

PANORAMIC

**ADMINISTRATIVE &  
PUBLIC LAW**

United Arab Emirates

 LEXOLOGY



# Administrative & Public Law

Contributing Editors

**Joanna Ludlam and Will Jones**

Jenner & Block LLP

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# Contributors

## United Arab Emirates

Hadef & Partners

Hadef  
& Partners

George Anis

[g.anis@hadefpartners.com](mailto:g.anis@hadefpartners.com)

## CONSTITUTION

### Sources of constitutional law

What are the basic sources of law in your jurisdiction and what is the hierarchy of these sources?

On 2 December 1971, the emirates of Dubai, Abu Dhabi, Sharjah, Fujairah, Umm Al-Quwain and Ajman came together and adopted a temporary constitution. That day marked the independence of the United Arab Emirates (UAE) and the formation of the UAE as a sovereign nation. On 10 February 1972, Ras Al Khaimah joined the federation. In 1996, the Constitution was made permanent (the [UAE Constitution](#)).

Articles 120, 121 and 122 of the Constitution set out the matters that fall within the legislative and executive jurisdiction of the federal government and those that fall within the jurisdiction of member emirates.

Article 151 of the UAE Constitution establishes the supremacy of the provisions of the Constitution and provides that it shall prevail over federal and emirate-level legislation, regulations and decisions. In the case of conflict, that part of the lower-level legislation that is inconsistent with the higher legislation shall be rendered null and void to the extent that it removes the inconsistency. Where a dispute arises, the matter shall be referred to the Federal Supreme Court for resolution.

Constitutional law in the UAE derives from various sources, including:

- Legislation: this includes UAE federal and emirate-level legislation.
- Islamic shariah: Article 7 of the UAE Constitution explicitly recognises Islamic shariah as a principal source of law. Islamic shariah influences matters related to personal status, family law and inheritance.
- International treaties and agreements: treaties and agreements to which the UAE is party are an important source of constitutional law and represent an intrinsic part of the country's legal framework.
- Constitutional customs: constitutional customs can also be a source of UAE constitutional law, provided jurisprudence and courts recognise such constitutional customs.

Law stated - 1 October 2025

### Creation, establishment and amendment

How are the sources of constitutional law created or established and amended?

Aside from Islamic shariah, which is an established and unchanged source of UAE constitutional law, other sources of constitutional law may be created and amended as follows:

Article 144 of the UAE Constitution enumerates the relevant provisions setting out the mechanisms and procedures for the enactment of amendments to the UAE Constitution.

In accordance with Clause 2 of article 144, if the Supreme Council considers that an amendment to the Constitution would be in the interest of the Union, it may submit a draft of the proposed amendment to the Union National Council. A two-thirds vote of the members present is required to approve the amendment.

The process of issuing and amending legislation differs depending on whether the legislative instrument is proposed to be enacted at the federal or emirate level, as follows:

- **Federal laws:** the process for issuing or amending a federal law is detailed under article 110 of the UAE Constitution. The Cabinet of Ministers prepares a draft law and submits it for review to the Federal National Council. The draft law is then submitted to the President of the UAE for approval, following which it will be ratified by the Federal Supreme Council. The draft law is then signed and issued by the President of the UAE.
- **Federal decree-laws:** In cases where the urgent enactment of federal laws is required and where the Supreme Council is not in session, the President of the UAE, in conjunction with the Cabinet of Ministers, has the authority to promulgate the necessary laws in the form of decree-laws. Decree-laws must subsequently be presented to the Supreme Council for approval or rejection. Upon approval by the Supreme Council, they become binding.
- **Emirate-level legislation:** Under article 116 of the UAE Constitution, each emirate can issue legislation applicable only within the relevant emirate in matters other than those in which the federation enjoys exclusive jurisdiction, such as foreign affairs, defence, education and health. Emirate laws are enacted by the rules of the relevant emirate. Sector-specific legislation may also be enacted by the issuance of rules or regulations by the relevant sector regulatory body. The process of enactment will depend on whether the legislative instrument is issued as an emirate-level law or another form of rule or regulation.
- **Constitutional customs:** Constitutional customs can often find their origins in historical practices. Factors that impact the establishment of constitutional customs include political consensus and consistent legal interpretation by courts and jurisprudence. Established constitutional customs and traditions can be amended by political consensus, usually in the form of codification of the relevant custom.
- **International treaties and agreements:** International treaties, conventions and other instruments must be ratified by way of a federal decree-law. Once enacted, such instruments become one of the sources of UAE constitutional law. The process for amending such treaties involves approval and ratification of the amendments under a similar process.

**Law stated - 1 October 2025**

### **Case law**

**Have there been any recent significant judicial decisions regarding the constitution?**

There have been no recent cases on the matter.

**Law stated - 1 October 2025**

## INTERNATIONAL LAW

### **Incorporation**

**Is any significant body of international law incorporated into the law of your jurisdiction?**

The UAE is a party to various international treaties and agreements, which, once ratified, become an integral part of its domestic legal system. These include various international treaties, agreements and other accords, in the areas of human rights, the law of the sea, airspace, environment, nuclear, transport, investment, taxation and many others.

The UAE is also, inter alia, a member of the United Nations, the World Trade Organization, the Gulf Cooperation Council, the Arab League and the World Bank.

**Law stated - 1 October 2025**

### **Relationship to domestic law**

**Does international law have equal status to domestic law? If not, what is the hierarchy between these bodies of law?**

International law constitutes an important part of the UAE legal system. International treaties, conventions and other instruments must first be ratified by way of a federal decree-law before they become part of domestic law. Once ratified, they have equal standing as other federal laws.

**Law stated - 1 October 2025**

## JUDICIAL REVIEW

### **Available mechanisms**

**What mechanisms (eg, judicial review) are available to challenge administrative decision-making by public bodies?**

Individuals and entities can challenge the decisions of public bodies either by submitting an official grievance or by bringing judicial proceedings before the competent court requesting the cancellation of a final administrative decision. These two approaches may be employed consecutively, commencing with a grievance submitted to the public body that issued the decision, which, when rejected or unanswered, leads to the initiation of judicial proceedings.

Article 102 of the UAE Constitution provides that the federation shall have one or more federal courts of first instance seated in the capital of the federation or the capitals of some of the emirates. These courts shall have sole and exclusive jurisdiction to adjudicate on certain matters, including civil, commercial and administrative disputes between the federation and individuals, whether the federation is plaintiff or defendant.

The Federal Supreme Court has consistently ruled that the jurisdiction of federal courts under article 102 of the Constitution is a matter of public order, and therefore always applies where

the UAE federal government is a party to a dispute. This principle is reiterated in Judgment No. 662 of 2022 by the Abu Dhabi Court of Cassation.

All claims raised by a private person, natural or juridical, against the federal government or any of its organs are to be exclusively submitted to and adjudicated by the Federal Court of First Instance. Judgments on the merits delivered by this court are appealable before the Federal Court of Appeal. Judgments issued by the latter may, if challenged on matters of law, be appealed before the Federal Supreme Court. All three courts are seated in Abu Dhabi, the capital of the UAE.

**Law stated - 1 October 2025**

## **Decisions subject to review**

### **What types of administrative decisions are subject to judicial review?**

UAE courts have defined administrative decisions as an official expression of a public authority's intention, carried out in accordance with established laws and regulations, in a prescribed manner, with the specific objective of producing a legal effect whenever it is both feasible and legally permissible – all with the fundamental purpose of advancing the public interest.

Administrative decisions subject to judicial review in the UAE include decisions related to licensing, taxation, property, environmental compliance, public procurement and public health.

In general, all administrative decisions can be challenged before the judiciary, subject to certain limitations. Some of these limitations are related to the nature of the relevant action of the public body, as not all actions of public bodies qualify as 'final administrative decisions'. For instance, material or preliminary acts of public bodies do not meet the criteria for administrative decisions and, accordingly, are typically not subject to judicial review. An example of a preliminary decision in the context of public procurement would be the decision of a procurement committee to award a contract to a particular entity. Such decisions typically need to be endorsed by the upper management of the public body. In such a case, the decision of the awarding committee would be considered a preliminary decision and would not be subject to judicial review.

Further, administrative decisions related to a state's sovereignty and authority are excluded from judicial review. Examples of such actions include decisions pertaining to national defence, the deployment of armed forces, and the management of external affairs, including international treaties.

**Law stated - 1 October 2025**

## **Restrictions**

### **Are there any restrictions on judicial review of administrative decisions?**

Administrative decisions pertaining to the UAE's sovereignty as a state are typically not subject to judicial review. Examples of such decisions include those related to national defence, using the armed forces, foreign affairs and international treaties.

Further, as a prerequisite to challenging an administrative decision in court, certain UAE laws provide that a grievance application must be submitted to the public body that issued the decision or to a designated committee. Failure to adhere to such procedural requirements could result in the court declining jurisdiction over the matter.

**Law stated - 1 October 2025**

### **Standing and third-party intervention**

**Who has standing to bring judicial review proceedings in your jurisdiction? In what circumstances, if any, may third parties intervene in judicial review proceedings?**

Under UAE law, only those with a direct and personal interest in the matter would have the right to initiate judicial review proceedings. This means that only individuals or entities who can demonstrate that they are directly impacted by an administrative decision would have standing to challenge the decision before the judiciary. As such, the concept of *amicus curiae* briefs is not recognised.

In the UAE's financial free zones, which are common law jurisdictions, third parties, including through *amicus curiae*, may participate in judicial review proceedings; however, this remains contingent on the court's discretion. It is essential to underscore that the use of *amicus curiae* briefs is not a customary practice within the UAE's legal framework.

**Law stated - 1 October 2025**

### **Challenging legislation**

**Is it possible to challenge legislation by way of judicial review mechanisms?**

UAE laws cannot be subject to judicial review but may be challenged on their constitutionality. Regulations issued in the application of laws, while generally not subject to direct judicial review, can indirectly be reviewed in the context of challenging administrative decisions.

Article 99 of the UAE Constitution outlines the competencies of the Federal Supreme Court, which includes:

- assessing the constitutionality of federal laws when challenged by one or more emirates on the grounds of violating the UAE Constitution;
- examining the constitutionality of legislation passed by individual emirates if contested by federal authorities, based on violations of the UAE Constitution or federal laws; and
- reviewing the constitutionality of laws, legislation and regulations when any UAE court, during the consideration of a case, refers such a request to the Supreme Court. The decision of the Federal Supreme Court in such instances is binding on the referring state court.

**Law stated - 1 October 2025**

## Grounds for review

### On what grounds may a challenge to administrative decision-making, if any, be brought?

The UAE Federal Supreme Court has recognised various grounds for challenging administrative decisions, including:

- violation of laws and regulations, or errors in their interpretation or application (Appeal No. 247 of 2009 Supreme Federal Court);
- procedural error (Appeal No. 191 of 2008, Federal Supreme Court – Administrative);
- lack of jurisdiction or competence (Appeal No. 152 of 2010, Federal Supreme Court – Administrative);
- defect in the motive or reason for the decision (Appeal No. 96 of 2008, Federal Supreme Court); and
- abuse of discretion or misuse of authority (Appeal No. 89 of 2021, Supreme Federal Court – Civil).

**Law stated - 1 October 2025**

## Available remedies

### What remedies are available if a court upholds a challenge to administrative decision-making?

Several remedies are available to the competent court if it upholds a challenge to an administrative decision, including:

- Termination: if the court determines that the administrative decision is defective, it may issue a judgment to terminate the decision. Such judgment effectively voids the decision and restores the situation to the state before the decision was issued.
- Compensation: in cases where an individual or entity has suffered harm or damage due to an erroneous administrative decision, the court may order the responsible public body to compensate the affected party.
- Performance orders: the court may issue orders compelling the administrative authority to perform a specific action or duty required by law.
- Injunctions: in cases where an administrative decision may cause irreparable harm, the court may issue an injunction to temporarily pause its application until the lawsuit is resolved.

**Law stated - 1 October 2025**

## Principles and measure of damages

## Is damages one of the remedies available in a successful challenge to administrative decision-making? If so, please summarise the principles, including the measure of damages and any limitations to this remedy.

When contesting administrative decisions in the UAE, the remedy of damages may be sought, provided that a party has suffered harm or losses due to the unlawful administrative decision.

The aggrieved party must prove that the decision is unlawful or erroneous, that they suffered damage as a result, and that there is a causal link between the erroneous decision and the damage sustained.

In many cases, one must exhaust available administrative remedies, namely submit a grievance, before pursuing legal action.

**Law stated - 1 October 2025**

## Procedural requirements

### What are the basic procedural requirements to bring a challenge to administrative decision-making?

There are no specific procedural requirements to challenge administrative decisions, and permissions are not a feature of the UAE legal system. However, in some instances, the aggrieved party may be required to exhaust all available administrative remedies before initiating judicial proceedings to challenge the decision. This typically involves submitting a grievance application to the public body that issued the decision.

When initiating a judicial challenge to an administrative decision, the plaintiff must have standing, meaning they must establish a direct legal interest in the decision. In other words, they must demonstrate that they are directly affected by the decision.

Like any lawsuit, the plaintiff should provide all relevant documents and evidence supporting their case in the context of a lawsuit challenging an administrative decision, a copy of the decision being challenged, the basis for the legal challenge, proof of harm if damages are being claimed, and, if required, proof of exhausting administrative remedies. In some cases, relevant documents may be in the public body's possession, and courts tend to request such documents from the public body.

**Law stated - 1 October 2025**

## Courts

### Which courts hear challenges to administrative decision-making in your jurisdiction? Are challenges considered by a separate system of administrative courts or specialist tribunals?

Administrative decisions may be challenged before the federal and emirate-level courts in the UAE. There are no independent administrative courts specifically designated to review administrative decisions. Instead, these disputes are handled through the ordinary judicial

system, which, as a matter of organisation, can have specialised circuits that handle challenges to administrative decisions.

Article 102 of the UAE Constitution provides that the federation shall have one or more federal courts of first instance seated in the capital of the federation or in the capitals of some of the emirates. These courts shall have sole and exclusive jurisdiction to adjudicate on certain matters, including civil, commercial and administrative disputes between the federation and individuals, whether the federation is plaintiff or defendant.

Law stated - 1 October 2025

### **Time frame**

#### **How long does it typically take for a judicial review to be completed?**

The duration of a judicial review process can vary from one emirate to another, as well as between the federal and emirate jurisdictions in the UAE. This variation is influenced by factors such as the complexity of the case, court caseload and unique procedural aspects within each jurisdiction. Generally, a straightforward judicial review in the UAE may take approximately six to 12 months to reach a judgment, but more intricate cases may take longer.

Law stated - 1 October 2025

### **Limitation period**

#### **What time limit applies to judicial review claims brought in your jurisdiction?**

Based on jurisprudence issued by the UAE Federal Supreme Court, and article 3 of the [Federal Law No. 42 of 2022 Promulgating the Civil Procedures Law](#), a time limit of 60 days is established for contesting federal-level administrative decisions. This time frame commences from the date the decision is officially issued or communicated to the affected party, or the date when the party is proven to have acquired certain knowledge of the decision, as applicable. This time limit is subject to interruption (paused) when a grievance or objection is formally lodged with the administrative entity. Such an entity is obligated to issue a reasoned reply within 60 days of the date of grievance submission. The lapse of 60 days without a decision by the administrative entity is deemed a rejection, triggering the commencement of the lawsuit time limit from the date of explicit or implicit rejection, as applicable.

It is crucial to differentiate between individual decisions and regulatory decisions. Individual decisions have immediate enforceability, while regulatory decisions necessitate an individual decision for their implementation. For instance, decisions specifying penalties for violations of specific legal provisions fall into the category of regulatory decisions. Contesting such decisions may pose challenges due to potential issues with legal standing. However, if a penalty is imposed based on that decision, the 60-day deadline for contesting the decision begins from the date on which the penalty decision is issued or communicated to the affected party, or the date when the party is proven to have acquired certain knowledge of the decision, as applicable.

**PUBLIC PROCUREMENT**

**Key legislation**

**What legislation (if any) governs public procurement in your jurisdiction? What does each piece of legislation cover?**

At the UAE federal level, Federal Law No. 11 of 2023 on Procurement in the Federal Government, together with its Implementing Regulation under Cabinet Decision No. 122 of 2024, governs procurement and contracting by federal entities. These entities include any ministry established under Federal Law No. 1 of 1972 on the Competences of Ministries and the Powers of Ministers, as amended, as well as independent federal entities such as authorities and institutions possessing legal personality and independent budgets but operating under federal supervision.

The new framework replaces Cabinet Decision No. 4 of 2019 and introduces a unified digital procurement system administered by the Ministry of Finance through a Central Procurement Unit. It standardises procurement processes, supplier registration, classification, and catalogue management. The law excludes specific entities and transactions, including the Ministry of Defence and the Armed Forces, state security entities, construction projects, purchases of a military or security nature, international agreements, pharmaceutical procurements, public-private partnerships, and any entity exempted by Cabinet decision.

At the emirate level, different emirates have established their own regulations for public procurement. In Abu Dhabi, Decision No. 36 of 2021 on the Abu Dhabi Procurement Standards governs public procurements by the Abu Dhabi government and related public entities. In Dubai, Law No. 12 of 2020 on Contracts and Warehouse Management within the Dubai Government forms the legal framework for public procurement. Sharjah follows the provisions of Law No. 8 of 2017 addressing Procurements, Tenders, Auctions and Warehouses of the Sharjah Government. These laws also consider entities with specific procurement rules established by their founding laws.

Furthermore, the UAE has issued a [Digital Procurement Policy](#), which applies to public entities that opt to use the Digital Procurement Platform.

**Contract award procedures**

**What types of contract award procedures are used for public procurement in your jurisdiction? What are the main stages of each procedure?**

In the UAE, several contract award methods govern public procurement procedures, each with distinct stages. These include:

- Open tendering, whereby:
  - the procurement opportunity is publicly announced;

- suppliers submit their bids;
- received bids are evaluated and compared; and
- the contract is awarded to the successful bidder.
- Selective tendering, in which:
  - prequalification of potential suppliers occurs;
  - prequalified suppliers are invited to submit bids;
  - bids are evaluated and compared; and
  - the contract is awarded to the selected bidder.
- Request for proposals (RFP), in which:
  - the RFP document is issued;
  - technical and financial proposals are submitted by suppliers;
  - evaluations of proposals take place;
  - negotiations occur with shortlisted suppliers; and
  - the contract is awarded to the chosen supplier.
- Single-source procurement, whereby:
  - justification for employing this method is documented;
  - direct negotiations take place with the selected supplier; and
  - the contract is awarded to the selected supplier.

**Law stated - 1 October 2025**

## Exemptions

### Are there any key exclusions or exemptions to the requirement to follow public procurement procedures?

Certain exclusions and exemptions from the standard public procurement procedures allow government entities to deviate from typical procurement processes in specific circumstances. These exclusions and exemptions are defined in the relevant procurement laws and regulations. Some key exclusions and exemptions include:

- Security and defence contracts: procurements related to national security and defence may be exempt from standard procurement procedures to maintain secrecy and security.
- International agreements: contracts arising from international agreements and treaties to which the UAE is a signatory may be excluded from standard procurement processes.
- Military contracts: procurements for military purposes are often subject to separate procurement rules, which may deviate from standard public procurement procedures.
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Pharmaceutical procurements: procurements related to pharmaceuticals may be subject to specialised regulations and could be excluded from standard procurement procedures.

- Public-private partnerships (PPPs): PPP projects have unique procurement rules, allowing flexibility in selecting partners and procurement processes.

Law stated - 1 October 2025

### Redress mechanisms

Are any procedures available to provide effective redress in respect of the breach of public procurement laws? If so, are these the same procedures as those used to challenge administrative decision-making (eg, judicial review)?

Individuals or entities with complaints or grievances related to breaches of public procurement laws may seek redress by filing a complaint with the government authority that issued the decision. These complaints may trigger internal reviews within that administrative body. If dissatisfied with the outcome of the administrative complaint or seeking a more formal legal resolution, individuals can pursue judicial review through the courts.

These procedures are often the same procedures used to challenge administrative decision-making in general.

Law stated - 1 October 2025

## HUMAN RIGHTS

### Key legislation and scope

What is the key human rights legislation in your jurisdiction? What does each piece of legislation cover?

The UAE Constitution includes various provisions aimed at safeguarding human rights. Notably, article 25 establishes the principle of equality before the law, prohibiting discrimination based on gender, origin, nationality, religion or social status. Article 32 underscores the fundamental right to freedom of belief, provided such beliefs do not transgress public policy or morality. Similarly, article 30 defends freedom of expression within the purview of the law. Furthermore, article 29 safeguards the freedom of movement within the country, with due consideration of statutory regulations and security interests. Article 33 secures the right to work and engage in economic pursuits while denouncing forced labour. Article 17 reinforces the right to education.

In addition, various other legislative instruments are in effect, including the following:

- Federal Decree-Law No. 24 of 2023 on Combating Human Trafficking (replacing Federal Law No. 51 of 2006 on Combating Human Trafficking Crimes);
- [Federal Decree-Law No. 39 of 2022 on Compulsory Education](#);
- [Federal Law No. 12 of 2021 on the National Human Rights Commission](#); and

- [Federal Law No. 3 of 2016 on Child Rights](#).

The UAE is also a signatory to several international human rights treaties and conventions, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, and the Convention on the Elimination of All Forms of Discrimination Against Women.

**Law stated - 1 October 2025**

### **Private enforcement of international law**

**Do the laws of your jurisdiction incorporate international human rights law in a manner that allows its enforcement by private citizens?**

Private citizens can raise human rights concerns through various channels, including the UAE's National Human Rights Institution and the National Human Rights Commission, or by filing complaints with the relevant government bodies.

**Law stated - 1 October 2025**

### **Enforcement against private individuals**

**Do your jurisdiction's human rights laws regulate acts carried out by private individuals in addition to those of the state?**

Human rights legislation in the UAE regulates acts carried out by private individuals in addition to those of the state. Such legislation includes protections granted pursuant to labour rights, non-discrimination, the rights of individuals with disabilities, children's rights and combating human trafficking.

**Law stated - 1 October 2025**

## **FREEDOM OF INFORMATION**

### **Key legislation**

**Is there legislation in your jurisdiction around freedom of information (ie, requiring the disclosure of certain types of information held by public bodies)?**

A [Guide to Access Government Information](#), issued by the Telecommunication and Digital Government Regulatory Authority and dated 5 April 2017, is published on the official portal of the UAE government. The guide explains how to access government information through the portal. The primary goal of the guide is to enhance public participation in, and inform individuals about, government decisions, procedures, policies and operations that affect society members.

The guide targets individuals seeking information about federal government authorities' decisions and procedures, researchers, application and software developers, consultants, and private sector institutions involved in reports, research and information. It differentiates

between 'open data' and 'government information', with open data being data available for public use and government information referring to data generated by government authorities concerning administrative matters, projects, statistics and laws. The guide also emphasises the importance of interconnected government and provides detailed provisions for granting access to government information, including the right to request information without discrimination, the obligation to provide information online, response timelines, fees and documentation requirements.

**Law stated - 1 October 2025**

### **Exemptions**

**Are certain types of information held by public bodies exempt from mandatory disclosure?**

The Guide to Access Government Information, published on the official portal of the UAE government, specifies that certain information cannot be provided to the public, including in situations where providing such information may be harmful to the public interest, a government entity or the country, or if it goes against legal procedures and legislation in force in the UAE. This includes information that may impact national security, public order, foreign and local organisations, intellectual property and publisher rights, contractual rights, international obligations, trade secrets, public health, safety and personal privacy.

**Law stated - 1 October 2025**

### **Procedural requirements**

**What are the main procedural requirements to obtain disclosure of information held by public bodies?**

The Guide to Access Government Information, published on the UAE's official portal, sets out the procedural requirements to obtain disclosure of information held by public bodies. The process involves submitting a request through an online application, after which the government entity will review the request and provide a response within 15 working days. The response may include providing information free of charge or for a fee. All requests and responses are documented.

**Law stated - 1 October 2025**

## **PUBLIC INQUIRIES**

### **Available mechanisms**

**Are there any mechanisms for the government to order an official review of events or actions, such as public inquiries or commissions?**

The powers and mechanisms available to a government body to order official reviews of events or actions, such as public inquiries or commissions, will depend on its statutory

powers to undertake such reviews. Inherent powers to this effect are usually part of the general authorities of the relevant government body.

Law stated - 1 October 2025

### **Key legislation**

What (if any) legislation governs public inquiries?

None.

Law stated - 1 October 2025

### **Recent cases**

Are there any recent high-profile examples of public inquiries or related review processes?

No.

Law stated - 1 October 2025

## **UPDATE AND TRENDS**

### **Emerging trends and hot topics**

Have there been any key emerging trends or hot topics in administrative and public law in your jurisdiction?

In October 2022, the United Arab Emirates introduced its first corporate tax legislation. The enactment of corporate taxation is a key development in the tax legal landscape of the UAE.

Law stated - 1 October 2025