision shall be substantiated.

### **Article (94)**

The disciplinary decisions shall be served by the legal means of service, and the delivery of the decision's photocopy to the Lawyer or Legal Consultant - as the case may be – shall be deemed an actual service of the underlying decision. Disciplinary decisions shall not be challenged by way of opposition.

### **Article (95)**

1. The Public Prosecution and the lawyer or legal consultant – as the case may be – who is found guilty, may appeal against the disciplinary board's decision before the Federal Supreme Court, within fifteen (15) days following the date of issue of the underlying decision with regard to the public prosecution, and within fifteen (15) days following the date of serving the decision upon, or delivering a copy of the decision to, the lawyer concerned. Such appeal shall be based on a statement of appeal to be filed with the Federal Supreme Court.
2. The appeal shall be heard by the criminal cassation chamber behind closed doors, in accordance with the rules set out in the Criminal Procedure Law referred to hereinabove.

### **Article (96)**

1. The lawyer or legal consultant – as the case may be – against whom a final judgment is rendered by the competent court or a decision is issued by the disciplinary board removing his / her name from the Roll or Register, may, after the passage of at least three (3) years, submit an application to the Committee to have his / her name re-listed in the Roll or Register. The committee may admit such application and decide that the name be re-listed, unless the lawyer or legal consultant – as the case may be – is convicted on the grounds of a crime involving moral turpitude or breach of trust, even if rehabilitated.
2. If the committee decides that the application be rejected, the application may only be re-submitted after one year following the rejection date.
3. In all cases, the decision shall be substantiated.

## **Chapter Two**

### **Criminal Liability and Penalties**

#### **Article (97)**

Whoever assaults a lawyer by hand or by threatening, insulting or defamatory speech in the course of performing his / her professional duties, shall be penalized with imprisonment sentence for a term of not less than one year and / or a fine of not less than AED (50,000) fifty thousand dirhams, and not exceeding AED (300,000) three hundred thousand dirhams.

#### **Article (98)**

Whoever, with intent to practice the profession without a license, leases a law firm's premises although his / her name is not listed in the Roll of Practicing Lawyers, shall be penalized with imprisonment sentence for a term of not less than three (3) months and / or a fine of not less than AED (30,000) thirty thousand dirhams, and not exceeding AED (100,000) hundred thousand dirhams.

#### **Article (99)**

Any lawyer, who knowingly leases out his / her law firm to a third party or enters into partnership with somebody whose name is not listed in the Roll of Practicing Lawyers, shall be penalized with a fine of not less than AED (50,000) fifty thousand dirhams, and not exceeding AED (300,000) three hundred thousand dirhams.

#### **Article (100)**

Imprisonment sentence for a term of not less than three (3) months and / or a fine of not less than AED (30,000) thirty thousand dirhams, and not exceeding AED (100,000) one hundred thousand dinars, shall be imposed on:

1. Whoever impersonates a lawyer or practices the profession without having the professional license according to the provisions hereof; and
2. Whoever practices the profession after his / her name is removed from the Roll of Lawyers.



### **Article (101)**

A fine penalty of not less than AED (20,000) twenty thousand dirhams, and not exceeding AED (200,000) two hundred thousand dirhams, shall be imposed on any person who attempts, in consideration of a commission, to entice clients in favor of any lawyer. Imprisonment sentence for a term of not less than one year shall be imposed in the event of recidivism.

### **Article (102)**

Imprisonment sentence for a term not exceeding six (6) months and / or a fine of not less than AED (20,000) twenty thousand dirhams and not exceeding AED (100,000) one hundred thousand dirhams, shall be imposed on any lawyer who accepts the legal representation, or performs, or continues to perform, any of the professional duties set forth in Article (6.1) hereof despite being aware of the occurrence of conflict of interest, and without keeping the client informed of the same.

### **Article (103)**

The imposition of the penalties set forth in this Decree Law shall not prejudice any more severe penalties provided for in any other law.

## **Part Ten**

### **Final Provisions**

### **Article (104)**

The Cabinet shall issue a resolution setting out the prescribed fees according to the provisions of this Decree Law and its Executive Regulations.

### **Article (105)**

The Cabinet shall, based upon the Minister's proposal, issue a resolution setting out the criteria and requirements for classifying and evaluating the performance of the law firms, lawyer and legal consultants, and designating the entity in charge of the implementation of

such criteria and requirements, in order to ensure the achievement of international best practices, while ensuring the confidently required in this respect.

### **Article (106)**

The Cabinet shall, based upon the Minister's proposal, issue a resolution approving the Code of the Legal Profession and Legal Consultation Profession. Any violation of the provisions of such a Code shall give rise to the disciplinary penalties set forth in Article (86) of this Decree Law.

### **Article (107)**

The Cabinet shall, based upon the Minister's proposal, issue the Executive Regulations of this Decree Law.

### **Article (108)**

Employees of the Competent Department, whose names are listed in a resolution to be issued by the Minister, shall have the capacity of judicial officers with regard to the crimes committed in violation of the provisions of this Decree Law and its Executive Regulations and the decisions issued in implementation hereof, within the area of competence of each of them.

### **Article (109)**

The Cabinet may, based upon the Minister's proposal, issue the regulations of administrative penalties for the acts committed in violation of the provisions of this Decree Law and its Executive Regulations.

### **Article (110)**

The Minister shall issue the decisions required for implementing the provisions of this Decree Law and its Executive Regulations.

### **Article (111)**

1. Federal Law No. (23) of 1991 Regulating the Legal profession, as amended, shall hereby be repealed.
2. Any violation that goes against or conflicts with the provisions hereof shall hereby be repealed.
3. The Executive Regulations and decisions in force upon the promulgation of this Decree Law shall continue in full force and effect, insofar as they do not go against the provisions hereof, until the Executive Regulations and implementing decisions of this Decree Law are issued.

### **Article (112)**

This Decree Law shall be published in the Official Gazette, and shall enter into force on January 2, 2023.

**Mohamed Bin Zayed Al Nahyan**  
**President of the United Arab Emirates**

Issued by us at the Presidential Palace, Abu Dhabi:

Date: 7 Rabi' I, 1444 AH

Corresponding to: 3 October, 2022 AD