

Status: Law in force

DUBAI DECREE No. 9 of 2015

Dubai Government Official Gazette

Decree No. (9) of 2015 Regulating Fundraising in Dubai Emirate

We, Mohammed Bin Rashid Al Maktoum, The Ruler of Dubai,

Having reviewed Law No. (9) of 2004 concerning Dubai International Financial Centre, as amended;

[Law No. \(2\) of 2011](#) concerning the Islamic Affairs and Charitable Activities Department;

[Law No. \(22\) of 2009](#) concerning Special Development Zones in Dubai Emirate; and

The legislation governing free zones in Dubai Emirate,

We hereby decree the following:

Article 1 Definitions

The following words and expressions, wherever mentioned in the present Decree, shall have the meanings ascribed thereto, unless the context otherwise requires:

The State: The United Arab Emirates.

The Emirate: Dubai Emirate.

IACAD: Islamic Affairs and Charitable Activities Department.

Director General: The Director General of the Department.

Donations: The sum of money voluntarily given by a donor as a beneficence, kindness, assistance, and charity, including Zakat and alms.

Article 2 Scope of Application

The provisions of the present Decree shall apply to all donations collected in whatever way and for whatever purpose in the Emirate, including the Special Development Zones and free zones, including Dubai International Financial Centre.

Article 3 Fundraising

- A. Fundraising, authorization of fundraising, or announcement of same via any communication means or media channels; audio, visual, print, or otherwise; shall be prohibited, unless a prior written approval from IACAD is obtained for that purpose.
- B. The following shall be exempted from the prohibition provided for in Paragraph (A) of this Article:
 - a. Donations collected through fundraisings launched by initiatives from His Highness the President of the State, his Vice-President, members of the Federal Supreme Council of the Federation, their crown princes and their deputies.
 - b. Donations collected by government agencies, subject to pre-coordination with IACAD.

- C. Any other entity defined by the Director-General in accordance with the requirements of the public interest.

Article 4 Terms of Reference of IACAD

For the purposes of the application of the present Decree, IACAD shall have the following duties and powers:

1. Encouraging members of the community to make donations.
2. Reviewing, authorizing, and taking the necessary actions towards fundraising applications in the Emirate.
3. Monitoring and supervising the fundraising activities in the Emirate.
4. Auditing the donations through fundraising, and granting approvals to the way of disposal of such donations, and the entity to which they shall go.

Article 5 Fundraising Authorization

An application for authorizing a fundraising shall be submitted to IACAD, according to the form prepared by IACAD for this purpose, supported with data and documents requested by IACAD. IACAD shall examine the application and issue its decision thereon within (15) fifteen days from the submission date of the application. The application shall be deemed rejected if the decision is not made during that period of time.

Article 6 Fundraising Authorization Application Data

A fundraising authorization application shall include the following data:

1. The purpose of the fundraising.
2. Names of persons authorized to raise funds.
3. Places where funds will be raised.
4. The means used for raising the funds.
5. The proposed period of time for the fundraising.
6. The entity to which the donations collected through the fundraising shall go.
7. Defining the amount of funds required to be raised.
8. Any other data required by IACAD.

Article 7 Obligations of the Authorized Party

The party authorized to raise funds shall:

1. Submit a report at the end of the period defined for fundraising to IACAD. The report shall include the amount of donations, and the ways of spending them.
2. Comply with the authorization terms.
3. Comply with the provisions of the present Decree and the decisions taken by IACAD thereunder.

Article 8 Unlawful Fundraising

- A. IACAD shall receive all the donations collected in violation of the provisions of the present Decree and the decisions issued thereunder, and shall determine the way of disposal of such donations and the entity to which they shall go.
- B. Under a decision issued by the Director-General, a committee shall be formed to count the donations stated in Paragraph (A) of this article, and document them them in approved records which include the data of the sources and the amounts of such donations, as well as any other relevant data.

Article 9 Suspending and Closing Bank Accounts

The Director-General may request the licensed financial institutions in the Emirate, which have bank accounts containing donations collected in violation the provisions of the present Decree and the decisions issued thereunder, to freeze or close such accounts and transfer its funds to IACAD. The financial institutions shall comply with the above.

Article 10 Penalties

- A. Without prejudice to any severer penalty provided for in any other piece of legislation, anyone who violates the provisions of the present Decree and decisions issued thereunder shall be punished by no less than one month and no more than one year in prison, and/or a fine of not less than (AED 5,000) five thousand Dirhams and not more than (AED 100,000) one hundred thousand Dirhams. The Court shall order the donations collected in violation of the present Decree and the decisions issued thereunder to be handed over to IACAD to determine the way of the disposal thereof, and the entity to which they shall go.
- B. The Director-General shall refer the violators of the provisions of the present Decree and the executive resolutions implementing thereof to the competent judicial authorities.

Article 11 Withdrawal of Action

The criminal action shall lapse if IACAD withdraws it at any time before the issuance of a final ruling unless such action is associated with another crime. In case of multiple defendants, the withdrawal with respect to one of them shall affect the rest.

Article 12 Judicial Officers Capacity

The employees of IACAD, who are named under a decision taken by the Director-General, shall have the capacity of judicial officers in documenting the acts that violate the provisions of the present Decree and the decisions issued thereunder. To this end, the Judicial Officers may write the necessary reports and request assistance from the competent bodies, including the police.

Article 13 Amicable Settlement

IACAD may seek an amicable settlement with anyone, who violates the provisions of the present Decree and the decisions issued thereunder, in accordance with the conditions determined by the Director-General in this regard, taking into account, when making this settlement, that one or more actions of the following shall be taken:

1. Issuing a written warning to the violator, and obtaining an undertaking from the violator not to repeat the same violation in the future.
2. Obligating the violator to repay twice the amount of the donated funds.
3. Closing the venue, where the funds were raised, for a period of no more than one year.

Article 14 Grievance

Any stakeholder may submit a written grievance to the Director-General regarding any decision or procedure which is against his/her rights under the present Decree and the decisions issued thereunder within (30) thirty days from the date of being notified of the decision or the procedure. The grievance shall be decided upon within a period not exceeding (30) thirty days by a committee to be formed by the Director-General for this purpose. The decision taken on such grievance shall be final.

Article 15 Issuance of Executive Decisions

The Director-General shall issue the decisions necessary to implement the provisions of the present Decree.

Article 16 Repeals

Any provision in any other legislation in conflict with the provisions of the present Decree shall be repealed to the extent of the conflict.

Article 17 Publication and Entry into Force

The present Decree shall be published in the Official Gazette and shall enter into force on the date of its issuance.

Signed

Mohammed Bin Rashid Al Maktoum

Ruler of Dubai

Issued in Dubai

On: April 11th, 2015 A.D.

Corresponding to: Jumada Al-Thani, 1436 A.H.