

Cabinet Resolution No. (3) of 2025

Regarding the Ratios Related to the Implementation of Federal Decree-Law No. (36) of 2023 Regarding Regulating Competition

The Cabinet,

- Having reviewed The Constitution;
- Federal Law No. (1) of 1972 on the Competences of Ministries and the Powers of Ministers, as amended;
- Federal Decree-Law No. (36) of 2023 Regarding Regulating Competition;
- Cabinet Resolution No. (13) of 2016 on the Ratios and Controls Related to the Implementation of Federal Law No. (4) of 2012 Regulating Competition; and
- Based on the proposal of the Minister of Economy and the approval of the Cabinet,

Hereby resolves as follows:

Article (1)

Definitions

The definitions set forth in Federal Decree-Law No. (36) of 2023 Regulating Competition shall apply to this Resolution. Otherwise, the following words and expressions shall have the meanings assigned thereto respectively unless the context requires otherwise:

Decree-Law : Federal Decree-Law No. (36) of 2023 Regarding Regulating Competition.

Fiscal Year : A calendar year or a period of twelve (12) months for which the relevant undertakings prepare financial statements to assess the Dominant Position or Economic Concentration in accordance with the provisions of this Resolution.

Article (2)

Dominant Position

In accordance with the provisions of Paragraph (a) of Clause (2) of Article (6) of the Decree-Law, a dominant position shall be established if the share of any undertaking, individually or in partnership with other undertakings, in the relevant market exceeds (40%) of the total transactions in the relevant market.

Article (3)

Minimum Thresholds for Notification of Economic Concentration Operations

The provisions of Clause (1) of Article (12) of the Decree-Law shall apply to economic concentration operations that meet any of the following thresholds:

1. If the total value of annual sales of such undertakings in the relevant market within the State, during the last fiscal year, exceeds (AED 300,000,000) three hundred million dirhams; or
2. If the total share of such undertakings exceeds (40%) of the total transactions in the relevant market within the State during the last fiscal year.

Article (4)

Executive Resolutions

The Minister shall issue the resolutions necessary for the implementation of this Resolution.

Article (5)

Repeals

Cabinet Resolution No. (13) of 2016 on the Ratios and Controls Related to the Implementation of Federal Law No. (4) of 2012 Regulating Competition and any provision that contradicts or conflicts with the provisions hereof are hereby repealed.

Article (6)

Publishing and Entry into Force

This Resolution shall be published in the Official Gazette and shall enter into force sixty (60) days from the day following the date of its publication.

Mohammed bin Rashid Al Maktoum

Prime Minister

Issued by Us

On: Rajab 20, 1446 A.H.

Corresponding to: January 20, 2025 AD