

# Legal Alert



## Dubai: Changes to the fines that can be applied by the Public Prosecutors' Department

By Chatura Randeniya and Nazim Hashim | 6 October 2019

The Public Prosecutors' Department in Dubai has the power to impose fines with respect to certain criminal misdemeanors and offences<sup>1</sup> without being required to refer the matter to a Court of Law. Such fines are issued under a Penal Order. This power stems from Dubai Law No. 1 of 2017, which authorises the Attorney General of Dubai to prescribe the offences and the corresponding fines which may be the subject of a Penal Order. On 1 October 2019 the Attorney General of Dubai issued Resolution No. 119 of 2019 (the **Resolution**) amending certain fines that could earlier be imposed under Penal Orders, and adding misdemeanors and offences which may be the subject of a Penal Order.

The following fines are amended:

Misdemeanor or Offence	Previous Fine	Current Fine
Intentionally disturbing another through means of telecommunication	AED 5,000	AED 3,000
Publicly attributing to another person an incident susceptible of making the other person subject to punishment or exposing the other person to contempt	AED 2,000	AED 5,000
Publicly disgracing the honour of another person	AED 2,000	AED 3,000
Committing libel or slander over the telephone (which includes text, email, and other electronic messaging)	AED 2,000	AED 3,000

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Chatura's practice focuses primarily on dispute resolution. He advises and represents clients in arbitration, and has represented clients in DIAC, ADCCAC, ICC and ad hoc arbitrations. He also works with local advocates on matters before the UAE Federal Courts. Chatura regularly advises clients in high value construction, and maritime and shipping disputes. He is admitted as Attorney-at-Law of the Supreme Court of Sri Lanka. He is a recommended practitioner by Legal 500 EMEA.



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Nazim practices in the firm's dispute resolution team. He has substantial experience in all aspects of civil and criminal litigation from case intake through to final disposition at trial. He handles a heavy caseload at a busy litigation practice, which includes conducting research and drafting memoranda used to support court pleadings. Nazim is a member of the Sudanese Bar Association.

The following misdemeanors and offences may now be punished under a Penal Order:

Misdemeanor or Offence	Fine
Burning or causing to be burned any object belonging to a third party	AED 3,000
Consuming food and beverages publicly during fasting hours of Ramadan	AED 2,000
Compelling, inciting or assisting with publicly consuming food and beverages during the daytime of Ramadan	AED 2,000 with closure of shop (where applicable)
Violating an order for closure of shop	AED 3,000
Causing physical injury to another by fault (i.e. not by accident)	AED 1,000
Using a car or a motorcycle without the authorisation or consent of its owner	AED 1,000
Destroying any movable or immovable property belonging to another person	AED 1,000
Wrongfully destroying a tree, crops or any plants belonging to another person	AED 2,000
Harassing or torturing a domestic or tamed animal belonging to another person	AED 1,000
Wrongfully injuring any animal or cattle belonging to another person	AED 500
Staying illegally in the country for up to 90 days	AED 1,000
Not obtaining a residency visa for a child during the legally prescribed time period	AED 1,000
Assisting another to illegally stay in the country	AED 1,000
Driving a vehicle in violation of an order preventing the person from driving	AED 3,000
Driving a vehicle without a valid license	AED 3,000
Removing the number plate of a vehicle without permission to use it on another vehicle	AED 2,000
Failure to stop after causing a vehicle accident	AED 2,000
Refusing to provide name or address to a police officer	AED 1,000

<sup>i</sup> Under the UAE Penal Code, 'Misdemeanors' are crimes that are punishable by a fine, diyah and/or a term of imprisonment not exceeding three years. 'Offences' are crimes that are punishable by a fine or by detention for a period not exceeding ten days.

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