Law No. (15) of 2014 concerning the Creative Clusters in the Emirate of Dubai

We, Mohamed Bin Rashid Al Maktoum, the Ruler of Dubai,

After perusal of the Law No. 1 of 2000 concerning the Dubai Technology & Media Free Zone, as amended;

The Law No. 35 of 2009 concerning Administration of Public Funds of the Government of Dubai as amended;

The Decree No. 12 of 2011 annexing a plot to Dubai Technology & Media Free Zone;

The Decree No. 4 of 2013 annexing a plot to Dubai Technology & Media Free Zone;

The Decree No. 22 of 2013 annexing a plot to Dubai Technology & Media Free Zone;

And the laws regulating free zones in the Emirate of Dubai,

Do hereby issue the following Law:

Title of the Law
Article 1

This Law shall be cited as "Law No. (15) of 2014 concerning the Creative Clusters in the Emirate of Dubai".

Definitions
Article 2

Unless the context requires otherwise, the following terms and expressions shall, wherever they appear in this Law, have the following meanings:

State:	the United Arab Emirates.
Emirate:	the Emirate of Dubai.
Ruler:	H.H. The Ruler of Dubai.
Government:	the Government of Dubai.
Creative Clusters:	the zone created by the Law No. 1 of 2000 and the zones annexed by the Decree No. 12 of 2011, the Decree No. 4 of 2013 and the Decree No. 22 of 2013.
Authority:	the Dubai Creative Clusters Authority.
Chairman:	the Chairman of the Authority.
Director General:	the Director General of the Authority.

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Creative Products: goods and services which include a degree of creativity or innovation and depend on the intellectual capital as one of its basic essentials, including but not limited to media, technological and educational products, biotechnology, energy, design, fashion and any relevant requirements relating to such products.

Establishment: the sole establishments and commercial companies of all types, as licensed to operate in the Creative Clusters by this Law and the decisions issued thereunder.

Activity: any craft, professional, service or other Activity related to the Creative Products, as authorised to be conducted inside the Creative Clusters, in accordance with the provisions of this Law and the decisions issued thereunder.

Other Free Zones: other free zones created in the Emirate.

Scope of Application
Article 3

A. The provisions of this Law shall apply to the Dubai Technology & Media Free Zone, created by the Law No. 1 of 2000.

B. The expression "Dubai Technology & Media Free Zone" shall, wherever it appears in any legislation applicable in the Emirate, be substituted by the expression "Dubai Creative Clusters".

C. The expression "Dubai Technology & Media Free Zone Authority" shall, wherever it appears in any legislation applicable in the Emirate, be substituted by the expression "Dubai Creative Clusters Authority".

D. The Creative Clusters whose boundaries, area and locations are shown in the maps attached hereto are deemed as a free zone.

E. The Authority shall be a corporate body with financial and administrative independence, and shall have the legal capacity necessary to perform the acts to ensure the achievement of the objectives for which the Creative Clusters are created.

Objectives of the Creative Clusters
Article 4

The establishment of the Creative Clusters aims to achieve the following:

1. To enhance and promote the position of the Emirate as a regional and international destination in the field of creative production.
2. To contribute to the implementation of the strategic priorities of the Government in order to enhance the economic growth levels in the Emirate.
3. To create an appropriate business environment that operates on sound and transparent regulatory grounds, to make the Emirate a hub for Creative Products.
4. To foster the competitive ability of the Emirate in the field of creative production and

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encourage the growth of companies operating in this field.

5. To support, encourage and develop Creative Products in the Emirate through attracting and licensing Establishments and companies specialised in this field.

Powers of the Authority
Article 5

To achieve its objectives, the Authority shall have the following duties and powers:

1. To determine and regulate the businesses and activities licensed to be conducted inside the Creative Clusters, and to develop the rules, conditions, requirements and procedures to license such businesses and activities.

2. To undertake all transactions and operations in connection with Creative Products, including practising commercial and industrial operations in coordination with the local and federal governmental bodies.

3. To approve the master plan of the Creative Clusters and license, regulate and supervise all construction works carried out therein.

4. To register and license Establishments and to collect the financial considerations and fees prescribed for such services and for other services provided by the Authority.

5. To supervise and inspect Establishments and their activities to ensure their compliance with the provisions of this Law and the decisions issued thereunder.

6. To form Establishments and companies either solely or in conjunction with third parties and to invest in companies and Establishments that conduct activities related to those of the Authority.

7. To form councils, committees and associations and to organise events to develop and foster Creative Products.

8. To permit Establishments to import and store goods to be re-exported or to be supplied to the customs zone in the Emirate in coordination with the relevant entities.

9. To permit Establishments to provide various commercial, banking and insurance services inside the Creative Clusters in coordination with the relevant entities.

10. To purchase, lease and possess the movable and immovable assets as may be required to perform its duties and to invest and dispose of such assets in all aspects as permitted by law.

11. To cooperate and coordinate with local, federal, regional and international entities, including other free zones in the field of creative production.

12. Any other functions as may be required to achieve the objectives for which the Creative Clusters are created.

Organisational Structure of the Authority
Article 6

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The organisational structure of the Authority shall consist of:

A. Chairman;

B. Director General; and

C. Executive Body.

Appointment of the Chairman and Determining his Powers
Article 7

A. The Chairman shall be appointed by virtue of a decree issued by the Ruler.

B. The Chairman shall generally supervise the Authority; issue the required decisions to operate and manage the Authority, and to execute the provisions of this Law. For this purpose, the Chairman shall have the following duties and powers:

1. To approve the general policy of the Authority and its strategic and development plans.

2. To supervise the achievement of the objectives for which the Creative Clusters are created, and to approve the services, operations, projects and activities performed by it.

3. To approve the organisational structure of the Authority.

4. To approve the draft general budget and the final accounts of the Authority.

5. To form any other entities of the Authority, as may be necessary to achieve the objectives for which the Creative Clusters are created.

6. To approve the rules regulating the activities of Establishments, such as the media broadcasting and publication rules, and to appoint specialised expert centres and firms to resolve any issue in connection with the application of such rules.

C. The Chairman may delegate any of his powers provided by this Law to the Director General, provided that such delegation is in writing and specified.

D. The Director General shall exercise the powers of the Chairman in his absence.

Appointment of the Director General and Determining his Powers
Article 8

A. The Director General shall be appointed by virtue of a decree issued by the Ruler.

B. The Director General shall undertake, under the supervision of the Chairman, the management of the Authority, in accordance with the provisions of this Law and the decisions issued thereunder. For this purpose, the Director General shall have the following duties and powers:

1. To propose the general policy, strategic and development plans of the Authority and, to submit them to the Chairman for approval and to take the required procedures to implement it upon approval thereof.

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2. To approve the decisions in connection with the organisation of the work in the Authority from the administrative, financial and technical aspects.

3. To prepare the annual budget and the final accounts of the Authority and to submit them to the Chairman for approval.

4. To prepare the organisational structure of the Authority and to submit it to the Chairman for approval.

5. To issue decisions as required for the preparation of records concerning the licensing of Establishments and other records in connection with the operations of the Authority.

6. To coordinate with the federal and local authorities/entities and other free zones, for the purposes of achieving the objectives for which the Creative Clusters are created.

7. To supervise the executive body of the Authority and to monitor its performance from all administrative, financial and technical aspects.

8. To represent the Authority before third parties and to enter into such agreements and contracts to achieve the objectives for which the Creative Clusters are created.

9. To open and manage accounts in the name of the Authority with banks inside and outside of the Emirate, after obtaining approval from the Chairman.

10. To prepare annual reports on the efficiency of the strategies followed by the Authority to strengthen the position of the Emirate as a centre for Creative Products and to submit them to the Chairman for approval.

11. Any other powers as required to exercise the powers of the Authority or as delegated by the Chairman.

C. The Director General may delegate any of his powers as provided by clause B of this Article to any of the personnel of the Authority, provided that such delegation of power is in writing and specified.

Executive Body of the Authority
Article 9

The Authority shall have an executive body consisting of a number of administrative, financial and technical personnel, to be appointed, and the conditions of their employment, their salaries and duties, the termination of their services and all the other issues related to their jobs shall be determined by a special regulation to be issued by the Director General in this respect.

Financial Resources of the Authority
Article 10

The financial resources of the Authority shall consist of the following:

1. Movable and immovable assets as allocated by the Government to the Authority.

2. Licensing charges and fees and the fees for the services provided by the Authority.

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3. Revenues realised as a result of the Authority's investment of its funds.

4. Grants and donations and any other resources as approved by the Chairman.

Budget and Accounts of the Authority
Article 11

A. The Authority shall have an independent budget that reflects its true financial position.

B. The Authority shall, upon organising its accounts and financial records, apply the rules and principles of commercial accounting, in accordance with the recognised international standards.

C. The financial year of the Authority shall commence on 1 January and end on 31 December of every year.

Cooperation with the Authority
Article 12

All the governmental entities in the Emirate must fully cooperate with the Authority, in order to enable it to exercise its powers.

Permitted Business Works and Activities
Article 13

The works and activities permitted to be exercised inside the Creative Clusters shall include:

1. Everything in connection with the design, manufacture, development and use of Creative Products.

2. Creating and providing the required infrastructure for the Creative Products.

3. Conducting all studies and researches that may contribute to the development of Creative Products.

Prohibited Works and Activities
Article 14

None of the following works and activities may be exercised inside the Creative Clusters:

1. Any work or Activity in conflict with the licence granted to the Establishments, or with the applicable regulations and decisions inside the Creative Clusters.

2. Any work or Activity in conflict with the public order or public morals.

Goods of the Creative Clusters
Article 15

A. All goods shall be authorised to be entered into the Creative Clusters from all sources, whether foreign or national.

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B. Notwithstanding the provision of clause A of this Article, the following goods and products are prohibited from entering into the Creative Clusters:

1. Spoiled goods.

2. Goods in violation of the commercial, industrial, literal, artistic and intellectual property protection laws, including goods in violation of the laws and rules in connection with trademarks, patents of invention, copyrights and design rights.

3. Goods under boycott, whether due to their nature or the state imported therefrom.

4. Goods bearing such writings, drawings, carvings, marks or forms in conflict with the beliefs, teachings and ideals of the divine religions.

5. Military goods and ammunitions, except those authorised to enter by the competent authority in the State, in accordance with the applicable laws in this respect.

6. All goods, products and services prohibited to be traded under the applicable laws in the Emirate.

Customs Exemptions
Article 16

A. Goods supplied to, manufactured, produced or developed in, the Creative Clusters shall be exempted from customs duties and no customs duties shall be charged thereon upon export thereof outside the State.

B. Products stored inside the Creative Clusters or used in any process in connection with the manufacturing, design or development of Creative Products or other processes shall be exempted from customs duties.

C. Products exported from Creative Clusters to the customs zone of the Emirate are deemed as imported from abroad for the first time, and the customs duties shall be charged thereon in accordance with the provisions of the applicable customs tariff.

Exemption From Taxes
Article 17

Establishments and their personnel shall be exempted from all taxes, including income tax, in connection with their operations inside the Creative Clusters, and shall be excluded from any restrictions in connection with the transfer of capital, profits or wages in any currency to any party outside the Creative Clusters, for a period of fifty (50) years. Such term may be extended for similar terms by a resolution of the Ruler. Such term shall commence from the date on which the Establishment or its personnel commence work.

Immunity Against Procedures Restricting Ownership
Article 18

The Establishments and their funds or the funds of their personnel shall not be governed by any procedures for expropriation or limitation of private property throughout the period of their operation in the Creative Clusters.

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Employees of the Establishments
Article 19

The Establishments may employ or recruit any persons in their business inside the Creative Clusters, provided that such personnel are not citizens of any country under political or economic boycott by the State.

Exemption from Compliance with Specific Laws
Article 20

A. With respect to their operations inside the Creative Clusters, the Authority and the Establishments shall not be subject to the laws and regulations of Dubai Municipality or the Department of Economic Development, or the powers and authority falling within the jurisdiction of such entities, except for the laws and regulations related to health, public safety, food control and environment, as well as legislations that explicitly state for their application inside the free zones.

B. The Authority may seek the assistance of the governmental entities in the Emirate and the other free zones and benefit from such programmes and systems available for licensing the Establishments, as the Authority may deem appropriate. Such programmes and systems shall be implemented in accordance with the applicable regulations in the Creative Clusters. Licenses granted to the Establishments in cooperation with the relevant governmental entities, shall be deemed as though they were issued by the Authority.

Formation of Establishments
Article 21

A limited liability company may be incorporated in the Creative Clusters, under the applicable regulations inside the Creative Clusters. Such companies shall be considered as Establishments, and they may be held by one or more persons, whether a natural or corporate person, and whether they are UAE nationals or not.

Licensing Establishments
Article 22

A. No individual or entity may conduct any Activity in the Creative Clusters unless licensed to do so by the Authority.

B. Establishments shall be licensed and all the rules regulating their businesses including their incorporation and registration shall be set out, the conditions and rules governing them shall also be determined and the regulations concerning their liquidation shall be laid down, together with any other issues in connection therewith, under a special regulation to be approved by the Chairman in this respect.

Obligations of the Establishments
Article 23

A. The Establishment shall indicate next to its name that it is a free zone Establishment, in addition to its legal status, in all its transactions, contracts, advertisements, invoices, communications and printings.

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B. The owner of the Establishment shall be held liable from all his movable and immovable assets for the obligations of the Establishment in the event of his non- compliance with the provisions of clause A of this Article.

Liability
Article 24

A. The Government shall not be held liable towards third parties for any debts or liabilities claimed against the Authority or its affiliated entities. The Authority shall be solely liable for such debts and obligations.

B. The Authority or its authorised representatives shall not be held liable towards third parties for the obligations of the Establishments or their personnel.

Exemption from Liability
Article 25

Except in the event of fraud and gross fault, the Chairman, the Director General and any member of the executive body of the Authority shall not be held liable to third parties for any act or omission committed in the performance of their function. The Authority shall be solely liable to third parties for such act or omission.

Assignment of Licence
Article 26

The Establishment may not assign its licence issued by the Authority to any other party without obtaining the prior written consent of the Authority.

Penalties
Article 27

The Chairman shall issue a regulation setting-out the administrative penalties as applicable for the violation of the provisions of this Law and the decisions issued thereunder, or any clause of the licence issued by the Authority. Such regulation shall also determine the entity authorised to impose and enforce these penalties.

Law Enforcement Officers
Article 28

The personnel and inspectors of the Authority nominated by a decision issued by the Director General shall have the capacity of a law enforcement officer to record acts committed in violation of the provisions of this Law and the decisions issued thereunder. In this respect, they shall monitor and supervise the Establishments, activities and businesses conducted by such Establishments, issue the required minutes of seizure and shall seek the assistance of the police, as necessary.

Delegation of Powers
Article 29

The Authority may delegate any of its powers as provided by this Law to any public or private entity pursuant to an agreement executed in this regard.

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Issuing Implementing Decisions
Article 30

The Chairman shall issue decisions as required to implement the provisions of this Law.

Repealing Clause
Article 31

A. This Law shall supersede the Law No. 1 of 2000, and any provision in any other law is also hereby repealed to the extent that it is in conflict with the provisions of this Law.

B. The decisions issued under the Law No. 1 of 2000 shall remain in force to the extent that they are not in conflict with the provisions of this Law, until such other decisions are issued in replacement thereof.

Publication and Effective Date
Article 32

This Law shall be published in the Official Gazette and shall come into force from the date of such publication.

(Signed)
Mohamed Bin Rashid Al Maktoum Ruler of Dubai

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Corresponding to 03-Muharram 1436 A.H

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