

Federal Law No. (6) of 2022
Concerning Juvenile Delinquent and Juvenile at Risk of Delinquency

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

- Upon reviewing the Constitution,
- Federal Law No. (1) of 1972 concerning the Competences of Ministries and the Powers of Ministers and the amendments thereto,
- Federal Law No. (9) of 1976 concerning Delinquent Juveniles and Homeless,
- Federal Law No. (35) of 1992 Promulgating the Criminal Procedures Law, and any amendments thereto,
- Federal Law No. (43) of 1992 concerning the Penal Facilities Organisation,
- Federal Law No. (28) of 2005 concerning Personal Status, as amended,
- Federal Law No. (7) of 2014 concerning Combating Terrorism Offences,
- Federal Law No. (3) of 2016 concerning the Child Rights Law (Wadeema),
- Federal Law No. (5) of 2017 concerning the Use of Telecommunication in Criminal Proceedings,
- Federal Law No. (28) of 2019 concerning the Establishment of the National Counselling Centre,
- Federal Law by Decree No. (31) of 2021 Promulgating the offences and Punishments Law,
- Federal Law by Decree No. (33) of 2021 Regulating Labour Relations,
- Federal Law by Decree No. (34) of 2021 On Combating Rumours and Cybercrimes,
- Upon the proposal of the Minister of Finance as approved by the Cabinet and the Federal National Council, and as ratified by the Federal Supreme Council,

Hereby issue the following Law:

Article (1)

Definitions

In application of the provisions of this Law, the following words and phrases shall have the meanings assigned to each of them, unless the context otherwise requires:

State	: United Arab Emirates.
Ministry	: Ministry of Interior.
Minister of	: Minister of the Interior.
Competent Authority	: The Federal Authority concerned with Child Affairs.
The Concerned Entity	: The Local Authority concerned with Children Affairs.
Child	: Every person born alive who has not completed Eighteen Years old.
Juvenile Delinquent	: A Child who commits offence punishable by the offences and Penalties Law or any other law.
Juvenile at Risk of Delinquency	: The Child whose moral, sexual, physical, psychological, mental, intellectual or educational integrity may be exposed to risk that may lead to his being considered a Juvenile Delinquent.
Juvenile Association	: A place which is suitable for care of Juvenile Delinquent and Juvenile at Risk of Delinquency.
Child Protection Specialist	: The person licensed and assigned by the Competent Authority or the Concerned Entity – as the case may be – to maintain the rights of the Child and protect the Child within the limits of their competencies, as stated in Federal Law No. (3) of 2016 concerning the Child Rights Law (Wadeema).
Guardian	: The person legally responsible for the Child or he is Guardian of the Child.

Article (2)

Scope of Application

The provisions stipulated in this law shall apply to Juvenile Delinquent and Juvenile at Risk of Delinquency.

Article (3)

Age Calculation

Pursuant to the provisions of this law, the Gregorian Calendar shall be taken into account when the Age is calculated.

Article (4)

Proof of the Age

The age shall be proved under official document. If it is unavailable, the Investigation Authority or the Court shall appoint a specialist physician to estimate the age using his techniques.

Article (5)

Criminal Liability

Delinquent Juvenile Who has not reached the age of (12) at the time of committing the legally punishable act shall not be criminally liable.

The Public Prosecution may order the appropriate administrative measures stipulated in this law to be taken in the case of a Delinquent Juvenile who has not reached the age prescribed under this article, if it deems it necessary.

Article (6)

Delinquent Juvenile Who Has Not Yet Reached the Age of Sixteen

If the Delinquent Juvenile who has reached the age of (12) Twelve years and has not reached the age of (16) sixteen years has committed offence punishable by the Law of offences and Penalties or any other law, the Court shall rule to take whatever judicial measures it deems necessary provided for in this law.

Article (7)

Delinquent Juvenile Who Has Reached the Age of Sixteen

If the Delinquent Juvenile who has reached the age of (16) sixteen years has committed offence punishable by the Law of offences and Penalties or any other law, the Court shall rule to take whatever judicial measures it deems necessary provided for in this law instead of the prescribed penalties.

Article (8)

Judgment Rules Against Juvenile Delinquent

In the cases in which the Juvenile Delinquent may be sentenced to a criminal penalty, the following rules shall be applied against him:

1. The Juvenile Delinquent shall not be sentenced to death or imprisonment.
2. The death penalty or imprisonment for the offence committed by the Delinquent Juvenile shall be replaced by imprisonment for a period not exceeding (10) ten years.
3. The period of imprisonment imposed on a Juvenile Delinquent may not exceed half of the maximum limit prescribed for the original penalty. In all cases, the imprisonment that may be imposed on the Delinquent Juvenile in accordance with this Article shall be executed in the Juvenile Association. If the Delinquent Juvenile has reached the age of (18) eighteen years and he still has a remaining period, the Delinquent Juvenile shall be transferred to the Penal Institution or Association to complete the rest of the punishment.

Article (9)

Penal Principles for Dealing with Juvenile Delinquents

1. The provisions of recidivism shall not apply to the Delinquent Juvenile.
2. The Juvenile Delinquent shall not be subject to consequential or complementary penalties, except for confiscation and removal from employment, unless the Court deems it beneficial to issue a judgment thereof.
3. The Juvenile Delinquent shall not be subject to financial penalties.

Article (10)

Legal Guarantees for Juvenile Trial

The following legal guarantees shall apply to the Delinquent Juvenile upon Trial:

1. If a Juvenile Delinquent commits more than one offence before a judgment is passed against him in one of the offences, the Juvenile Delinquent shall be tried for it as a single offence, provided that the penalty prescribed for the most severe offence is passed.
2. If, after the judgment against the Delinquent Juvenile that he committed another offence prior to the issuance of the judgment, the Court may find it sufficient with the judicial measures or the penalties imposed against him.

Article (11)

Judicial Measures

The Judicial Measures that the Court may impose on the Juvenile Delinquent in the event of conviction of offence are:

1. Judicial Probationary Period.
2. Electronic Surveillance.
3. Community Service.
4. Prohibition of practice of a certain work.
5. Mandatory vocational training.
6. Placing at the Health Facility.
7. Placing at the Juvenile Association.
8. Placing at the National Counselling Centre.

In all cases, the Juvenile Delinquent may be sentenced to more than one of the measures referred to in the aforementioned, whenever his interest so requires.

Article (12)

Judicial Probationary Period

In the cases in which the Delinquent Juvenile may be sentenced to imprisonment, the Court may order the suspension of pronouncement of the conviction for a period of not less than one year and not exceeding three years, provided that the Delinquent Juvenile has not

reached the age of eighteen during the period of Judicial Probationary Period, while placing him under supervision and the restrictions required by the Judicial Probationary Period.

If the Juvenile successfully passes the Judicial probationary period, the case shall be deemed as if it has not existed. Otherwise, the Juvenile shall be retried in accordance with the provisions of this Law.

The Executive Regulations of this law shall determine the procedures for implementing the Judicial Probationary Period measure.

Article (13)

Electronic Surveillance

The Court may place the Delinquent Juvenile under Electronic Surveillance to prevent him from visiting the places where it is proven that his visit has an effect on his Delinquency.

The Executive Regulations of this law shall determine the cases in which Surveillance is obligatory, and the duration and procedures for implementing and following up this measure.

Article (14)

Community Service

The Court may decide to assign a Delinquent Juvenile who has reached the age of sixteen to perform community service within a specified period of time and for a number of daily hours.

If the Juvenile Delinquent does not undertake them or fails to complete them, the Court may decide what it deems appropriate from the measures mentioned in this law.

The Executive Regulations of this law shall determine the conditions of community service, its performance locations, its duration, and the procedures for implementing this measure.

Article (15)

Vocational Training

The obligation for vocational training is that the Court entrusts the Delinquent Juvenile to Government Agencies, Associations or the Private Sector for a period not exceeding (3) three years. If the Delinquent Juvenile does not undertake vocational training or fails to complete it, the Court may decide what it deems appropriate from the measures mentioned in this law.

The Executive Regulations of this law shall determine the procedures for implementing of this measure.

Article (16)

Placing at a Health Facility

If the Court finds that the Juvenile Delinquency is due to a mental or psychological illness, it may order that he be placed in a therapeutic shelter or health facility designated for this purpose until he is cured.

The Court then shall decide the release the Delinquent Juvenile based on periodic reports of the doctors supervising his treatment.

Article (17)

Placing at the Juvenile Association

The Court may order the placement of the Delinquent Juvenile in a Juvenile Association for rehabilitation and correction of behaviour.

The Court shall decide the release of the Delinquent Juvenile or replace the measure with another based on the periodic reports submitted by the Juvenile Association.

The Delinquent Juvenile may not remain in the Juvenile Association when he reaches the age of (18) eighteen years.

Article (18)

Deposit at the National Counselling Centre

The Court may order that the Delinquent Juvenile who is convicted of terrorist danger be deposited in the National Counselling Centre.

The Court shall decide to release or continue the placement of the Juvenile Delinquent based on the periodic reports submitted by the National Counselling Centre to the Court.

Article (19)

Stay of Execution

When a judgment is passed for one or more of the measures stipulated in this law, it may order

the stay of execution of the judgment.

Article (20)

Penal Reconciliation

Penal Reconciliation shall be applied to violations and misdemeanours for which the penalty of imprisonment does not exceed one year, if the Juvenile Delinquent commits the violations and misdemeanours for the first time.

Article (21)

Delinquent Juvenile Trial

The Delinquent Juvenile Trial shall take place in private and in the presence of Child Protection Specialist. Only his Guardian, witnesses, lawyers, and those authorised by the Court may attend.

A Juvenile Delinquent in felony offences shall not be tried except in the presence of a lawyer. If the Guardian does not assign a lawyer for the Juvenile, the Court shall assign him a lawyer who shall be paid by the State for his efforts as set forth in the Code of Criminal Procedure.

The Court may carry out Trial procedures using remote communication technology in criminal proceedings.

The Court may exempt the Delinquent Juvenile from attending the Trial in person and decide to hear the witnesses in his absence if it deems that his interest requires that.

However, a conviction may not be passed except after the Delinquent Juvenile has been made aware of the procedures that took place in his absence, and the verdict shall be pronounced in an open session.

Article (22)

Investigation Controls

When investigating a Delinquent Juvenile, the following rules shall be observed:

1. The Police shall notify the Guardian or one of the relatives of the Delinquent Juvenile as soon as possible if the information relating to him is fit for reporting. The Juvenile Delinquent may request the presence of the Guardian.

2. Iron handcuffs or any kind of handcuffs that restrict the movement of a Delinquent Juvenile may not be placed except in cases specified by the Executive Regulations of this law.
3. If the act committed by the Juvenile Delinquent constitutes a felony, the Police shall inform the Public Prosecution to take its actions before taking any procedural action against him.
4. The Police shall take the statement of the Delinquent Juvenile in cases other than felonies, in the presence of a Child Protection Specialist, who shall prepare a report on the Delinquent Juvenile and express his opinion in writing on issues related to his personality. The Executive Regulations shall determine the controls and places for taking the Delinquent Juvenile statement.
5. The Juvenile Delinquent shall be given the opportunity to express his views freely and his views shall be given due consideration in accordance with his age and maturity.
6. After completing the Delinquent Juvenile statement, the Police shall refer him to the Public Prosecution, and shall attach the report of the Child Protection Specialist, including a statement of the Delinquent social and psychological condition, the environment in which he grew up, his opinion on the factors that prompted him to commit the punishable act or exposed him to Delinquency, and the proposed measures to reform it.
7. The Public Prosecution shall inform the Juvenile Delinquent of the charges against him and deal with the accusation and the case.

Article (23)

Remand in Custody

A Juvenile Delinquent may not be remanded in custody. However, if the circumstances of the case require taking a precautionary measure against him, the Public Prosecution may order that he be placed in a Juvenile Association, provided that the placement period does not exceed one week, unless the Court agrees to extend it for a maximum period of (30) thirty days.

Instead of placing the Delinquent Juvenile, it may be ordered that the Delinquent Juvenile be handed over to his Guardian, provided that the Delinquent Juvenile is committed to present at every request.

Article (24)

Trial Controls

When prosecuting a Delinquent Juvenile, the following rules shall be observed:

1. If the case of the Delinquent Juvenile is related to Defendants who have completed (18) eighteen years of age at the time of committing the offence, the Trial procedures for the Delinquent Juvenile shall be carried out in accordance with the provisions of this law.
2. The jurisdiction of the Court shall be determined by the place where the legally punishable act took place. The Court may refer the criminal case to the Court within whose jurisdiction the Delinquent Juvenile or his family resides in order to achieve his best interest. The Court to which he is referred shall accept the case.
3. The Juvenile Delinquent, the Guardian, his lawyer, or one of the parties to the case may request the Court to discuss with the Child Protection Specialist concerning his report submitted to the Court.
4. The Court shall, after reviewing the report submitted by the Child Protection Specialist, rule on the case and be guided by what is stated therein.
5. If the conditioning of the act committed by the Delinquent Juvenile constitutes a felony, two Child Protection Specialists shall be present.

Article (25)

Notice to the Delinquent Juvenile

Every action required by law to be informed to the Juvenile shall be notified to his Guardian, and he may proceed in the interests of the Delinquent Juvenile with the appeal methods prescribed.

Article (26)

Legal Protection of the Juvenile

1. The name and photos of the Delinquent Juvenile may not be published or to publishing the facts of the investigation or Trial or its summary or summary of the judgment in any means of publication, media or social communication, in any way whatsoever, unless the Court or the Public Prosecution allows it.

2. The Court shall take all necessary measures to prevent infringement by any means that the Delinquent Juvenile may be exposed to in his private life, and confiscate pamphlets, books, recordings, photos, films, correspondence, or any documents, papers, tools, or devices that it deems harmful to his reputation, honour, or the reputation and honour of his family. And prevent its circulation through social media or any other means.
3. The Court shall consider, in an urgent manner, taking the procedures stipulated in this Article, according to a request submitted by the Delinquent Juvenile, the Guardian, the Police, or the Public Prosecution.

Article (27)

Suspension of the Guardianship Over the Delinquent Juvenile

Subject to the provisions of the laws in force with regard to Guardianship over oneself, the Court may suspend all Guardianship rights if the Guardian is the cause of his Delinquency. If the Court shall decide to suspend the Guardianship, it refers the matter to the Court concerned with personal status affairs to appoint a Guardian over the Delinquent Juvenile in accordance with the legislation in force in the State.

Article (28)

Appeal of Judgments

Judgments issued against Juveniles may be appealed. The appeal shall be submitted with a report to the Competent Court within thirty (30) days from the date of issuance of the judgment if it is in presence, or from the date of informing the judgment if it is in absentia. The Court shall decide on it as soon as possible.

Article (29)

Enforcement of Judgments

The judgment to place the Delinquent Juvenile at a Juvenile Association or the National Counselling Centre shall be enforceable even if it is challenged by appeal.

Article (30)

Modification of Judicial Measures

The Court may, on its own, after reviewing the reports submitted to the Court, or at the request of the Delinquent Juvenile or his Guardian, rule to amend, suspend or terminate the judgment measures. In all cases, the Court judgment shall not be subject to appeal. A new application shall not be accepted before the lapse of (3) three months from the issuance of the judgment.

Article (31)

Dealing with Juveniles According to Age

1. If an accused person is sentenced, then it is revealed by official papers that he has completed (18) eighteen years of age, the Public Prosecution shall refer the matter to the Court that issued the judgment to cancel it and rule on the case in accordance with the Procedures prescribed for Juvenile Delinquent Trails.
2. If an accused person is sentenced to one of the measures prescribed for Juveniles, then it is revealed by official papers that he has completed (18) eighteen years of age, the Public Prosecution shall refer the matter to the Court that issued the judgment to cancel it and rule on the case in accordance with the provisions prescribed in the Code of Criminal Procedures.

Article (32)

Social Risk to the Child

Social risk to the Child and it is feared that he will be exposed to Delinquency in any of the following cases:

1. If he is found practicing what is not considered a legitimate means of subsistence.
2. If he sleeps overnight in other than his home or in places not intended for residence or overnight.
3. If he visits places that people of his age are prohibited, or if he mixes with suspects or criminals.
4. If he is repeatedly absent from home or escaping from school.
5. If he is of bad behaviour or outside the authority of his Guardian.

6. If he performs acts related to narcotics, psychotropic substances, alcohol, violence, or acts contrary to morals or public morals.
7. If he is found carrying any weapon or tool that endangers the safety and lives of others.
8. If there are indications that he may harm himself in any way.
9. If he is subjected to abuse that would lead him to deviant behaviour.
10. If the Guardian refuses to receive it or abandons it.
11. Any cases specified by the Executive Regulation of this Law.

Article (33)

Administrative Measures

The Police may impose the following administrative measures on a Juvenile at Risk of Delinquency:

1. Delivery to the Guardian.
2. Commitment to certain duties.
3. Electronic Surveillance to prevent him from going to specific places, or specifying exit hours.
4. Referral to health or specialised facilities.
5. Referral to the Juvenile Association.
6. The Executive Regulations of this law shall specify the conditions and controls for these administrative measures, grievance procedures, and the cases in which the administrative measure may be amended.

Article (34)

Implementation of Administrative Measures

The Police shall notify the Guardian in writing if he finds the Juvenile at Risk of Delinquency in any of the cases stipulated in Article (32) of this law.

If the Juvenile at risk of Delinquency is referred to the Juvenile Association, the Guardian may appeal against this procedure within (10) ten days from the date of his knowledge.

If the Juvenile at Risk of Delinquency has reached the age of (18) eighteen years and is still in the Juvenile Association, the Association shall hand him over to the Guardian.

The Executive Regulation of this Law shall determine the procedures necessary for its submission and the regulations of implementing this Article.

Article (35)

The Juvenile Association Regulation

The Minister shall issue the necessary Resolutions to regulate the Juvenile Association in a way that guarantees their care and rehabilitation and the implementation of the sentences issued against them in coordination with the competent authority and the concerned party in the State.

Article (36)

The Juvenile Association Powers

1. The Juvenile Association may, on its own or at the request of the Delinquent Juvenile and his Guardian, recommend the conditional release of the Juvenile against whom he is sentenced, after he has spent half of the term he is sentenced to, if he has behaved well during the period he spent in the Juvenile Association. The Executive Regulations shall specify this law has criteria and controls for conditional release. In all cases, the release resolution shall be issued by the Minister or his authorised representative, provided that the Public Prosecutor is notified of that.
2. A Delinquent Juvenile may be granted permission to visit his relatives while placing him under Electronic Surveillance. This shall be by a decision of the Public Prosecution after reviewing the Child Protection Specialist Report based on the recommendation of the Director of the Juvenile Association. The Executive Regulations of this law shall regulate the conditions and controls for granting such permission.

Article (37)

The Juvenile Association Disciplinary Measures

The Juvenile Association may take the following disciplinary measures:

1. Reprimand.
2. Warning.

3. Denial of certain benefits.
4. Denial of visit permission.
5. Social isolation.

The Executive Regulations of this law shall determine the conditions and controls necessary for the implementation of these disciplinary measures.

Article (38)

Subject to National Counselling Centre

The Public Prosecutor may subject the Juvenile at Risk of Delinquency in cases involving a terrorist threat to the programmes offered by the National Counselling Centre.

Article (39)

Penalties

The imposition of the penalties stipulated in this Law shall be without prejudice to any more severe penalty stipulated in any other law.

Article (40)

Anyone to whom the Juvenile is handed over and who refuses to present him to the Competent Authorities upon his request or deliberately refrains from following up on the Follow-Up Care Programmes shall be punished with a fine of not less than (AED 5000) Five Thousand Dirhams and not exceeding (AED 30,000) Thirty Thousand Dirhams.

Article (41)

Whoever secures place to a Juvenile Delinquent, or incites him to violate it, or helps him to do so, shall be punished by imprisonment and a fine of no less than (AED 50,000) Fifty Thousand Dirhams.

Article (42)

1. Whoever exposes a Juvenile to one of the cases of Delinquency by aiding or inciting him to conduct it or facilitating it in any way, even if the case of Delinquency has not been

legally established, shall be punished by imprisonment for a period of no less than one year and a fine of no less than (AED 50,000) Fifty Thousand Dirhams.

2. The penalty shall be imprisonment for a period of no less than two years and a fine of no less than (AED 100,000) One Hundred Thousand Dirhams whoever prepares a Juvenile to commit offence or performs any preparatory, facilitating or completing work for its commission or incites him to commit it, even if the Juvenile has not actually committed it.
3. The penalty shall be imprisonment for a period of no less than (3) three years and a fine of no less than (AED 200,000) Two Hundred Thousand Dirhams if the Offender uses coercive or threatening means with the Juvenile.
4. The Offender shall be punished by imprisonment for a period of no less than (5) five years if he commits these acts with more than one Juvenile, even at different times.
5. It is considered an aggravating circumstance if the Offender is the Guardian of the Child, and the penalty is multiplied by the number of Children.

Article (43)

1. Whoever publishes, without permission, the name and photos of the Delinquent Juvenile, or publishes the facts of the investigation or Trial, or its summary, or summary of the judgment, in any means of publication, media, or social media, shall be punished by imprisonment for a period of no less than one year, and a fine of no less than (AED 50,000) Fifty Thousand Dirhams.
2. Whoever obstructs or prevents employees of the Juvenile Association from carrying out their duties or obstructs their work without legal support shall be punished by imprisonment or a fine of no less than (AED 10,000) Ten Thousand Dirhams.

Article (44)

Without prejudice to the penalties stipulated in this law, anyone who violates the Regulations and resolutions issued in implementation thereof shall be punished with imprisonment or a fine.

Article (45)

Judicial Control Officers

The employees who work in the Juvenile Association shall have the capacity of Judicial Control Officers with regard to Juvenile Delinquency.

Article (46)

Follow-Up Care of the Juveniles

The Ministry, in coordination with the Competent Authority and the Concerned Entity, shall develop programmes and policies necessary for the Follow-Up Care Juveniles and their integration into society, as determined by the Executive Regulations of this law.

The Executive Regulations of this law determine the violations and administrative penalties related to the violation of aftercare programs and policies.

Article (47)

Executive Regulation

The Cabinet, based on a proposal of the Minister, shall issue the Executive Regulations for this Decree by Law within three (3) months from the date of its enforcement.

Article (48)

Repeals

1. Federal Law No. (9) of 1976 on Delinquent Juveniles and Homeless.
2. Any provision that violates or contradicts the provisions of this Law shall be repealed.
3. The Resolutions and Regulations issued prior to the entry into force of this law shall remain in force, in a manner that shall not conflict with its provisions, until the issuance of provisions replacing them in accordance with the provisions herein.

Article (49)

Law Publication and Enforcement

This Law shall be published in the Official Gazette and shall come into force after (3) three months from the date of its publication.

Mohammed Bin Zayed Al Nahyan
President of the United Arab Emirates

Issued by us at the Palace of the Presidency in Abu Dhabi:

On: 19 Jumada Al-Awwal, 1444 H

Corresponding to: December 13, 2022