

**Executive Council Resolution No. (21) of 2011
Concerning
Higher Education Institutions Based in the
Free Zones of the Emirate of Dubai¹**

**We, Hamdan bin Mohammed bin Rashid Al Maktoum, Crown Prince of Dubai,
Chairman of the Executive Council,**

After perusal of Law No. (3) of 2003 Establishing the Executive Council of the Emirate of Dubai, and
Law No. (30) of 2006 Establishing the Knowledge and Human Development Authority in the Emirate of Dubai,
do hereby issue the following Resolution:

**Definitions
Article (1)**

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

State:	The United Arab Emirates.
Emirate:	The Emirate of Dubai.
Executive Council:	The Executive Council of the Emirate.
Free Zone:	Any free zone established in the Emirate.
Authority:	The Free Zone Authority.
KHDA:	Knowledge and Human Development Authority of Dubai.
Director General:	The Director General of KHDA.
Academic Institution:	An independent academic institution or a branch of an academic institution based in or outside the State which the KHDA grants an Academic Authorisation to provide higher education and scientific research programmes within the Free Zone. Such institution grants Academic Qualifications in any programme for which the length of study is not less than one (1) year to students who have obtained high school or equivalent qualification. This includes universities, colleges etc.

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¹ *Every 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 shall prevail.*

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Higher Education Programme:	A series of courses or academic modules offered by the Academic Institution that qualifies students who complete the requirements for obtaining an Academic Qualification.
Commercial Licence:	The licence issued by the Authority which authorises the Academic Institution to carry on its business within the Free Zone.
Academic Authorisation:	The document issued by the KHDA which grants approval for the Academic Institution to carry on its business within the Free Zone.
Academic Qualification:	The intermediate diploma or Bachelor's degree or equivalent, higher diploma, Master's degree or Doctorate degree granted by the Academic Institution in any field of study.
Certification:	Recognition by the KHDA of the Academic Qualification granted by the Academic Institution to students who successfully meet the requirements of any Academic Qualification.

Scope of Application Article (2)

The provisions of this Resolution shall apply to all Academic Institutions operating within Free Zones regardless of whether they are authorised to operate before or after this Resolution comes into force.

KHDA's Duties and Powers Article (3)

For the purposes of this Resolution, the KHDA shall supervise Academic Institutions within Free Zones, and shall in particular undertake the following:

1. Grant initial approval to entities wishing to provide Higher Education Programmes within Free Zones to obtain Commercial Licences in accordance with the standards and requirements adopted by the KHDA in this regard;
2. Grant Academic Authorisation to entities wishing to provide Higher Education Programmes within Free Zones upon completing the requirements and prescribed procedure, and publicise such Authorisation in any way it deems appropriate;
3. Adopt the standards and rules required for granting the Academic Authorisation, and adopt the appropriate mechanism for regulating the activities of the Academic Institution;

4. Determine the procedures, documents, records, facilities, equipment, and any other technical, administrative and financial requirements, as well as any guarantees and approvals that must be obtained by the entities wishing to obtain Academic Authorisation;
5. Set out guiding principles and mechanisms for appropriate internal evaluation of the activities of Academic Institutions, Higher Education Programmes and their outcomes;
6. Approve the academic year calendar, Higher Education Programmes, and Academic Qualifications granted by Academic Institutions;
7. Monitor compliance of Academic Institutions with the standards and requirements determined in this Resolution and in the bylaws issued by KHDA, as well as with the terms of their Academic Authorisation by analysing reports and conducting field visits;
8. Monitor and assure the quality of the Higher Education Programmes offered by Academic Institutions and ensure compliance with the quality principles and standards approved by the KHDA in this regard;
9. Certify the Academic Qualifications granted by Academic Institutions;
10. Create a database of Academic Institutions, Higher Education Programmes, academic levels and activities conducted by Academic Institutions.

Conducting Business

Article (4)

- a. No entity may offer Higher Education Programmes within Free Zones unless it obtains prior Academic Authorisation from the KHDA.
- b. No Academic Institution may conduct its business in offering any Higher Education Programme or grant any Academic Qualification which does not feature in its Academic Authorisation unless it obtains prior approval from the KHDA.

Granting Academic Authorisation

Article (5)

The KHDA shall on-site inspect the entity applying for Academic Authorisation. In the light of its findings, the KHDA may take any of the following measures:

1. Grant the applicant Academic Authorisation to carry on academic activity in the event the applicant meets all operating requirements and fulfills any remaining requirements as may be determined by the KHDA;

2. In the event the applicant fails to meet all operating requirements or to fulfill any other remaining requirements within the time frame determined by the KHDA, the applicant shall not be granted Academic Authorisation to carry on the activity and the Authority shall be advised to cancel the Commercial Licence if obtained;
3. The KHDA must notify the owner or the founder applying for Academic Authorisation of the approval or rejection of the application within ninety (90) days from the date of the submission of a complete application, and upon expiry of such time limit and no such notification is communicated to the applicant, then the application shall be deemed rejected.

Validity of the Academic Authorisation Article (6)

An Academic Authorisation shall be valid for one (1) year, and may be renewed for similar periods based on an application submitted by the Academic Institution to the KHDA at least ninety (90) days prior to its expiry.

Amendments to the Academic Authorisation Article (7)

An Academic Institution may not change its name, address, Academic Qualifications granted, Higher Education Programmes provided, academic regulations or shareholders, or make any material change to its activities without obtaining the KHDA's prior approval.

Campus Article (8)

- a. Each Academic Institution shall have an independent campus suitable for conducting academic activities. The campus must meet all conditions and technical, engineering, health and environmental requirements adopted in this regard.
- b. Without prejudice to the construction, health and occupational safety requirements stipulated in the applicable legislation of the Emirate, the KHDA shall issue a regulation to determine the required technical specifications of the campus of an Academic Institution.
- c. An Academic Institution may not construct any buildings, add new facilities or lease any premises for the purposes of conducting academic activity or student housing without obtaining the prior approval of the KHDA.

Certification and Recognition of Academic Qualifications

Article (9)

Academic Qualifications granted by the Academic Institutions and certified by the KHDA shall be recognised in the Emirate by all public and private entities for all purposes.

Academic President

Article (10)

Each Academic Institution shall have a full-time academic president to administer and supervise its academic affairs. The academic president shall be accountable to the KHDA for the Academic Institution, and must be known for his honesty and good conduct. The academic president shall be a holder of Doctorate degree and shall meet all other requirements determined by the KHDA in this regard.

Obligations of the Academic Institution

Article (11)

An Academic Institution shall comply with the following:

1. To procure the requisites necessary for carrying on its academic activities, including supplies, equipment, furniture, buses and other requisites deemed necessary by the KHDA;
2. To satisfy all health and environmental requirements within the campus and to provide services required for carrying on its business;
3. To appoint qualified administrative and technical staff, and to provide the KHDA with their names, data, academic qualifications and the basis of their appointment;
4. To manage the campus and related facilities in accordance with the KHDA's instructions and guidelines;
5. To maintain the quality of academic services;
6. To submit to the KHDA an annual report on the academic, financial and administrative status of the Academic Institution;
7. To provide all necessary information and data to the KHDA and its staff, as well as to the authorised persons who audit and assess the activities, documentation and facilities of the Academic Institution;
8. To maintain the records and files of students and staff of the Academic Institution;

9. To appoint the academic president of the Academic Institution;
10. To maintain public order, public morals, values and traditions of the State and respect for religions;
11. Any other obligations determined by the KHDA.

Monitoring and Evaluation
Article (12)

- a. An Academic Institution shall be monitored and supervised by the KHDA which may form specialist committees from among KHDA staff or other persons to control the academic activities of the Academic Institution and its compliance with the approved terms, conditions and standards.
- b. The KHDA shall lay down the mechanism for performance evaluation and quality assurance of the services of Academic Institutions.
- c. The KHDA shall issue an annual report on the findings of the performance evaluation of the Academic Institution, and may publish such findings in the manner it deems appropriate.

Assignment of the Academic Authorisation
Article (13)

An Academic Authorisation may not be assigned to any Academic Institution or other entity without obtaining the KHDA's prior approval. Any assignment made contrary to the provisions of this Article shall be deemed void.

Fees
Article (14)

- a. The KHDA shall collect the fees prescribed in Schedule (1) attached to this Resolution in return for issuing Academic Authorisation, certifying Academic Qualifications and all other services set out in this Resolution and the bylaws issued in pursuance thereof.
- b. The fees and fines received by the KHDA pursuant to this Resolution shall accrue to the account of the public treasury of the Government of Dubai.

Penalties
Article (15)

- a. Without prejudice to any higher penalty stipulated in any other legislation, a person who commits any violation of this Resolution and the bylaws issued in pursuance thereof shall be subject to a fine as indicated in Schedule (2) attached to this Resolution.
- b. The fine stipulated in Schedule (2) referred to in paragraph (a) of this Article shall be doubled in case of recurrence of the same violation within one (1) year, but may not exceed two hundred thousand Dirhams (200,000 Dhs).
- c. In addition to the fine stipulated in this Article, the KHDA may, in coordination with the competent authorities, take one or more of the following actions:
 1. Prevent the Academic Institution from admitting new students;
 2. Close down the Academic Institution and revoke the Academic Authorisation.

Judicial Officers
Article (16)

KHDA officers and inspectors appointed pursuant to a resolution of the Director General shall be authorised as judicial officers to record the violations of the provisions of this Resolution and the bylaws issued in pursuance thereof. For this purpose, they may access the Academic Institution and its various facilities, review its registers and entries to record any violations, and draft the relevant reports. They may also seek assistance of the police.

Grievance against KHDA's Resolutions
Article (17)

A concerned party may file a grievance in writing to the Director General within thirty (30) days from the date of notification of the resolution or measures taken by the KHDA. Such grievance shall be decided by a committee to be formed by the Director General for this purpose no later than sixty (60) days from the date of submission, and the decision rendered by this committee in respect of such grievance shall be deemed final.

Implementation of the Provisions of this Resolution
Article (18)

The Director General shall issue the bylaws and resolutions necessary for the implementation of the provisions of this Resolution, and such bylaws and resolutions shall be published in the Official Gazette of the Government of Dubai.

Adjustment of Status
Article (19)

All Academic Institutions licensed prior to the effective date of this Resolution shall adjust their status in accordance with its provisions no later than one (1) year from the day on which it comes into force.

Repeals
Article (20)

Any provision in any other resolution shall be repealed to the extent that it contradicts the provisions of this Resolution.

Publication and Effective Date
Article (21)

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

Hamdan Bin Mohammed Bin Rashid Al Maktoum
Crown Prince of Dubai
Chairman of the Executive Council

Issued in Dubai on 26 June 2011
Corresponding to 24 Rajab 1432 A.H.

Schedule (1)
Determining Fees for Academic Authorisation and Academic Qualification Certification

	Description	Fees (Dhs)
1.	Annual Academic Authorisation for an Academic Institution offering 1 to 5 Higher Education Programmes.	150,000
2.	Annual Academic Authorisation for an Academic Institution offering 6 to 10 Higher Education Programmes.	175,000
3.	Annual Academic Authorisation for an Academic Institution offering 11 Higher Education Programmes or more.	200,000
4.	Certifying Academic Qualifications, transcripts and any other documents related to the Academic Institution's students.	200 for each qualification, transcript or document

Schedule (2)
Determining Violations and Fines Imposed on Academic Institutions

	Description of the Violation	Fines (Dhs)
1.	Conducting an academic activity within the Free Zone without an Academic Authorisation from the KHDA.	200,000
2.	Conducting an activity not covered by the Academic Authorisation.	100,000
3.	Carrying on business under an expired Academic Authorisation.	50,000 for each month of delay, provided that the fine does not exceed 200,000
4.	Introducing or phasing out Higher Education Programmes or activities without obtaining prior approval of the KHDA.	50,000
5.	Obstructing the KHDA's inspectors from performing their duties.	10,000
6.	Delay of the academic year start date beyond the date prescribed by the KHDA.	50,000
7.	Failure to procure the requisites necessary for conducting academic activities.	100,000
8.	Constructing, adding or leasing any facilities without obtaining prior approval of the KHDA.	50,000
9.	Failure to comply with the security, health and occupational safety requirements adopted by the KHDA within the campus.	50,000
10.	Failure to provide the KHDA with the requested reports, information and data on time.	50,000

11.	Failure to maintain records and files for the students and staff of the Academic Institution.	100,000
12.	Violating the terms and conditions of the Academic Authorisation.	100,000
13.	Submitting forged documents or inaccurate information to obtain an Academic Authorisation.	100,000
14.	Failure to adjust the status of an Academic Institution operating in a Free Zone before the effective date of this Resolution within the specified time frame.	100,000
15.	Non-compliance with the KHDA's resolutions and instructions.	50,000