

Decision No. (2) of 2017

قرار رقم (2) لسنة 2017

Concerning

بشأن

**Fines and Sanctions for Contraventions of the
Dubai Creative Clusters Private Companies
Regulations 2016**

**اعتماد الغرامات والعقوبات بخصوص مخالفة أحكام اللوائح
المنظمة للشركات الخاصة في المجمعات الإبداعية بدبي لسنة
2016**

After perusal of the Dubai Creative Clusters Private
Companies Regulations 2016, as amended,

بعد الإطلاع على اللوائح المنظمة للشركات الخاصة في المجمعات
الإبداعية بدبي لسنة 2016 وتعديلاتها،

The Dubai Technology and Media Free Zone
Licensing Regulations 2003, as amended,

ولوائح الترخيص الصادرة عن سلطة منطقة دبي الحرة للتكنولوجيا
والإعلام لسنة 2003 وتعديلاتها،

The Dubai Technology and Media Free Zone
Licensing Decision No. (1) of 2014 relating to
Licensing Categories, as amended,

والقرار رقم (1) لسنة 2014 بشأن فئات الترخيص لدى سلطة منطقة
دبي الحرة للتكنولوجيا والإعلام وتعديلاته،

and by virtue of the powers vested in me under the
Dubai Creative Clusters Private Companies
Regulations 2016, the following decision is hereby
issued:

وبموجب السلطات الممنوحة لي بموجب اللوائح المنظمة للشركات
الخاصة في المجمعات الإبداعية بدبي لسنة 2016، تقرر إصدار
القرار التالي:

**Definitions
Article (1)**

**التعريفات
المادة (1)**

For the purposes of this Decision, any term(s) used
in this Decision shall have the meaning stipulated
under the Dubai Creative Clusters Private
Companies Regulations 2016, unless the context
implies otherwise.

لغايات هذا القرار، يكون للمصطلحات الواردة في هذا القرار، المعاني
المحددة لها في اللوائح المنظمة للشركات الخاصة في المجمعات
الإبداعية بدبي لسنة 2016، ما لم يقتضي سياق النص خلاف ذلك.

**Contraventions and Fines
Article (2)**

**الغرامات والمخالفات
المادة (2)**

(A) Without prejudice to any other greater
sanction stipulated in any other decision,
regulations, or other legislation administered by
the Authority, the contraventions stipulated in the
Schedule attached to this Decision, shall be
punishable by the fines assigned thereto.

(أ) مع عدم الإخلال بأي عقوبة أشد ينص عليها أي قرار أو لوائح
أخرى معمول بها أو تشريعات أخرى تشرف السلطة على تنفيذها،
يعاقب كل من يرتكب أي من المخالفات المنصوص عليها في الجدول
الملحق بهذا القرار بالغرامة المبينة إزاء كل منها.

(B) The amount of fine stipulated in the Schedule attached to this Decision shall be doubled in case of repetition of the same contravention within one year.

(ب) تضاعف قيمة الغرامة المنصوص عليها في الجدول الملحق بهذا القرار، في حال تكرار ارتكاب المخالفة ذاتها خلال سنة واحدة.

(C) In addition to the fines prescribed under this Article, the Authority may take one or more of the following measures against the violator:

(ج) بالإضافة إلى الغرامة المقررة بموجب هذه المادة، يجوز للسلطة اتخاذ واحد أو أكثر من التدابير التالية بحق الجهة المخالفة:

1. Revocation, cancellation or suspension of the licence or activity.
2. Deregister the company.
3. Apply to the court for compulsory winding-up of the company.

1. إلغاء أو إنهاء أو تعليق الرخصة أو النشاط.
2. شطب الشركة.
3. الطلب من المحكمة حل الشركة الإلجباري.

Issuance of Implementing Decisions Article (3)

إصدار القرارات التنفيذية المادة (3)

(A) This Decision may be amended by the Director General from time to time.

أ- يجوز للمدير العام تعديل هذا القرار من وقت لآخر.

(B) Without in any way limiting the powers and functions conferred on the Authority under the Dubai Creative Clusters Private Companies Regulations 2016 or under any other relevant law, regulation or decision, the Registrar shall have the power and functions to make implementing directions, circulars, prescribing forms and/or procedures from time to time for carrying out the purposes of this Decision.

ب- بدون الحد بأي شكل من الأشكال بالصلاحيات والمهام الممنوحة للسلطة في اللوائح المنظمة للشركات الخاصة في المجمعات الإبداعية بدبي لسنة 2016 أو بموجب أي قانون آخر أو لوائح أو قرارات ذات صلة، يكون للمسجل الصلاحيات والمهام لإصدار أية توجيهات، تعاميم، تحديد النماذج و/أو إجراءات تنفيذية من وقت لآخر لتحقيق أغراض هذا القرار.

Commencement Article (4)

تاريخ النفاذ المادة (4)

This Decision shall come into force on the date of its issuance.

يعمل بهذا القرار اعتباراً من تاريخ صدوره.

Signed:

Ahmad Abdullah BinByat
Director General of the Dubai Creative Clusters
Authority

Dubai Creative Clusters Private Companies Regulations Table of Penalties – 2017

S.N.	Contravention	Applicable Penalties (AED)
1.	Conducting or attempting to conduct business operations without a valid certificate of incorporation/registration and license	20,000
2.	Engaging in or carrying on or purporting to carry on any trade or business activity in DCC without a registered branch or a certificate of continuation	20,000
3.	Engaging in activities or continuation outside DCC without complying with the necessary requirements	20,000
4.	Failure to comply with Registrar's direction to change the name of the company	10,000
5.	Issuing of bearer Shares without Registrar's consent	10,000
6.	Failure or refusal to provide documents and accounting records for Authority's inspection within stipulated time	10,000
7.	Failure to comply with "Share pledge" requirements	10,000
8.	Failure to maintain a registered office / location / postal address	10,000
9.	Failure to comply with Authority's instruction/direction in relation to any of the following: 1. to conduct Annual General meeting or 2. appointment of at least one director or 3. appointment of a General Manager	10,000
10.	Failure to file with the Authority a copy of the audited financial statements from approved auditor within: 1 14 days after the Annual General Meeting or 2 any other timeline stipulated by the Authority	10,000
11.	Failure to obtain Registrar's consent on dividing share capital into different classes or issuing new shares	7,500
12.	Failure to obtain Registrar's prior approval to issue shares for which the consideration is other than cash	7,500
13.	Failure to register a share transfer with the Registrar	7,500
14.	Failure to have registered company name and/or details on certain Company documents	7,500
15.	Failure to comply with the generally accepted accounting principles or standards approved by the Registrar or prescribed from time to time in the preparation of the company's accounts	7,500
16.	Failure to notify the Registrar within 14 days of the Director's/General Manager's resignation	7,500
17.	Conducting or attempting to conduct business without full compliance of the Amalgamation requirements	7,500
18.	Failure to comply with the Deregistration Notice of the Authority	7,500
19.	Failure to obtain Registrar's prior approval to change currency of share capital	5,000

20.	Failure to file changes made to the "Register of Members" with the Registrar within 14 days	5,000
21.	Failure to issue and deliver share certificate(s) within 14 days	5,000
22.	Failure to comply with regulatory requirements for the reduction of share capital	2,500
23.	Failure to keep and maintain a Register of Members	2,500
24.	Failure to comply with the requirements for distribution of dividends	2,500

Note:

- * The above penalties are expressed in UAE Dirhams
- * Each penalty type is subject to AED 20 Knowledge & Innovation Dirhams or other applicable fees