

Administrative Resolution No. (8) of 2020
Prescribing the Conditions for Concluding
Amicable Settlements with Violators of the Provisions Governing the
Raising of Donations in the Emirate of Dubai¹

The Director General of the Islamic Affairs and Charitable Activities Department,

After perusal of:

Law No. (2) of 2011 Concerning the Islamic Affairs and Charitable Activities Department;
Decree No. (9) of 2015 Regulating the Raising of Donations in the Emirate of Dubai; and
Executive Council Resolution No. (15) of 2015 Approving the Organisational Structure of
the Islamic Affairs and Charitable Activities Department,

Does hereby issue this Resolution.

Definitions
Article (1)

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

Emirate: The Emirate of Dubai.

IACAD: The Islamic Affairs and Charitable Activities Department.

Decree: Decree No. (9) of 2015 Regulating the Raising of Donations in the Emirate of Dubai.

Donations: Property voluntarily donated by donors to others for philanthropic, benevolent, aid, or charitable purposes, including Zakat and alms.

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¹Every 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 will prevail.

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Scope of Application
Article (2)

This Resolution will apply to all Donations raised in breach of the provisions of the Decree.

Conditions for Concluding Amicable Settlements
Article (3)

An amicable settlement with a person who raises Donations in breach of the provisions of the Decree will be concluded subject to the following requirements:

1. The violator must submit to the IACAD an amicable settlement request which states the following:
 - a. the type of the Donations raised, whether in-kind or cash Donations;
 - b. the purpose for which the Donations have been raised;
 - c. the names of persons who have participated in raising the Donations;
 - d. the date and place of raising the Donations;
 - e. the amount and value of the Donations raised;
 - f. the bank account used for raising the Donations, for receiving the transferred Donations, or for depositing the Donations; or the entity that has received the Donations;
 - g. the tools used to raise the Donations;
 - h. the categories of persons or the entities that have, or would have, received the Donations;
 - i. the entities that have supported raising the Donations; and
 - j. any other information requested by the IACAD.
2. The violator must not have previously committed the same violation in respect of which amicable settlement is requested.
3. The violator must submit a written undertaking not to repeat the violation.
4. The violator must submit proof that he has ceased raising the Donations.

5. The violator must surrender to the IACAD the tools used to raise the Donations, including any collection boxes, coupons, or other tools.
6. The violator must shut down the website created for raising the Donations, if any.
7. The violator must surrender to the IACAD all the Donations raised.
8. The violator must meet all requirements stipulated in this Article no later than two (2) months from the date of submission of the amicable settlement request.
9. The Director General of the IACAD, or his authorised representative, must issue a decision approving the conclusion of an amicable settlement with the violator after verifying the validity of the information submitted by him.

Legal Effects of Amicable Settlements **Article (4)**

Without prejudice to the measures that must be taken against a violator, as stipulated in Article (13) of the Decree, where an amicable settlement is concluded with the violator:

1. The violator may not be criminally prosecuted for the violation committed by him.
2. The IACAD will abandon the criminal proceedings, if any.
3. The IACAD will determine the method of disposing of the funds surrendered to it by the violator and specify the entity that will receive these funds.

Issuing Implementing Instructions **Article (5)**

The Executive Director of the Charitable Activities Sector of the IACAD will issue the instructions required for the implementation of the provisions of this Resolution.

Repeals **Article (6)**

Any provision in any other administrative resolution will be repealed to the extent that it contradicts this Resolution.

Publication and Commencement
Article (7)

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

Dr. Hamad Al Sheikh Ahmed Hamad Al Shaibani
Director General
Islamic Affairs and Charitable Activities Department

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