

**Executive Council Resolution No. (26) of 2013  
Concerning Charitable Associations, the Bounteous Quran Memorisation Centres  
and Islamic Foundations in the Emirate of Dubai<sup>1</sup>**

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**We, Hamdan bin Mohammed bin Rashid Al Maktoum, Crown Prince of Dubai, Chairman of the Executive Council,**

**After perusal of:**

Law No. (3) of 2003 Establishing the Executive Council of the Emirate of Dubai; and

Law No. (2) of 2011 Concerning the Islamic Affairs and Charitable Activities Department,

**Do hereby issue this Resolution.**

**Definitions**

**Article (1)**

The following words and expressions, wherever mentioned in this Resolution, shall have the meaning indicated opposite each of them unless the context implies otherwise:

State:	The United Arab Emirates.
Emirate:	The emirate of Dubai.
Department:	The Islamic Affairs and Charitable Activities Department.
Law:	Law No. (2) of 2011 Concerning the Islamic Affairs and Charitable Activities Department.
Director General:	The director general of the Department.
Charitable Association:	Any sole establishment or group, which is organised for a definite or indefinite term, comprising natural or corporate person(s), concerned with religious or charitable affairs, and which conducts its activities in the Emirate, including religious or charitable foundations and associations established or to be established under any law or decree.
The Bounteous Quran	A place where the rules of reading and reciting, as well as the memorising, and teaching of the Bounteous Quran are taught in the Emirate whether on a permanent or temporary basis.

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<sup>1</sup> *Every effort has been made to produce an accurate and complete English version of this legislation. However, for the purpose of its interpretation and application, reference must be made to the original Arabic text. In case of conflict the Arabic text shall prevail.*

## Memorisation

### Centre:

Islamic Foundation: Any entity concerned with propagating the Islamic culture and increasing religious awareness in the Emirate and, which conducts its activities in the Emirate either on a permanent or temporary basis.

Charter: The charter of a Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation, as the case may be.

Board: The board of directors of a Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation, as the case may be.

Promoter: Any natural or corporate person who wishes to establish a Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation.

Member: A member of the Board.

## **Scope of Application**

### **Article (2)**

The provisions of this Resolution shall apply to Charitable Associations, the Bounteous Quran Memorisation Centres, and Islamic Foundations licensed in the Emirate on or after the effective date of this Resolution.

## **Conducting the Activity**

### **Article (3)**

No natural or corporate person may conduct any of the activities of Charitable Associations, the Bounteous Quran Memorisation Centres, or Islamic Foundations in the Emirate without first obtaining the appropriate licence from the Department.

## **Duties and Powers of the Department**

### **Article (4)**

For the purposes of this Resolution, the Department shall have the duties and powers to:

1. consider the licensing applications of Charitable Associations, the Bounteous Quran Memorisation Centres, and Islamic Foundations wishing to conduct their activities in the Emirate and, take the required actions in this regard;
2. approve the academic curricula and religious programmes to be offered by the Bounteous Quran Memorisation Centres;
3. establish the procedures for organising the Bounteous Quran memorisation contests in particular and the Islamic cultural contests in general, and foster a generation who have memorised the book of Allah, have knowledge of its studies, and act in accordance with its ethics;

4. control and supervise the administrative, financial, and cultural affairs of Charitable Associations, the Bounteous Quran Memorisation Centres, and Islamic Foundations;
5. audit the documents, records, books, and statements of Charitable Associations, the Bounteous Quran Memorisation Centres, and Islamic Foundations, either at their own premises or, at the premises of the Department; and
6. prepare observations on the outcome of the audit and controls, which shall be conveyed to the Charitable Associations, the Bounteous Quran Memorisation Centres, and Islamic Foundations.

### **Promoter Qualifying Requirements**

#### **Article (5)**

- a. A Promoter shall:
  1. be a national of the State;
  2. have legal capacity;
  3. be solvent and, have the financial capacity to support the activities of the Charitable Association, Bounteous Quran Memorisation Centre, or Islamic Foundation he wishes to establish;
  4. be of good conduct and repute and, have never been convicted of any crime or misdemeanour affecting honour or trustworthiness carrying a custodial sentence, unless he has been rehabilitated; and
  5. never have been dismissed from any Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation, nor have ever been prohibited from conducting his activities therein.
- b. Where the Promoter is a corporate person, the requirements referred to in paragraph (a) of this Article shall apply to the extent required.
- c. The Director General may exempt any person from the requirement stipulated in item (1) of paragraph (a) of this Article.

### **Licensing Procedures**

#### **Article (6)**

- a. An application for licensing a Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation shall be submitted to the Department supported by the required documents, including the Charter. The application shall include:
  1. the name and address of the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation;
  2. a study setting out the modes of operation and strategies;
  3. the names and addresses of the Promoter and nominated Members together with photocopies of their passports;
  4. the Charter signed by the Promoter;
  5. the organisational structure and the allocation of powers and responsibilities;
  6. the annual programmes, plans, and activities;
  7. the financing resources;

8. the premises where the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation shall conduct its activities, provided that such premises shall comply with the relevant requirements determined by the Department; and
  9. any other information or documents required by the Department.
- b. The Department shall consider the application referred to in paragraph (a) of this Article and shall determine such application within sixty (60) days from the date of its submission, otherwise the application shall be deemed rejected.
  - c. The licence of the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation shall be issued pursuant to a resolution of the Director General.
  - d. Once licensed, the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation shall have an independent corporate personality.
  - e. The name, address, objectives, head office, commencement and expiry dates of the financial year, number of the Members of the Board, manager, and the legal representative of the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation shall be entered in a special register maintained by the Department together with any other information the Department determines.

#### **Term of the Licence**

##### **Article (7)**

The term of the licence of a Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation shall be for a period of one (1) year, renewable for the same period. The licence renewal application shall be submitted thirty (30) days prior to its expiry. The Department shall determine the required documents to be submitted with the renewal application.

#### **Establishing Branches**

##### **Article (8)**

- a. A Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation may establish branches within the Emirate subject to the following conditions:
  1. submitting the appropriate application to the Department;
  2. being licensed on the date of application;
  3. being able to afford the costs of, and manage a branch; and
  4. providing justification for opening a branch.
- b. The Department shall consider the application referred to in paragraph (a) of this Article and shall issue a decision within thirty (30) days from the date of its submission, otherwise the application shall be deemed rejected.

**The Board**  
**Article (9)**

A Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation shall have a Board comprising not less than three (3) Members. The Board shall set the general policy of the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation and manage its funds and affairs, and provide all the means required to conduct its activities and achieve its objectives. The Charter shall determine the functions of the Board, the number of its Members, the procedures for nominating Members and terminating their membership, and the procedures for calling for its meetings and the validity of such meetings and the resolutions adopted therein.

**Board Membership Requirements**  
**Article (10)**

- a. A Member has to satisfy the requirements stipulated in paragraph (a) of Article (5) of this Resolution, except for item (3) thereof.
- b. The Director General may exempt any Member from the requirements stipulated in item (1) of paragraph (a) of Article (5) of this Resolution.

**The Manager**  
**Article (11)**

- a. The Board may not appoint a manager to the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation without obtaining the relevant prior approval of the Department and satisfying the requirements adopted by the Department in this regard.
- b. The manager of the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation shall be directly accountable before the Board for the implementation of policies, plans, and programmes approved by the Board and for performing any other duties assigned to him by virtue of the Charter of the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation.

**Obligations**  
**Article (12)**

The Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation shall:

1. obtain the approval of the Department prior to opening any of its bank accounts;
2. provide the place where it shall conduct its activities provided that it complies with the requirements determined by the Department in this regard;
3. deposit all cash amounts it receives in its bank account prior to expending them on its activities;
4. provide the Department with quarterly account statements detailing all financial transactions;
5. provide the Department, upon request, with any data, records, books, or documents;

6. abide by its objectives as set out in its Charter and refrain from conducting any unauthorised activity;
7. not interfere with politics or instigate sectarian, racial, religious, or ethnic conflicts;
8. not participate in any conference, seminar, meeting, or contest within or outside the State without the prior written approval of the Department;
9. not affiliate itself with, participate in, or join any entity located within or outside the State without the prior written approval of the Department;
10. spend its funds for realising the objectives for which it is established and shall not engage in commercial business or financial speculations;
11. not provide financial support to any entity without the prior written approval of the Department;
12. reply to the reports, remarks, enquiries, and correspondences of the Department within the set deadlines;
13. provide the Department with a copy of its annual budget and final accounts;
14. obtain the prior written approval of the Department on the appointment of the chairman of the Board and the Members, the manager, personnel, and volunteers thereof, and on the programmes offered by it;
15. obtain the prior written approval of the Department to organise seminars, meetings, lectures, and courses in which persons from within or outside the State will participate;
16. enable the employees of the Department or its authorised personnel to review and audit its records, documents, and books at any time;
17. not receive any gifts, benefits, aid, bequests, donations, or grants from within or outside the State without the prior written approval of the Department;
18. obtain the prior written approval of the Department on its dissolution and liquidation and on the methods of disposing of its funds, assets, documents, and books; and
19. obtain the prior written approval of the Department on its programmes, projects, and activities within or outside the State.

**Charter**  
**Article (13)**

The Charter of the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation shall contain all its basic details, including in particular:

1. its name and head office;
2. the objectives for which it is established;
3. the procedures for forming its Board and its duties, and the procedures for convening and running its meetings and adopting its resolutions;
4. the rules for amending its Charter, the conditions for establishing its branches, and merging the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation with another;
5. its financial resources and uses thereof, and the commencement and end dates of its financial year; and
6. any other information determined by the Department.

## **Voluntary Dissolution and Liquidation**

### **Article (14)**

Subject to the provisions of item 18 of Article (12) of this Resolution, the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation may be voluntarily dissolved or liquidated by a resolution of the Board. This resolution shall determine the procedure for dissolution, the method of disposing of property and documents, and the entity to which such property shall be transferred.

## **Involuntary Dissolution and Liquidation**

### **Article (15)**

- a. Pursuant to a resolution of the Director General, the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation may be involuntarily dissolved or liquidated in any of the following cases:
1. if the number of the Members continues to be less than the number set out in the Charter for thirty (30) days from the date on which it is requested by the Department to redress this shortage;
  2. if it is established that its activities contradict the objectives for which it is established or it becomes unable to achieve these objectives;
  3. if it disposes of its property other than as prescribed;
  4. if it becomes unable to fulfil its financial obligations;
  5. if it provides the Department with false data or documents;
  6. if it prevents the competent employees of the Department or those authorised by it from performing their control, inspection, and audit duties or refrains from giving any information or data it possesses in respect of any investigation conducted by the Department;
  7. if it refrains from replying to any remarks or correspondence of the Department or is late in replying thereto for more than thirty (30) days without a good reason;
  8. if it refuses to comply with any procedures or requirements determined by the Department;
  9. if it fails to provide the Department with the final accounts and financial statements and their supporting documents as scheduled or with the documents required by the Department to perform its control duties;
  10. if it commits any gross breach of its Charter, the Law, or this Resolution and the resolutions issued in pursuance thereof; or
  11. if it fails to keep its records and documents in accordance with this Resolution or if such records contain false data.
- b. Subject to the provisions of paragraph (a) of this Article, the Director General may, by a reasoned decision, appoint a new Board to perform the duties of the former Board if this is for the benefit of the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation. In this case, the former Board and the employees in charge of the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation shall hand over all property, records, books, and documents in their possession to the new Board.

## **Dissolution and Liquidation Committee**

### **Article (16)**

- a. A committee shall be formed by a resolution of the Director General to dissolve and liquidate a Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation. The resolution shall determine the duties, methods of operation, and the procedures for adopting the resolutions of the committee.
- b. The committee referred to in paragraph (a) of this Article shall submit reports on its activities to the Director General.

## **Prohibition of Disposing of Property**

### **Article (17)**

Persons in charge of the affairs of a Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation, in respect of which a voluntary or involuntary dissolution or liquidation resolution is issued, shall be prohibited from disposing of its property, records, books, or documents without the prior written relevant approval of the Department.

## **Records**

### **Article (18)**

The Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation shall keep records of:

1. the Promoter and the funding he provides;
2. the chairman of the Board and the Members ;
3. the minutes of meetings of the Board;
4. accounts of the revenues and expenditures and all supporting documents; and
5. the bank accounts in which all financial transactions, including withdrawals and deposits, are recorded.

## **The Bounteous Quran Sessions**

### **Article (19)**

Upon receipt of an application, the Department may agree to temporarily hold sessions for memorising, reciting, and teaching the Bounteous Quran. The Department shall determine the application within fifteen (15) days of its submission, otherwise the application shall be deemed rejected.

## **Disciplinary Measures**

### **Article (20)**

Whoever violates the provisions of this Resolution and the resolutions issued in implementation thereof shall be subject to any of the following measures:

1. a written notice demanding remedy of the violation within one (1) week from the date of the notice;
2. a written warning demanding remedy of the violation within one (1) week from the date of the warning;
3. suspending the licence of the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation and closing the violating premises for not less than one (1) month and not more than one (1) year; or
4. permanently revoking the licence of the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation, and dissolving and liquidating it.

## **Judicial Police Officers**

### **Article (21)**

Employees of the Department nominated by a resolution of the Director General, issued in coordination with the Director General of the Government of Dubai Legal Affairs Department, shall have the capacity of judicial police officers to record the acts committed in breach of the provisions of the law, of this Resolution, and the resolutions issued in implementation thereof. For this purpose, they may issue violation reports and seek the assistance of competent entities, including police personnel.

## **Financial Violation Reporting Procedures**

### **Article (22)**

The Director General or his authorised representative shall take one or more of the following actions against any Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation which commits a financial violation:

1. require the breaching entity to conduct an initial investigation with respect to the committed violation and provide the Department with the result of the investigation;
2. form a committee to investigate the committed violation;
3. suspend the employee responsible for the violation from work until the conclusion of the investigation;
4. seize the documents, records, and any other materials used in committing the violation;
5. authorise the Board to impose a disciplinary penalty on the violating employee in accordance with the bylaws in force at the Charitable Association, the Bounteous Quran Memorisation Centre, or

Islamic Foundation. The Board shall impose a penalty within fifteen (15) days from the date on which the Department requests the imposition of a penalty and shall notify the Department of the disciplinary penalty imposed;

6. if any criminal offence punishable under any legislation is discovered, refer the investigation documents to the public prosecution; or
7. close the investigation, if no financial violation is proved.

### **Financial Resources**

#### **Article (23)**

The financial resources of the Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation shall consist of:

1. the funding provided by the Promoter;
2. its endowment (*waqf*) proceeds;
3. the budget surplus of the previous years; and
4. support, grants, gifts, benefits, aids, bequests, and donations approved by the Director General.

### **Freezing and Closing Bank Accounts**

#### **Article (24)**

The Director General may contact the banks of a Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation which has been determined to be dissolved or liquidated, or whose licence shall be suspended or revoked, in order to freeze its bank accounts, or to request that its bank accounts be closed and its funds be transferred to the Department.

### **Grievances**

#### **Article (25)**

Any affected party may submit a written grievance to the Director General against the decisions and measures taken against them by the Department within thirty (30) days from the date of making the decision or taking the measure. The grievance shall be determined by a committee formed by the Director General for this purpose within (30) days from the submission date. The decision issued in respect of the grievance shall be final.

### **Compliance**

#### **Article (26)**

The Charitable Association, the Bounteous Quran Memorisation Centre, or Islamic Foundation operating at the effective date of this Resolution shall comply with the provisions of this Resolution no later than six (6) months from the effective date hereof.

## **Issuing Implementing Resolutions**

### **Article (27)**

The Director General shall issue the resolutions required for the implementation of the provisions of this Resolution, including:

1. regulating the activities that may be conducted by Charitable Associations, the Bounteous Quran Memorisation Centres, and Islamic Foundations;
2. determining the procedure for joint cooperation between similar Charitable Associations, the Bounteous Quran Memorisation Centres, and Islamic Foundations; and
3. the rules for fundraising by Charitable Associations, the Bounteous Quran Memorisation Centres, and Islamic Foundations in accordance with the legislation in force in this respect.

### **Repeals**

#### **Article (28)**

Any provision in any other resolution shall be repealed to the extent that it contradicts the provisions of this Resolution.

### **Publication and Commencement**

#### **Article (29)**

This Resolution shall be published in the Official Gazette and shall come into force on the day on which it is published.

[Signed]

**Hamdan bin Mohammed bin Rashid Al Maktoum**  
**Crown Prince of Dubai**  
**Chairman of the Executive Council**

Issued in Dubai on 24 July 2013  
Corresponding to 15 Ramadan 1434 A.H.