

# **Federal Decree by Law No. (50) of 2023 Concerning the Regulations of Public Welfare Association**

**We, Mohammed Bin Zayed Al Nahyan, President of the United Arab Emirates;**

- Upon reviewing the Constitution;
- Federal Law No. (1) of 1972 Concerning the Jurisdictions of Ministries and Powers of Ministers, as amended;
- Federal Law No. (2) of 2008 on Public Welfare Associations and National Societies, as amended;
- Federal Decree by Law No. (20) of 2018 concerning Combating Money Laundering and the Financing of Terrorism and Illegal Associations, as amended;
- Based on the Proposal of the Minister of Community Development, and the Cabinet Approval,

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

## **Chapter One General Provisions**

### **Article (1)**

#### **Definitions**

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

**State** : United Arab Emirates.

**Ministry** : Ministry of Community Development.

**Minister** : Minister of Community Development.

**Local Authority** : Local Government Authority concerned with licensing,

supervising and controlling Public Welfare Associations in accordance with its applicable legislation, within whose jurisdiction, the Office of these Associations is located, or any of its branches in relation to the activity of this branch.

- Competent Authority** : Local Authority or Ministry in the Emirate where there is no Local Competent Authority to license, supervise and control Public Welfare Associations.
- Public Welfare Associations** : Private Legal Persons licensed in accordance with the laws in force in the State, established with the intention of practicing one or more Public Welfare Activities, and taking one of the forms stipulated in this Decree by Law and Executive Regulations thereof, without primarily aiming to achieve profit.
- Public Welfare Activities** : Activities included in the Public Welfare Associations Classification Guide and the Public Welfare Activities they practice, referred to in Clause (2) of Article (4) of this Decree by Law.
- Association** : Group consisting of natural persons, established for a specific or indefinite period with the intention of practicing one or more Public Welfare Activities and not aiming to achieve profit.
- National Society** : Legal Person created by one or more natural persons Founders, for a specific or indefinite period, based on the allocation of money for practicing one or more Public Welfare Activities that do not aim to achieve profit.
- Union** : Group that includes at least five (5) National Societies or

Associations that practice similar Public Welfare Activities.

- Social Solidarity Fund** : Fund created by Legal Persons, for a specific or indefinite period, to enhance the spirit of solidarity and interdependence among the Members affiliated with the Fund.
- Register** : Ministry central database related to Public Welfare Associations in the State.

## **Article (2)**

### **Scope of Application**

1. Provisions of this Decree by Law shall be applicable to the Public Welfare Associations licensed the region of the State, including the Free Zones.
2. Subject to Clause (3) of this Article, Public Welfare Associations established pursuant to Local Decrees or Laws shall be excluded from the provisions of this Decree by Law.
3. In all cases, Associations excluded in Clause (2) of this Article shall comply with the provisions contained in Articles (7), (50), (51), (52), (53), (54) and (55) of this Decree by Law.

## **Article (3)**

### **Forms of the Public Welfare Associations**

The Forms of Public Welfare Associations shall be as follows:

1. Associations.
2. National Society.
3. Unions.
4. Social Solidarity Funds
5. Any other forms determined by the Executive Regulations of this Decree by Law.

## **Article (4)**

### **Public Welfare Activities**

1. Public Welfare Activities pursuant to the provisions of this Decree by Law shall be determined in the social, cultural, scientific, educational, professional, creative, artistic, recreational, and environmental fields, providing humanitarian services, and achieving a purpose of righteousness or solidarity.
2. The Cabinet shall issue, based on the Minister proposal, in coordination with the Local Authority, a resolution to adopt a Guide to classifying Public Welfare Associations and the Public Welfare Activities they practice, provided that the Ministry, in coordination with the Local Authority, shall update this Guide periodically and in cases that require it.
3. The Ministry, in coordination with the Local Authority, shall apply the Guide referred to in Clause (2) of this Article to Public Welfare Associations and Public Welfare Activities that they are licensed to practice.

## **Article (5)**

### **Practice of Public Welfare Activities**

1. No group or entity may practice any Public Welfare Activities unless it completes the procedures for license it with the Local Authority and approve it from the Ministry, register it in the Register and obtaining the necessary approvals and permits from the Competent Authorities that supervise the practice of its Activities in accordance with the legislation in force in the State.
2. No Natural or Legal Person may allow the occupancy, rent, or use of any of its facilities to a Public Welfare Association that is not registered and licensed in accordance with the provisions of this Decree by Law and Executive Regulations thereof.
3. Branches of Foreign Public Welfare Associations shall not be granted.

## **Article (6)**

### **Obligations of the Competent Authority Employees**

Competent Authority Employees, working for the Competent organizational Unit is responsible for supervising and controlling Public Welfare Associations, may not join or work for any of the Public Welfare Associations subject to the supervision and control of the Competent Authority for which they work.

## **Article (7)**

### **Register**

1. A Register shall be created in the Ministry to register the Public Welfare Associations.
2. The Competent Authority shall record all data and information related to Public Welfare Associations licensed by it and notified by the Ministry, and everything related to the conduct of these Associations Activities and any update that occurs to their data in the Register in accordance with the mechanisms, controls and procedures specified by the Executive Regulations of this Decree by Law.

## **Chapter Two Associations Establishment**

### **Article 8 Requirements for the Establishment of Association**

1. The following requirements shall be fulfilled to establish Association:
  - a. The number of Founding Members shall not be less than (7) seven Members.
  - b. The Founding Members holding the nationality of the State shall not be less than (70%) of the total number of Founding Members. Persons who do not hold the nationality of the State may participate in establishing Associations in accordance with the following controls:
    1. The Founding Members number shall not exceed 30% of the total number of Founding Members.
    2. The Founding Member has no diplomatic status.
    3. The Founding Member has valid Residence Permit in the State for a period of no less than (3) three years.

- c. The Founding Member shall be of the legal age in accordance with the legislation in force in the State.
  - d. The Founding Member shall be of good conduct and of good reputation, and has no history of imprisonment penalty in a felony or misdemeanor of breaching honor or trust, unless he has been rehabilitated.
  - e. The Association shall have By-laws in accordance with the provisions of this Decree by Law and Executive Regulations thereof.
2. Any other conditions determined by the Ministry or Local Authority.
  3. All conditions or certain conditions stipulated in this Article may be excluded pursuant to a resolution issued by the Cabinet based on the Minister proposal in coordination with the Local Authority.

## **Article (9)**

### **Association By-laws**

1. The Founding Members shall meet to establish the Association By-laws, provided that the Executive Regulations of this Decree by Law shall specify the provisions, data and information that shall be included in this By-law.
2. The Ministry, in coordination with the Local Authority, shall prepare a form for the Association By-laws, that the Ministry shall observe.

## **Article (10)**

### **Membership in the Association**

Membership in the Association shall consist of all Founding Members, and everyone who joins the Association in accordance with its By-laws, and the same conditions stipulated for the Founding Members apply to them.

## **Article (11)**

### **Temporary Committee**

The Founding Members shall elect from among themselves a Temporary Committee of no less than (3) three Members who shall select from among its Members a Member to represent them in completing the procedures for announcing and licensing the Association in accordance with the provisions of this Decree by Law and Executive Regulations thereof. The work of the Temporary Committee shall end with the election of the BOD in accordance with the provisions of Article (15). Of this Decree by Law.

## **Article (12)**

### **Procedures for Establishment of Association**

1. The application to establish the Association shall be submitted to the Competent Authority according to the form through the channels approved by it. The Executive Regulations of this Decree by Law shall specify the documents and materials that shall be submitted with the application.
2. The Competent Authority shall review the application to establish the Association, in accordance with the procedures and controls stipulated in the Executive Regulations of this Decree by Law, and issue the license after the Ministry approval.
3. Within (10) ten working days from the date of its approval of the license, the Ministry shall issue a resolution announcing the Association, provided that this resolution includes the name of the Association, the location of its main management center, its department of activity, the scope of its work in the State, its objectives, and any data or information specified by the Resolution.
4. The Competent Authority shall renew the license of the Association, in accordance with the procedures and controls stipulated in the Executive Regulations of this Decree by Law.

## **Article (13)**

### **Appeal**

1. If the Declaration Application is rejected, the Temporary Committee may appeal to the Minister within (30) thirty days from the date of receipt of the notification of the Resolution rejecting the Declaration, and the Appeal shall be decided by a reasoned resolution within (30) thirty days from the date of its submission.
2. The Complainant has the right to resort to the Court within (60) sixty days from the date of being notified of the rejection of the Appeal or the deadline prescribed for deciding the Appeal passes without responding to it, whichever is sooner.

## **Article (14)**

### **Legal Personality**

The Association shall acquire Legal Personality upon the issuance of a resolution declaring it, provided that this resolution is published in the Official Gazette.

## **Article (15)**

### **Elect BOD Members of the Association**

The Temporary Committee referred to in Article (11) of this Decree by Law shall summon the General Assembly to convene within a period not exceeding three (3) months from the date of issuance of the Resolution declaring the Association. All Members who meet the conditions for Membership shall be summoned to this Meeting to elect the BOD and discuss the topics that the Temporary Committee deems appropriate to present during this Meeting.

## **Article (16)**

### **Practicing and Participating in Activities and Events**

In order to achieve its objectives, and after the approval of the Local Authority and the Ministry, the Association may do the following:

1. Organize Activities and Events within the State (such as conferences, seminars, lectures, courses, and Meetings) and other Activities and Events that fall within the scope of its



objectives or participating in them.

2. Host persons from outside the State to participate in the Activities and Events it organizes.
3. Participate in Activities and Events organized by Associations and Associations outside the State that fall within the scope of their objectives.
4. The Executive Regulations of this Decree by Law specify the controls and procedures for organizing and participating in Activities and Events.

## **Article (17)**

### **Affiliation with Regional and international Associations and Organizations**

1. The Association may affiliate with, participate in, or become a Member of any Association or Association based outside the State that is similar to it in its objectives, or deal with it, after the approval of the Local Authority and its authorization from the Ministry in coordination with the Competent Authorities.
2. The Executive Regulations of this Decree by Law shall determine the controls and procedures for affiliation, participation, or joining Regional and international Associations and Organizations.

## **Article (18)**

### **Implementing External Projects**

1. Without prejudice to the legislation in force in the State, the Association may practice any Activities or implement any projects outside the State that fall within the scope of its purposes, after the approval of the Local Authority and the Ministry in coordination with the Competent Authorities.
2. The Executive Regulations of this Decree by Law shall specify the controls and procedures for Implementing External Projects.

## **Article (19)**

### **Records and Documents**

1. The Association shall maintain its records and documents related to the nature of the Association work and Activities.
2. The Executive Regulations of this Decree by Law shall specify the records and documents that shall be maintained, and the method and duration of their maintenance.

## **Article (20)**

### **Branches Establishment**

The Association may establish branches within the State, in accordance with the controls and procedures specified by the Executive Regulations of this Decree by Law.

## **Article (21)**

### **Office Relocation**

The Association may relocate branches from one Emirate to another within the State, in accordance with the controls and procedures specified by the Executive Regulations of this Decree by Law.

## **Chapter Three**

### **Association Management**

## **Article (22)**

### **The Board of Directors (BOD)**

1. The Association shall have a BOD whose Members shall not be less than (5) five Members and not more than (11) eleven Members. The Competent Authority may approve an increase in the number of BOD Members to more than (11) eleven Members.
2. The number of BOD Members who hold state citizenship shall not be less than (70%) of the total number of BOD Members specified in the Association By-laws.
3. The BOD shall manage the Association affairs and provide the necessary means for it to carry out its Activities and achieve its objectives.

4. The Association By-laws shall stipulate the powers of the BOD, the conditions that shall be met by its Members, their number, termination of their Membership, the procedures for summoning the BOD to convene, the validity of its Meetings and resolutions, and the mechanism for electing the BOD Chairman and distribute administrative positions, provided that the BOD is elected by secret ballot.
5. The BOD term shall be for a maximum of four (4) years, and the Member may be re-elected in accordance with the provisions contained in the Association By-laws.
6. BOD Member shall not be less than (21) twenty-one Gregorian years at the time he is elected, and that the Member shall meet the conditions required for Founding Members.
7. The Association shall submit to the Competent Authority applications for BOD Membership at least fifteen (15) days before the date of the General Assembly, to be decided.
8. The BOD Chairman shall represent the Association before third parties and Judicial Authorities.

## **Article (23)**

### **The Association Director**

1. The Association shall have a Director who shall be appointed by the BOD, from among its Members or from others, after the approval of the Competent Authority, provided that the Director is not the BOD Chairman or his Vice-Chairman.
2. The Association Director shall be directly responsible to the BOD for the following:
  - a. Carry out internal executive work in the Association.
  - b. Implement the policies, plans and programmed approved by the Association.
  - c. Supervise the implementation of the Resolutions of the General Assembly and the BOD.
  - d. Provide the Competent Authority with the data and documents it requests.
  - e. Any other tasks assigned to the Association Director in accordance with the Association By-laws.
  - f. Any other tasks entrusted by the BOD.

## **Article (24)**

### **BOD Membership**

1. Membership in the BOD may not be combined in more than one Association that aims to achieve the same activity, with the exception of Membership in the Union. However, the Head of the Competent Authority or his authorized representative may approve the combination of Membership in more than one BOD if he deems it justified.
2. Membership in the BOD may not be combined with work for the same Association with a wage or reward except with the approval of the Competent Authority.
3. The Ministry or Local Authority may suspend or exclude any BOD Member, including the BOD Chairman, from exercising his duties on the BOD, for considerations of the public interest, in accordance with the procedures and provisions under the Executive Regulations of this Decree by Law.

## **Article (25)**

### **Rewards**

Upon the proposal of the BOD and the approval of the General Assembly, a BOD Member may receive a reward for performing any work that is not related to his competence in the BOD, in accordance with the controls and procedures specified by the Executive Regulations of this Decree by Law.

## **Chapter Four**

### **General Assembly**

## **Article (26)**

### **General Assembly Formation**

1. The General Assembly shall consist of all Members who meet the conditions and duties of Membership up to the date of the General Assembly and who have been Members for at least three (3) months. The three-month requirement is excluded when attending the Meeting specified in Article (15) of this Decree by Law.
2. The Association BOD shall announce the lists of Members who have the right to attend

the General Assembly Meetings, no less than fifteen (15) days before the date of the Meeting. The Ministry and the Local Authority shall be notified of these lists.

3. The Ministry and the Local Authority may send a representative to attend the General Assembly Meetings, and the attendance of their representatives shall be obligatory in the Meetings to elect BOD Members. The Executive Regulations of this Decree by Law specify the powers and duties of the representative at these Meetings.

## **Article (27)**

### **Meeting of the Ordinary General Assembly**

1. The General Assembly shall hold, upon a request submitted by the Association BOD, a regular Meeting once a year within a period not exceeding (4) four months from the end of the Association fiscal year. This Meeting shall be called the Annual Regular General Assembly Meeting.
2. After the approval of the Ministry and the Local Authority, the Ordinary General Assembly may be called to convene whenever necessary. In this case, the Meeting is called the Non-Annual Ordinary General Assembly Meeting.
3. General Assembly Meetings may not be held if the number of Members who meet the conditions and duties of Membership and who have the right to attend these Meetings is less than (7) seven Members, or a number equal to the number of Members who participated in establishing the Association.
4. Members shall invited and the Ministry and the Local Authority are notified to attend the General Assembly Meetings at least thirty (30) days before the date set for the Meeting. The invitation includes the agenda, place and time of the Meeting.
5. The Executive Regulations of this Decree by Law shall specify the circumstances in which Non-Annual Ordinary General Assembly Meetings are called, the methods of invitation and their attachments.

## **Article (28)**

### **Duties of the Ordinary General Assembly Meeting**

1. At its annual regular Meeting, the General Assembly shall consider matters within the scope of its purposes, specifically the following matters:
  - a. Approve the Minutes of the previous General Assembly Meeting after its approval by the Competent Authority.
  - b. Approve the BOD Report on its work in the past year, activity programmes, and work plan for the new year.
  - c. The balance sheet of the new year and the closing account of the past fiscal year.
  - d. Proposals submitted by Members within the date specified by the Association By-laws.
  - e. Electing the BOD or filling vacant positions.
  - f. Select the Auditor and determine his remuneration.
  - g. Any new updates.
2. The General Assembly in its Extraordinary Meeting shall consider the following matters:
  - a. Decide on the resignations submitted by all or some of the BOD Members, in case this violates the quorum of the BOD.
  - b. Fill vacant positions if necessary to maintain a quorum for the BOD.
  - c. Any urgent matters that affect the conduct of the Association work require an invitation to the Ordinary General Assembly, which does not fall within the jurisdiction of the Extraordinary General Assembly.

## **Article (29)**

### **Regular Meetings Quorum**

1. The Ordinary General Assembly Meeting shall be deemed valid if attended by more than half of the Members who meet the conditions and duties of Membership and who have the right to attend the Meeting according to the lists announced by the BOD.
2. If a quorum is not available, the Meeting shall be postponed to another date not less than (7) days and not more than (15) fifteen days from the date of the first Meeting. The second Meeting shall be considered valid if attended by a quarter of the Members or (7) seven

Members, whichever is more.

3. The General Assembly shall pass its resolutions by the majority of the votes of those present.

## **Article (30)**

### **Meeting of the Extraordinary General Assembly**

1. The General Assembly may be called to Extraordinary Meeting based on a request from the Ministry or Local Authority, or by a resolution from the Association BOD, or a request submitted by a quarter of the Members who meet the conditions and duties of Membership to the Association BOD.
2. Members shall invited and the Ministry and the Local Authority shall be notified to attend the General Assembly Meetings at least thirty (30) days before the date set for the Meeting.
3. If the BOD does not invite the General Assembly in accordance with Clause (1) of this Article, the Ministry or the Local Authority shall invite the General Assembly to convene.
4. In all cases, the Association shall bear all costs and expenses related to calling the Extraordinary General Assembly.

## **Article (31)**

### **Duties of the Extraordinary General Assembly Meeting**

1. The Extraordinary General Assembly shall specifically consider the following matters:
  1. Revoke the Membership of one or more members of the BOD.
  2. Revoke any of the BOD resolutions.
  3. Amend the main activity or purpose for which the Association is established.
  4. Decide on amendments to the Association By-laws after the Ministry approval, in coordination with the Local Authority.
  5. Transfer the Association Main Office from one Emirate to another after taking into account the requirements of Article (21) of this Decree by Law.
  6. Propose the merger of the Association into another Association similar to it in purposes. The merger proposal is considered a joining request approved by the

Extraordinary General Assembly of the Association to be merged with similar procedures. The Resolution to approve the merger shall include the implementation procedures and its effects.

7. The Association Optional Liquidation.
2. The General Assembly may not consider matters not included in the agenda.

## **Article (32)**

### **Minutes of the Ordinary and Extraordinary General Assembly Meetings**

The Association BOD shall provide the Competent Authority with the Minutes of the Ordinary and Extraordinary General Assembly within (7) seven days from the date of the Meeting, for approval.

## **Article (33)**

### **Quorum of the Extraordinary General Assembly Meeting**

1. The Extraordinary General Assembly Meeting is considered valid in the presence of three-quarters of the Members who meet the conditions and duties of Membership and who have the right to attend General Assembly Meetings. If a quorum is not available, the Meeting shall be postponed to another date whose duration is not less than (15) fifteen days and not more than (30). Thirty days from the date specified for the first Meeting, and the second Meeting is considered valid in the presence of two-thirds of the eligible Members. If a quorum is not achieved, the General Assembly will not be called to consider any of the items on the agenda before at least (6) six months have passed from the date of the Meeting in which it has been postponed.
2. The Extraordinary General Assembly shall issue its resolutions with the approval of three-quarters of the Members present.



## **Article (34)**

### **Power of Attorney**

A Member of the General Assembly may delegate another Member who fulfils the conditions and duties of Membership to represent him in attending General Assembly Meetings in accordance with the provisions contained in the Association By-laws in this regard. A Member may not represent more than one Member, and the authorization shall be in writing. And approved by the Association BOD or its authorized representative.

## **Chapter Five**

### **The Association Funds**

## **Article (35)**

### **Financial Resources**

The Association Financial Resources shall consist of:

1. The fees charged for the Association Membership in accordance with its By-laws.
2. Revenues from the Activities and services carried out by the Association that are commensurate with its objectives and competencies in accordance with its By-laws.
3. Revenues of investments made by the Association and declared in accordance with the provisions of this Decree by Law.
4. Donations, gifts, bequests, grants and subsidies received by the Association in accordance with the legislation in force in the State.
5. All other revenues stipulated in the By-laws or approved by the Competent Authority.

## **Article (36)**

### **The Association Funds Nature**

1. Subject to the special nature of the Funds of Social Solidarity Funds, the Association Funds are considered its property, and its Members have no right to them, and the withdrawing or dismissed Member has no right to these Funds or claim any part of them.
2. Any concerned Member of the Association, their heirs, or others may request that the Association recover the Funds or assets provided by the Member on loan or as a recover.

## **Article (37)**

### **Bank Accounts**

1. Each Association shall have one or more bank accounts in any of the national banks operating in the State.
2. The local currency shall be the base currency for these accounts, and after the approval of the Competent Authority, the Association may have one or more accounts in foreign currency after providing justifications for this.
3. Bank accounts for Associations shall be opened pursuant to a certificate issued by the Competent Authority. The Executive Regulations of this Decree by Law shall specify the controls and procedures for opening, managing, and closing bank accounts for Associations, and dealing with violating bank accounts.
4. The Association shall deposit its cash Funds in its name in its bank accounts, and it may not disburse them before depositing them in these accounts.
5. Banks and Financial Institutions may not open any bank accounts for Public Welfare Associations unless they are registered and licensed, and after obtaining the certificate referred to in Clause (3) of this Article.
6. The Association shall notify the Competent Authority of the details of the bank accounts within (10) ten days from the date of opening these accounts and of every change that occurs to the bank in which its Funds are deposited.

## **Article (38)**

### **The Association Funds Investment**

1. The Association shall spend its money to achieve the purposes for which it is established. It may not engage in financial speculation, or distribute any revenues or returns to Members of its BOD, Founders, Members of its General Assembly, or employees.
2. The Association may, after the approval of the Competent Authority, invest its Funds in excess of its needs so that it has a financial return that helps it achieve its objectives.
3. The Executive Regulations of this Decree by Law shall specify the controls and procedures for the Association Funds Investment.

## **Article (39)**

### **Final Accounts and Draft Annual Budget**

1. Each Association shall have a final account approved by one of the approved Audit Offices in the State, which is prepared annually at the end of the Association fiscal year, and the draft annual budget for the new year.
2. The Association BOD shall submit, to the Ministry and the Local Authority, a copy of the final account of the previous year and the draft budget for the new year no later than (15) fifteen days after their approval by the General Assembly.

## **Article (40)**

### **Associations Support**

Annual financial allocations are allocated in the Ministry budget to support Associations, and the types of subsidies and how to benefit from them are regulated by a resolution of the Minister, according to the following standards:

1. The annual appropriations allocated to the Association in the State general budget.
2. The duration of the Association need for support.
3. The extent of the Association success in achieving its objectives.
4. Periodic reports on the Association activity and the extent of its compliance with the provisions of this Decree by Law, Executive Regulations thereof, the Resolutions issued in implementation thereof, and its By-laws.
5. Any other standards determined by the Minister resolution.

## **Chapter Six**

### **National Society**

## **Article (41)**

### **National Society Establishment**

The National Society shall be established by allocating money approved by the Competent Authority commensurate with the purpose of its establishment and the size of the Activities it carries out in order to achieve this purpose, provided that this amount is not less than (AED

5,000,000) five million dirhams upon establishment. This amount may be modified by increase or decrease by a resolution of the Cabinet based on the Minister proposal in coordination with the Local Authority.

## **Article (42)**

### **Founders**

The following are required of the Founders of a National Society:

1. The Founding Members holding the nationality of the State shall not be less than (70%) of the total number of Founding Members. Persons who do not hold the nationality of the State may participate in establishing Associations in accordance with the following controls:
  - a. The Founding Members number shall not exceed 30% of the total number of Founding Members.
  - b. The Founding Member has no diplomatic status.
  - c. The Founding Member has valid Residence Permit in the State for a period of no less than (3) three years.
2. The Founding Member shall be of the legal age in accordance with the legislation in force in the State.
3. The Founding Member shall be of good conduct and of good reputation, and has no history of imprisonment penalty in a felony or misdemeanor of breaching honor or trust, unless he has been rehabilitated.
4. Any other controls and conditions determined by the Executive Regulation of this Decree by Law.
5. All conditions or certain conditions stipulated in this Article may be excluded pursuant to a resolution issued by the Cabinet based on the Minister proposal in coordination with the Local Authority.

## **Article (43)**

### **The By-laws of the National Society**

1. The Founding Members shall meet to establish the Association By-laws, provided that the Executive Regulations of this Decree by Law shall specify the data and information that shall be included in this By-law.
2. The Ministry, in coordination with the Local Authority, shall prepare a form for the National Society By-laws, that the Ministry shall observe.
3. In the event that the National Society is established pursuant to a notarized will, the will shall include all the data and information specified by the Executive Regulations of this Decree by Law, and the will in this case shall be considered in accordance with the By-laws.

## **Article (44)**

### **National Society BOD of Trustees**

1. Every National Society shall have a BOD of Trustees, consisting of at least (5) five Members, formed by the Founder or Founders, provided that the BOD term of Trustees shall not exceed (4) four years. The Competent Authority shall be notified of the formation and of every amendment to the BOD of Trustees.
2. Membership in the BOD of Trustees is required to meet the same conditions stipulated for Membership in the BOD in Associations to the extent that is commensurate with the nature of the Association.
3. The BOD of Trustees shall manage the National Society in accordance with its By-laws, and its Chairman shall represent it before the Court and in its relations with others.

## **Article (45)**

### **The Provisions of Associations Apply to National Societies**

The provisions stipulated in this Decree by Law and Executive Regulations thereof concerning Associations shall apply to National Societies, to the extent that is commensurate with their nature.

## **Chapter Seven**

### **Unions**

#### **Article (46)**

##### **Unions Formation**

Associations and National Societies registered in accordance with the provisions of this Decree by Law may request the formation of unions among themselves in accordance with in the Executive Regulations of this Decree by Law. No Association or National Society may call itself a union unless it is composed of a number of Associations or National Societies that is less than (5) five in number, and they shall unite in accordance with the provisions of this Decree by Law. The Unions existing at the time of entry into force of this Decree by Law shall regulate in accordance with the provisions of this Decree by Law and Executive Regulations thereof.

#### **Article (47)**

##### **Union Tasks**

The Union Task with regard to the Associations or National Societies that join it is determined as follows:

1. Supervise their common interests and guide and direct them to achieve their common objectives.
2. Coordinate its efforts and working to improve the level of its services.
3. Provide technical, financial and cultural assistance to it.
4. Work to resolve any dispute that arises between them.
5. Any other tasks determined by the Executive Regulations of this Decree by Law.

#### **Article (48)**

##### **The Provisions of Associations Shall Apply to Unions**

The provisions stipulated in this Decree by Law and its Executive Regulations concerning Associations shall apply to Unions in matters for which there is no special provision in this Chapter, to the extent commensurate with their nature.

**Chapter Eight**  
**Social Solidarity Funds**  
**Article (49)**

The Executive Regulations of this Decree by Law specify the controls and procedures for establishing and announcing Social Solidarity Funds, their control, and the procedures for their dissolution, liquidation, and merger.

**Chapter Nine**  
**Common Provisions**  
**Article (50)**

**Obligations of the Public Welfare Associations**

Public Welfare Associations shall comply as follows:

1. Respect the State constitution, laws, and applicable legislation.
2. Apply the best practices approved by the Competent Authority to address weaknesses, enable it to protect itself from misuse in illegal financing, especially terrorist financing and the financing of illegal organizations.
3. Establish clear policies to enhance transparency, integrity, and public confidence in its administration.
4. Establish an organizational and functional structure, procedures and internal control controls for the Association.
5. Conduct financial transactions through official channels in accordance with the legislation in force in the State.
6. Transparency, publicity and disclosure, and announcing its sources of funding, the names of its members, its annual budget, and its activities, and it is committed to publishing this through the means of publication available to it or determined by the Competent Authority.
7. Follow the rules of good governance and management, and that Associations have an internal By-law that includes sections for procurement, financial affairs, human resources, and penalties, and that they have a professional conduct codes.

8. Enable any of its members to view its records, papers, and documents whenever the Member officially requests this.
9. Update all data, information and documents of Associations periodically and accurately within their records, including details of activities, events and projects, and the cooperation formulas it concludes with any party and their sources of Funding.
10. To establish a suitable Office for its management center to manage its activity, provided that the Executive Regulations of this Decree by Law specify the necessary controls for this.
11. The Competent Authority shall renew the license in accordance with the procedures and controls stipulated in the Executive Regulations of this Decree by Law.
12. Obtain prior approval to issue any cultural, media, literary, informational, or other audio, visual, or reading product for publishing or circulating it through audio, visual, print, or digital media.
13. Pay taxes and fees in accordance with the legislation in force in the State in this regard.
14. Any other obligations in implementation of the legislation in force in the State.
15. Any other obligations determined by the Competent Authority, pursuant to the Resolutions issued by it in this regard.

## **Article (51)**

### **Prohibitions**

Public Welfare Associations and their Members may not do the following:

1. Practice any Public Welfare activity other than those stipulated in its By-laws.
2. Practice any political or partisan activity, collecting information, interfering in politics or matters affecting the security of the State and its law of government, or using its Office for that purpose, or provoking sectarian, racial, or religious disputes.
3. Affiliate, join, participate in, or deal with any illegal Associations or entities, or any natural or Legal Person belonging to it, whether inside or outside the State, or financing or providing support to them in any way.
4. Deal with, financing, or providing support to any illegal Association, terrorist Association, or entity, or any natural or Legal Person belonging to any of them.



5. Form secret societies, companies, or formations of a secret, military, or paramilitary nature, or calling for favoring, supporting, or financing violence or terrorist organizations.
6. Practice activities that would disturb public order, public morals, Emirati customs and traditions, or threaten the national security of the State.
7. Call for discrimination between citizens or residents of the State on the basis of gender, origin, color, language, religion or belief, or any activity that calls for racism, incitement to hatred, or other reasons that are contrary to the Constitution and the legislation in force in the State.
8. Participate in supporting or financing the electoral campaigns of any candidate in elections and referendums, or presenting a candidate in those elections on behalf of the Association.
9. Grant any professional or applied certificates without authorization from the Competent Authorities in the State, or without an official partnership with one of the specialized universities or the Competent Authorities, and in accordance with the rules regulating this in the State.
10. Practice any Public Welfare Activities outside the spatial scope of the license issued to him by the Competent Authority.
11. Practice any Activities that require a license or approval from a governmental entity, before obtaining a license or approval from that entity and the Competent Authority.
12. Aim to make a profit for the Members of a Public Welfare Association, or engaging in an activity aimed at that, or distributing the Funds of a Public Welfare Association to its Members, employees, or those responsible for its management.
13. Conduct opinion polls, publishing or making their results available, or conducting field research or presenting their results, without obtaining prior approval from the Ministry and the relevant authorities in the State.
14. Conclude agreement in any form with a foreign party outside the State before the Ministry approval, as well as any amendment to it.
15. Deal in any way with embassies, consulates and diplomatic missions without obtaining permission from the Competent Authority, and without the approval of the Ministry of Foreign Affairs in accordance with the procedures followed in this regard.

16. Open branches or Offices outside the State.
17. Interfere in the work of any State or Local Government Authority.
18. Represent any individual or group before the Court in any lawsuits related to the interests of these individuals or groups.
19. Raise and disseminate information that urges non-respect for the Constitution, laws and legislation in force in the State, non-respect for judicial rulings, or prevention of their implementation.
20. Publish information, news, or propaganda that would prejudice public order or harm the public interest, public security, or public morals.
21. Hold courses, workshops, Meetings or seminars, whether inside or outside the State, that would harm public order, harm the public interest or public security, or harm public morals.
22. Work in any way under political cover.
23. Any other prohibitions in implementation of the legislation in force in the State.
24. Any other prohibitions determined by the Competent Authority, pursuant to the Resolutions issued by it in this regard.

## **Article (52)**

### **Controls and Procedures to Combat Money Laundering and Terrorist Financing**

The Ministry, in coordination with the Local Authority, undertakes the following:

1. Evaluate risks in Public Welfare Associations periodically, classify them in accordance with international requirements and the Guide referred to in Clause (2) of Article (4) of this Decree by Law, identify the sub-group, monitor them, and ensure their implementation of their obligations.
2. Develop policies and issuing the necessary measures to ensure the accountability and integrity of Public Welfare Associations, and implementing awareness and education programmes on all topics related to Combat Money Laundering and Terrorist Financing.
3. Exchange data and information related to Public Welfare Associations in the State at all local, regional and international levels, in order to confront money laundering and combat

the financing of terrorism.

4. Any other tasks determined by the Executive Regulations of this Decree by Law.

### **Article (53)**

#### **Supervision and Follow-Up**

1. The Competent Authority has the right to supervise the Public Welfare Associations programmes and projects within the scope of its objectives specified in its By-laws and it may organize training courses, provide technical advice and various aspects of care in order to raise the level of services and achieve efficiency in performance.
2. The Local Authority shall provide the Ministry with any data or information it requests concerning programmes and projects related to Public Welfare Associations subject to its supervision.

### **Article (54)**

#### **Control and Inspection**

1. Public Welfare Associations shall be subject to the supervision of the Competent Authority in all administrative, technical and financial aspects in order to confirm the aspects of expenditure and the proper direction of their financial and in-kind resources for the purposes and projects that they undertake in accordance with their By-laws. For this purpose, the Competent Authority may review the records and documents of Public Welfare Associations and request any data or reports from them.
2. The Local Authority shall provide the Ministry with any reports, data, or information it requests related to the results of the supervision and inspection it carries out on Public Welfare Associations subject to its supervision.
3. The Ministry may coordinate with the Local Authority to conduct its inspection of any Public Welfare Associations subject to the supervision of the Local Authority in cases that require this.

## **Article (55)**

### **Solution and Liquidation**

The Competent Authority may issue a resolution to dissolve and liquidate Public Welfare Associations based on the proposal of a committee formed for this purpose, provided that its Membership includes representatives from the Ministry, if one of the following cases exists:

1. If it violates the provisions of Article (50) or (51) of this Decree by Law, without prejudice to the criminal liability resulting from that.
2. If it is proven that it has carried out actions that conflict with public order or public morals.
3. If the number of Members decreases below the limit specified in Paragraph (A) of Clause (1) of Article (8) of this Decree by Law.
4. If it becomes clear that its work has no longer seriously achieved the purposes for which it is established, or that it is incapable of achieving these purposes.
5. If it disposes of its funds in other than the aspects specified thereto according to its purposes.
6. If it becomes unable to fulfil its financial obligations.
7. If it rejects to inspect it or provide incorrect data with the intention of misleading.
8. If it commits a serious violation of its By-laws or the provisions of this Decree by Law.
9. If it is not possible to convene its General Assembly for two consecutive years.

## **Article (56)**

### **Solution and Liquidation Alternatives**

Without prejudice to the provisions of Clauses (1) and (2) of Article (55) of this Decree by Law, instead of dissolving and liquidating a Public Welfare Association, the Competent Authority may take one of the following measures:

1. A Temporary BOD shall be appointed, by a reasoned resolution, from among the Members, to assume the powers of the elected BOD, for a period of (6) six months, renewable for another similar period or periods. The BOD Members and employees working in the Public Welfare Association shall take the initiative to hand over the Temporary BOD, once all funds, records and documents are formed.
2. Appoint a Director of the Association for a period of (6) six months, renewable for a similar

period. The Executive Regulations of this Decree by Law shall determine the powers and duties of the Director in this case.

3. Merge the Public Welfare Association into another similar Association to it in its purposes and activities, provided that the merger resolution is issued after the approval of the Public Welfare Association into which the merger will take place.

The Executive Regulations of this Decree by Law shall specify the controls and procedures for implementing the provisions of this Article, including the provisions of the merger and its effects.

## **Article (57)**

### **Optional Liquidation**

Subject to the text of Article (59) of this Decree by Law, a Public Welfare Association may be voluntarily liquidated by a resolution of the Extraordinary General Assembly or a resolution issued by the Founders of the National Society or a majority of the BOD Members of Trustees, provided that the Ministry and the Local Authority are notified of the location of this assembly before the date of the hearing is at least fifteen (15) days.

## **Article (58)**

### **Disposing of the Funds of Public Welfare Associations after their Dissolution**

1. Those in charge of the affairs of any Public Welfare Association whose liquidation decision has been made, voluntarily or compulsorily, may not dispose its funds and documents except by a decision of the Competent Authority specifying the method of liquidation in accordance with the controls specified by the Executive Regulations of this Law. The documents and the party to which the funds shall revert when this is not stipulated in the Association By-laws or when it is impossible to implement what is stipulated in this Law.
2. The Executive Regulations of this Decree by Law shall determine the controls and procedures for disposing of the Funds of Public Welfare Associations after their dissolution.

## **Article (59)**

### **Completion of Liquidation Works**

In all cases, if the Public Welfare Association is dissolved and liquidated, it shall remain a legal entity to the extent necessary to complete the liquidation work. The Minister, in coordination with the Local Authority, shall issue a resolution to remove the Public Welfare Association from the Register after completing the liquidation process in the required manner. The deletion resolution shall be published in the Official Gazette.

## **Article (60)**

### **Exemptions and Benefits**

Public Welfare Associations subject to the provisions of this Decree by Law shall enjoy the exemptions and benefits stipulated in accordance with the legislation in force in the State.

## **Chapter Ten**

### **Administrative Penalties and Sanctions**

## **Article (61)**

### **Applying the Severer Penalty**

The imposition of the penalties stipulated in this Decree by Law shall be without prejudice to any more severe penalty stipulated in any other law.

## **Article (62)**

### **Penalties**

The following shall be punished by imprisonment and a fine of not less than (500,000) five hundred thousand dirhams, or by one of these two penalties:

1. Anyone who establishes, organizes, or manages a Public Welfare Association subject to the provisions of this Decree by Law, or opens a branch thereof in the State without its license from the Competent Authority and its notification from the Ministry. In this case, the Public Welfare Association shall be considered dissolved by law and the Competent Court shall decide order the closure of violating premises.

2. Anyone who affiliates, joins, participates, or deals with illegal organizations or with any Natural or Legal Person belonging to them, whether inside or outside the State, or finances them or provides support to them in any way. In this case, the Public Welfare Association shall be considered dissolved by law. The Competent Court may order the closure of the violating premises.
3. Anyone who continues to practice Public Welfare Activities without taking each of the legal forms subject to the provisions of this Decree by Law despite being notified of the regularization and the expiration of the deadline specified in the notification.

### **Article (63)**

#### **Person Responsible for Actual Management**

The person responsible for the actual management of a Public Welfare Association shall be punished with the same penalties for acts committed in violation of the provisions of this Decree by Law if it is proven that he is aware of them or if his violation of management duties facilitated their commission. The Public Welfare Association shall be jointly responsible for fulfilling the financial penalties imposed in accordance with the provisions of this Decree by Law with those convicted of committing it.

### **Article (64)**

#### **Regulation of Violations and Administrative Sanctions**

Violations and administrative penalties shall be defined for acts committed in violation of the provisions of this Decree by Law and the resolutions issued in implementation thereof by the bodies that impose penalties and the mechanism of appeal, and the Competent Authority concerned with collecting administrative fines, under a resolution issued by the Cabinet based on the proposal by the Minister and in coordination with the Competent Authority.

## **Article (65)**

### **Judicial Enforcement**

The Minister of Justice, or the Head of the Local Judicial Authority, each within his jurisdiction, and in agreement with the Chairman or the Head of the Competent Authority, may grant some employees the capacity of judicial enforcement officers, in proving what is committed in violation of the provisions of this Decree by Law and the regulations and decisions implementing it.

## **Chapter Eleven**

### **Final Provisions**

## **Article (66)**

### **Transferring the Jurisdiction of Technical Supervision and Disbursing Subsidies**

The Cabinet, based on the Minister proposal, has the right to transfer some of the Ministry powers, namely technical supervision and disbursement of subsidies to Public Welfare Associations, to other ministries, departments, bodies and Public Organizations in the State and to Local Authorities in coordination with them, as the Ministry deems necessary to achieve the purposes of the Association.

## **Article (67)**

### **Appeals**

1. Subject to Article (13) of this Decree by Law, any interested party may file an Appeal with the Competent Authority, as the case may be, concerning the Resolutions, procedures or measures taken against him in accordance with the provisions of this Decree by Law and Executive Regulations thereof within (30) thirty days from the date of his notification of the Resolution or the action or measure complained of.
2. The Appeal referred to in Clause (1) of this Article shall be decided within thirty (30) days from the date of its submission. The decision issued regarding the Appeal shall be final, and this shall not preclude an appeal against this decision before the Competent Court.



## **Article (68)**

### **Executive Regulations**

The Cabinet shall, based on the proposal of the Minister in coordination with the Competent Authority, shall issue the Executive Regulations of this Decree by Law within six (6) months as of the date of its publication in the Official Gazette.

## **Article (69)**

### **Executive Resolutions**

The Minister and the Head of the Local Authority shall issue the Executive Resolutions necessary to apply the provisions of this Law and its Executive Regulations.

## **Article (70)**

### **Regularization**

1. Public Welfare Associations existing at the time of entry into force of this Decree by Law and not notified by the Ministry shall apply Regularization and submit a request for their declaration to the Ministry in accordance with the provisions of this Decree by Law and Executive Regulations thereof, within a period not exceeding one year from the date of its implementation. The period may be extended for other periods by resolution from the Cabinet based on the Minister proposal.
2. Community Associations and Clubs licensed at the time of entry into force of this Decree by Law shall be excluded from Paragraph (B/1) of Clause (1) of Article (8) of this Decree by Law when they apply regularization.
3. The Local Authority shall oblige the Public Welfare Associations licensed by it at the time of entry into force of this Decree by Law to apply regularization in accordance with the provisions of this Decree by Law within the period specified in Clause (1) of this Article.
4. The Local Authority may exempt Public Welfare Associations licensed by it at the time of entry into force of this Decree by Law from the provisions relating to regularization due to their nature, provided that they are released by the Ministry within a period not exceeding one year from the date of implementation of this Decree by Law. This period may be

extended for other periods by a resolution of the Cabinet based on the Minister proposal in coordination with the Local Authority, by applying the provisions contained in Articles (7), (50), (51), (52), (53), (54) and (55) of this Decree by Law.

5. The Cabinet, based on the Minister proposal, excludes any Public Welfare Association licensed at the time of entry into force of this Decree by Law from any provision relating to regularization, by applying the provisions contained in Articles (7), (50), (51), (52), and (53) and (54) and (55) of this Decree by Law.

## **Article (71)**

### **Repeals**

1. Federal Law No. (2) of 2008 concerning Public Welfare Associations and National Societies, as amended are repealed, as is every provision that violates or conflicts with the provisions of this Decree by Law and Executive Regulations thereof.
2. The Executive Regulations and Resolutions issued pursuant to Federal Law No. (2) of 2008 concerning Public Welfare Associations and National Societies, as amended in effect upon the issuance of this Decree by Law shall continue to be implemented in a manner that does not conflict with its provisions until the regulations and resolutions implementing it are issued.

## **Article (72)**

### **Publication and Entry into Force of Decree by Law**

This Law by Decree shall be published in the Official Gazette and shall come into force after (6) six months from the date of its publication.

**Mohammed Bin Zayed Al Nahyan**

**President of the United Arab Emirates**

**Issued by us at the Presidential Palace – Abu Dhabi:**

**On: 17 Rabi' I, 1445 H**

**Corresponding to: October 02, 2023**