

## **Federal Decree by Law No. (13) of 2021 Establishing and Regulating the Federal Judicial Enforcement Office**

**We, Khalifa Bin Zayed Al Nahyan, President of the UAE;**

- Upon reviewing the Constitution;
- Federal Law No. (1) of 1972 concerning the Competences of Ministries and the Powers of Ministers, and any amendments thereto;
- Federal Law No. (10) of 1973 concerning the Federal Supreme Court, and any amendments thereto;
- Federal Law No. (12) of 1976 concerning the Police & Security Forces and any amendments thereto;
- Federal Law No. (3) of 1983 concerning the Federal Judicial Authority, and any amendments thereto;
- Federal Law No. (3) of 1987 promulgating the Penal Code, and any amendments thereto;
- Federal Law No. (35) of 1992 promulgating the Criminal Procedure Law, and any amendments thereto;
- Federal Law No. (43) of 1992 Regulating Punitive Facilities;
- Federal Law No (2) of 2003 concerning the State Security Apparatus;
- Federal Law by Decree No. (11) of 2008 concerning Human Resources in the Federal Government, and any amendments thereto;
- Federal Law No. (8) of 2011 Re-organising the State Audit Institution;
- Federal Law No. (5) of 2017 concerning the Use of Telecommunication in Criminal Proceedings;
- Federal Law No. (10) of 2019 Regulating the Relationship Between Federal and Local Judicial Authorities;
- Federal Law by Decree No. (26) of 2019 concerning Public Finance;
- Upon the proposal of the Deputy Prime Minister and Minister of Presidential Affairs,

and the approval of the Cabinet;

**Have promulgated the following Law by Decree:**

## **Article (1)**

### **Definitions**

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

<b>State</b>	:	United Arab Emirates.
<b>Court</b>	:	Presidential Court.
<b>Chairman</b>	:	Chairman of the Presidential Court.
<b>Public Prosecution</b>	:	Federal Public Prosecution.
<b>Attorney General</b>	:	Attorney General of the Federation
<b>Office</b>	:	The Federal Judicial Enforcement Office.
<b>Concerned Entities</b>	:	Federal and Local Authorities related to the work of the Office.
<b>Director General</b>	:	Director of the Federal Judicial Enforcement Office.
<b>Office Employees</b>	:	Officers, non-commissioned officers, privates of other ranks, guards and civil servants working in the Office.
<b>Officer</b>	:	Everyone with the rank of Lieutenant and above.
<b>Non-commissioned Officer</b>	:	Everyone whose rank is less than the rank of officer and not less than the rank of first policeman.
<b>Private</b>	:	Everyone whose rank is less than the rank of non-commissioned officer.
<b>Guard</b>	:	Every person entrusted with duties of guarding, carrying weapons, and using them in accordance with the provisions of the Law, without having an official rank.
<b>Guarding Companies</b>	:	Companies that provide a security service based on a licence issued thereto in accordance with the legislation in force in the State.

## **Article (2)**

### **Objectives of the Law**

This Law by Decree aims to:

1. Support and assist the competent State agencies in maintaining security and stability in a manner that ensures response to the requirements of criminal justice related to security in society.
2. Assist the Public Prosecution in carrying out its duties, including verifying the occurrence of crimes within its jurisdiction, gathering evidence related thereto and looking for perpetrators.
3. Coordinate with the concerned authorities in the field of law enforcement.

## **Article (3)**

### **Establishment of the Office**

1. A federal office named the "Federal Judicial Enforcement Office" shall be established to be affiliated with the Attorney General. The Office shall have a legal personality, and shall enjoy the legal capacity necessary to act, and the financial and administrative independence necessary to achieve its objectives.
2. A decision of the Attorney General shall be issued to arm the Office's Employees after coordination with the competent authorities in the State, within the limits required by the nature of their work.

## **Article (4)**

### **The Office's Headquarters and Branches**

The Office's headquarters shall be located in the Emirate of Abu Dhabi, and the Attorney General may issue a resolution to establish branches therefor in any other Emirate upon a proposal from the Director General.

## **Article (5)**

### **Competences of the Office**

The Office shall:

1. Conduct research and investigation of crimes that the Public Prosecution engages in within the jurisdiction of the federal courts in accordance with the provisions of the Constitution or Federal Laws, with the exception of those that fall under the jurisdiction of the State's Security Apparatus.
2. Execute the orders and decisions issued by the Public Prosecution in the crimes referred to in Clause (1) of this Article. The local authorities shall provide the necessary assistance to the Office in accordance with the legislation in force in the State to implement said decisions and orders.
3. Enforce criminal judgments issued by federal courts in coordination with the concerned authorities.
4. Coordinate with the competent police departments at the State level.
5. Secure and guard the headquarters of the federal prosecution offices and courts.
6. Assume any other tasks assigned thereto by the Attorney General within the limits of its competences and objectives.

## **Article (6)**

### **Formation of the Office's Force**

**The Office's force shall consist of:**

1. Military officers, non-commissioned officers, privates and guards who are appointed in the Office or seconded from the agencies of the Ministry of Interior and the Police and Security Forces in any of the Emirates.
2. Civil servants and workers who are appointed or seconded in accordance with the regulations and systems in force in the Office.

## **Article (7)**

### **Powers of Office's Employees**

The employees of the Office who are Officers and non-commissioner officers shall have the capacity of judicial enforcement officers at the level of the Emirates of the State, in respect with the crimes stipulated in Article (5) of this Law by Decree. They shall exercise all the powers and competences assigned to the judicial enforcement officers stated in the aforementioned Criminal Procedure and Police and Security Force Laws.

## **Article (8)**

### **Director General**

The Office shall have a Director General from among the military personnel, and a federal decree shall be issued to name him based on the nomination of the Attorney General.

## **Article (9)**

### **Director General Competences**

The Director General is responsible for running the Office's work, representing it before courts and in its relationship with others. He shall answer to the Attorney General for the proper conduct of all the Office's affairs in accordance with the systems in force, and he shall in particular:

1. Issue decisions, orders and instructions to the departments affiliated with the Office, its units and its employees to achieve the objectives assigned thereto and to organise the workflow therein.
2. Supervise the implementation of all laws, regulations and systems related to the Office's jurisdiction.
3. Lay down policies and strategic plans related to the work of the Office and submit them to the Attorney General for approval.
4. Establish the organising rules to ensure the security and confidentiality of information related to the Office's activities.

5. Coordinate and cooperate with all concerned federal and local authorities.
6. Propose the financial and administrative regulations and systems and the organisational structure of the Office and submit them to the Attorney General.
7. Prepare the internal regulations and systems related to the work of the Office and submit them to the Attorney General for approval.
8. Preparing the regulations for delegation of powers, violations and sanctions and submit them to the Attorney General for approval.
9. Prepare periodic reports on the workflow of the Office and evaluate the annual performance of the Office's employees and submit them to the Attorney General.
10. Prepare the annual draft budget and the final account of the Office and submit them in accordance with the legislation in force in the Federal Government.
11. Approve financial transactions within the limits stipulated by the financial systems and regulations in force in the Office and set the rules and procedures related to the implementation of budget items in the purposes allocated thereto.
12. Provide necessary weapons or equipment to the Office's employees in line with the nature of the Office's tasks and competences, in coordination with the competent authorities.

The Director General may delegate some of his competences to one of the Office's senior military personnel, in accordance with what is specified in the regulation of delegation of powers approved by the Attorney General.

## **Article (10)**

### **Financial Resources & Budget**

**The Office's resources shall consist of:**

1. The annual financial sums allocated to the Office from the Court.
2. Thirty percent (30%) the proceeds of fees, fines and financial penalties as a result of the implementation of criminal judgments issued by federal courts.
3. Any other revenues approved by the Cabinet.

## **Article (11)**

### **Fiscal Year**

The Office's Fiscal Year shall commence on the first of January and ends on the thirty-first of December of each year, provided that the first Fiscal Year shall commence on the date on which this Law by Decree enters into force and ends on the thirty-first of December of the following year.

## **Article (12)**

### **Finance Control**

The Office is subject to the provisions of financial and administrative control in force in the Federal Government.

## **Article (13)**

### **Administrative and Financial Regulations**

1. Notwithstanding any provision in any other law, the Cabinet shall, upon the proposal of the Chairman, issue all the financial and administrative regulations and systems, including the human resources regulations of the Office, and shall approve the organisational structure of the Office upon the proposal of the Chairman.
2. The Office's human resources regulations shall specify the conditions for appointment, military ranks, job grades, the system of promotion and training, controls for determining seniority, and other provisions related to their discipline and termination of service.
3. The Attorney General may, upon the proposal of the Director General, grant bonuses to the Office's military personnel and civilian employees, in accordance with what is decided by the Office's work systems and financial regulation, within the limits of the budget approved to the Office.
4. Where there is no provision in the regulations and systems issued in implementation of this Law by Decree, the Office shall be subject to the administrative and financial regulation, and contract and procurement systems in force in the Federal Government.
5. The Cabinet may authorise the Chairman to issue all or some of the regulations for the

Office stipulated in this Law by Decree.

## **Article (14)**

### **Filling Office's Positions by Secondment**

1. The secondment of the military personnel stipulated in Clause (1) of Article (6) of this Law by Decree may be determined by a decision issued by the Cabinet based on the proposal of the Chairman. The secondment decision shall determine its duration and the provisions for its renewal and termination in coordination with their employer.
2. The Attorney General may, upon the proposal of the Director General, second any of the military personnel or civil servants at the Ministry of Interior or any of the general police commanders in the Emirates of the State upon the approval of their employer and in accordance with the applicable rules of secondment.
3. The secondment of military personnel shall be made with the same levels, ranks and all their rights and privileges, without prejudice to their salaries and allowances; and the period of their service in the Office shall be deemed as related to their service with their employers.
4. The systems for salaries, raises, allowances, bonuses and retirement pensions in force at the authorities from which the military personnel are seconded to work at the Office shall continue to be effective.

## **Article (14)**

### **BIS**

### **Filling Office's Positions by Appointment**

1. The Office may appoint to the military staff and civilian positions; and all employees of the Office shall be subject to the human resources regulations in force in the Office.
2. The Office's military personnel must spend five (5) years if the Office has sponsored him during the study phase, and he may not leave service during this period except in cases stipulated in the regulations in force in the Office.
3. The authority competent to appoint employees of the Office from among the military personnel shall be as follows:



4. From the rank of lieutenant colonel and above, shall be appointed by a federal decree.
  5. From the rank of lieutenant to the rank of major shall be appointed by decision of the Chairman upon the recommendation of the Attorney General.
  6. Non-commissioned officers and privates shall be appointed by decision of the Attorney General upon the recommendation of the Director General.
  7. The seniority of officers shall be determined in the decisions or decrees issued for their appointment or promotion to those ranks.
  8. Before starting their duties, military personnel shall take the following oath:  
"I swear by God Almighty to be loyal to the State of the United Arab Emirates and its President, to respect its constitution and laws, to work truthfully and honestly, and to obey all orders issued to me by my superiors".
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1. The military personnel shall take the oath referred to in the preceding Clause before the Attorney General, and in all cases, a report of the oath taking shall be drawn up and recorded in a special register.
  2. The Chairman or his authorised representative may appoint a non-citizen officer or private if the Office needs his services, in accordance with the regulations in force in the Office.

## **Article (14)**

### **BIS (1)**

#### **Termination of Service of Military Members of the Office**

The service of the military members of the Office shall end for one of the following reasons:

1. Death or the issuance of judgment proving interrupted absence.
2. Revoking or withdrawing his citizenship of the State.
3. Reaching the age of sixty (60), and by a decision of the Chairman, service may be extended every (2) two years for a period of (8) eight years if the public interest so requires.
4. The expiration of the contract term for the contractors or the period of their secondment.
5. Resignation.

6. Establishing that they are unable to perform job duties for health reasons according to what is decided by the competent medical committee.
7. Inefficiency in the Office in accordance with what is stipulated in the Office's work regulations and systems.
8. Absence from work without acceptable justification for a period of ten (10) consecutive working days or twenty (20) separate working days during one year.
9. Dismissal from service based on the decision of the Disciplinary Council or sentencing the member to a felony or crime against honour or trust.
10. Referral to retirement by a decree before reaching the age stipulated in Clause (3) of this Article.

The decision to terminate the service of the employee of the office shall be issued by the authority competent to appoint him in accordance with the provisions of this Law by Decree, taking into account the provision of Clause (9) of this Article.

## **Article (14)**

### **BIS (2)**

#### **Candidates from Police Colleges and Institutes**

1. The Office may sponsor a number of candidates in police colleges and institutes in the State in exchange for appointing them to work in the Office. Whoever is appointed from among those may not leave work in the Office for a period of (5) five years starting as of the date of appointment.
2. The candidate and the Office member who has been previously sponsored by the Office shall be, personally or jointly with his guardian, as the case may be, obligated to refund the expenses incurred by the Office during the period of sponsorship, in the event that he leaves his studies without excuse, or if he submits his resignation, or is dismissed from the college, institute, or Office within the period stipulated in Clause (1) of this Article, in accordance with what is stipulated in the decision regulating candidate welfare affairs, the Office's regulations, and employment contracts.
3. A decision shall be issued by the Chairman regulating the sponsorship of candidates, which shall state in particular the following:

- A. Conditions for selection.
- B. Contracts and undertakings.
- C. Financial allocations.
- D. Rights and duties.
- E. Follow-up and evaluation.
- F. Training and qualification.
- G. Termination of nomination and the consequences of breach of contracts and undertakings.

## **Article (15)**

### **Final Provisions**

1. Military personnel working in any of the agencies of the Ministry of Interior and the Police and Security Forces in any Emirate may be transferred after the approval of the Competent Authority in their places of work. A decision for the transfer shall be issued by the Chairman upon the recommendation of the Attorney General.
2. Where there is no provision in this Law by Decree and the regulations and systems issued in implementation thereof, civilian employees working in the office shall be subject to the provisions of the Federal Government Human Resources Law; whereas citizens, both civilian and military shall be subject to the provisions of the Federal Pensions Laws, as the case may be.
3. The Office may contract with guarding companies to secure and guard the headquarters of the prosecution offices and federal courts. In carrying out their work, guards and guarding companies shall be subject to the supervision and control of the Office, in accordance with the work systems in force in the Office.
4. The Office shall establish a database of information and data related to the competences of the Office at the federal or local level, in coordination with the concerned authorities, and achieve integration with them in exchanging information and data.
5. Any provision contained in any other law that violates or contradicts the provisions of this Law by Decree shall be repealed.

## **Article (16)**

The Cabinet shall issue a resolution regarding the proceeds of fees, fines and financial penalties that shall be received by the Office as a result of the implementation of criminal judgments issued by federal courts.

## **Article (17)**

### **Entry into Force and Publication**

This Law by Decree shall be published in the Official Gazette and shall enter into force six months after the date of its publication.

**Khalifa Bin Zayed Al Nahyan**

**President of the UAE**

**Issued by Us at the Palace of the Presidency in Abu Dhabi:**

**On: 6 Muharram 1443 H**

**Corresponding to: 15 August 2021 AED**