



COMMERCIAL SERVICES LICENSING REGULATION

REGULATION NUMBER (9) of 2013

STATEMENT

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Part One Preliminary and Key Provisions

1 Title

This Regulation is to be referred to as the Commercial Services Licensing Regulation No. (9) of 2013 (the “Commercial Services Licensing Regulation”).

2 Issue of Regulation

This Commercial Services Licensing Regulation is issued in accordance with the Law.

3 Repeal of Regulation

This Commercial Services Licensing Regulation repeals and replaces the DHCC Commercial Services Licensing Regulations No. (9) of 2008.

4 Hierarchy

- (1) If there is any conflict between the provisions of this Commercial Services Licensing Regulation and the Governing Regulation, the provisions of the Governing Regulation shall prevail.
- (2) In the event of any inconsistency between an earlier version of a Regulation and an amended version of the same Regulation, the most recently amended version of the Regulation shall prevail.

5 Commencement

This Commercial Services Licensing Regulation comes into force on the date of its issuance by the Chairperson.

6 Background

The vision of DHCC is to be the internationally recognized location of choice for quality Healthcare Services and an integrated center of excellence for clinical and wellness services, medical education and research. To assist in achieving this vision, there needs to be a strong and transparent governance framework relating to the regulation of entities and persons carrying on their business within DHCC. No Entity or person may operate within DHCC without an appropriate License or applicable permit.

7 Purpose

The purpose of this Commercial Services Licensing Regulation is to set out the general framework under which Entities and persons may carry on their business within DHCC including the general criteria and procedures under which such companies may obtain and maintain their License and under which Entities and persons may obtain and maintain their Miscellaneous Permit to operate within the DHCC. This Commercial Services Licensing Regulation applies to all Entities and persons carrying on business within DHCC regardless of their activity.

8 Requirement to be bound by Regulations

It is a requirement that any Licensee or Miscellaneous Permit Holder carrying on business within DHCC shall comply with, submit to and be bound by the relevant Regulations, the

applicable Rules, Standards and Policies.

9 Provision of services in accordance with Regulations

- (1) No person or Entity may operate within DHCC unless it is an Entity and has obtained and maintains a License or Miscellaneous Permit, in accordance with this Commercial Services Licensing Regulation and any other applicable Regulations, Rules, Standards and Policies.
- (2) No person or Entity may provide services or conduct activities within DHCC except in accordance with this Commercial Services Licensing Regulation and any other applicable Regulations, Rules, Standards and Policies.
- (3) Failure to comply with subsections (1) or (2) may result in:
 - (a) a Penalty being imposed as provided by the Regulations;
 - (b) the imposing of conditions, suspension, revocation, refusal to renew, or termination of the Licensed Commercial Company's License or Miscellaneous Permit Holder's Miscellaneous Permit within DHCC as provided by the applicable Regulations; and/or
 - (c) eviction of the person or Entity operating within DHCC without a License or Miscellaneous Permit.

10 Amendment of Regulation

The Chairperson may, from time to time, approve amendments to this Commercial Services Licensing Regulation, in accordance with the provisions of the Governing Regulation.

11 Commercial Services Licensing Regulation to be read in conjunction with other Regulations

This Commercial Services Licensing Regulation shall be read in conjunction with the following Regulations:

- (1) Company Regulation;
- (2) Complementary and Alternative Medicine Professionals Regulation;
- (3) Education Regulation;
- (4) Governing Regulation;
- (5) Health Data Protection Regulation;
- (6) Healthcare Operators Regulation;
- (7) Healthcare Professionals Regulation;
- (8) Medical Liability Regulation;
- (9) Research Regulation; and
- (10) Any other Regulation adopted by the Chairperson under the Law.

12 Responsibility for administration of Regulations

The DHCC Board of Directors and the Executive Body of the DHCA are responsible for ensuring proper administration of this Commercial Services Licensing Regulation and any Rules, Standards and Policies made under this Commercial Services Licensing Regulation.



13 Savings and Transitional Provisions

- (1) Every person and Entity who is licensed under the repealed Commercial Services Licensing Regulations No. (9) of 2008 immediately before the date upon which this present Commercial Services Licensing Regulation comes into force shall upon that date be deemed to be licensed under the provisions of this Commercial Services Licensing Regulation.
- (2) This Commercial Services Licensing Regulation shall not apply to any investigation, inquiry, review, appeal or other similar proceedings commenced before the date upon which this present Commercial Services Licensing Regulation comes into force and the repealed Commercial Services Licensing Regulations No. (9) of 2008 shall continue to apply to that investigation, inquiry, review, appeal or proceedings as if this Commercial Services Licensing Regulation has not been enacted.
- (3) Where on the date upon which this present Commercial Services Licensing Regulation comes into force, any investigation, inquiry, review, appeal or other similar proceedings is in process, the relevant committee or panel carrying out that investigation, inquiry, review, appeal or proceedings shall continue to exist to complete the investigation, inquiry, review, appeal or other similar proceedings and may make such order, ruling or direction as it could have made under the powers of the repealed DHCC Commercial Services Licensing Regulations No. (9) of 2008.
- (4) A person who was appointed as a member of any Agency, committee or panel before the date upon which this present Commercial Services Licensing Regulation comes into force, and whose term has not expired by that date, shall continue to be a member of such Agency, committee or panel until the expiry of his term.

Part Two Interpretation

14 Definitions

Capitalized terms not defined in this Commercial Services Licensing Regulation shall have the meanings ascribed to them in the Governing Regulation. Words in the singular include the plural and words in the plural include the singular. Unless it is specifically stated otherwise in another Regulation or unless the context otherwise requires:

Academic and Research Council means the Academic and Research Council established by Part Five of the Governing Regulation;

Agency means each or any of the boards, councils, registries and similar Entities established under the Governing Regulation and includes the Central Governance Board, Appeals Board, Licensing Board, Planning Council, Quality Council, Academic and Research Council, Professionals Council, Registry of Companies and CPQ;

Appeals Board means the Appeals Board as established by Part Six of the Governing Regulation;

Appeals Unit means the Entity established under section 27 of this Commercial Services Licensing Regulation;

Applicant means the applicant as defined in the specific Regulations that submits an Application;

Application means an application for a License, a Provisional Approval Letter or a Miscellaneous Permit made under the specific Regulations;

Approved Education Operator means an Entity holding an Education Permit duly issued by the Registry of Companies in accordance with the Education Regulation and the applicable Rules, Standards and Policies;

Approved Non-Degree Granting Healthcare Program means a Non-Degree Granting Healthcare Program that has been approved by the Registry of Companies;

Approved Post-Graduate Healthcare Education Program means a Post-Graduate Healthcare Education Program that has been approved by the Registry of Companies;

Approved Post-Graduate Medical Education Program means a Post-Graduate Medical Education Program that has been approved by the Academic and Research Council;

Approved Research Operator means an Entity holding a Research Permit duly issued by the Registry of Companies in accordance with the Research Regulation and the applicable Rules, Standards and Policies;

Associated Person means, with regard to an Applicant, any other person, including an Entity, that is Closely Linked with such Applicant;

Branch means the branch of a company or any other Entity or body formed outside DHCC under the laws and regulations applicable in its place of incorporation and authorized to conduct business through this branch inside DHCC;

Building Regulations means those laws, regulations, rules or standards of general applicability to the design, construction and safety of buildings in DHCC, whether clinical in nature or not, enforced in DHCC from time to time;

Business Category means a line of clinical business, as determined in accordance with Schedule 1 of the Healthcare Operators Regulation, in at least one of which a Licensed Healthcare Operator engages in DHCC;

Central Governance Board means the Central Governance Board established under Part Five of the Governing Regulation;

Chairperson means the Chairperson of the DHCA appointed under Article (8) of the Law;

Clinical Activity means a Healthcare Service that falls within a Business Category;

Clinical Operating Permit means the authorization issued by the Registry of Companies to a healthcare operator allowing it to conduct one or more Clinical Activities;

Closely Linked, with reference to the relationship between a person and an Applicant, means that such person:

- (1) directly or indirectly, is a Controller of such an Applicant;
- (2) directly or indirectly, is controlled by such an Applicant;
- (3) directly or indirectly, is under common control with such an Applicant; or
- (4) is a person in accordance with whose directions or instructions the directors of the Applicant are accustomed to act;

Commercial Services means services provided by a Licensed Commercial Company;

Commercial Services Licensing Regulation means the DHCC Commercial Services Licensing Regulation No. (9) of 2013, as in force from time to time;

Commissioning means the process of verifying and documenting that the Provisional Approval Letter Holder and all of its systems and assemblies are planned, designed, installed, tested, operated and maintained to meet the required Standards so that a License may be granted;

Company Regulation means the DHCC Company Regulation No. (8) of 2013, as in force from time to time;

Complementary and Alternative Medicine means a diverse group of medical and healthcare therapies and systems that may be separate from or integrated with conventional medical therapies. A common factor shared with all complementary and alternative therapies is a holistic and individualistic approach to health and healing, an appreciation of the whole human being, comprising of physical, emotional, mental and spiritual dimensions. Complementary and Alternative Medicine may include ayurveda, homeopathy, naturopathy, osteopathy, traditional Chinese medicine and others;

Complementary and Alternative Medicine Professionals Regulation means the DHCC Complementary and Alternative Medicine Professionals Regulation No. (3) of 2013, as in force from time to time;

Continuing Medical Education Program means a program of continuing education for Licensed Healthcare Professionals;

Continuing Healthcare Education Program, means a program of continuing education for Licensed Healthcare Professionals but does not include a Continuing Healthcare Education Program;

Controller, with reference to the relationship between a person and an Applicant, means a person who, either alone or with any of its Associated Persons:

- (1) holds more than 50 percent (%) of the economic interests in the Applicant or of another person of which the Applicant is a subsidiary company;
- (2) is entitled to exercise, or control the exercise of, more than 50 percent (%) of the voting power of the Applicant or of another person of which the Applicant is a subsidiary company; or
- (3) is able to exercise significant influence over the management of the Applicant or of another person of which the Applicant is a subsidiary company, with such influence being manifested by such indicia as the Controller being a person in accordance with whose directions or instructions the directors of the Applicant are accustomed to act;

CPQ means the Center for Healthcare Planning and Quality established by Part Four of the Governing Regulation;

Degree Granting Healthcare Program means an Education Program that refers to the period of didactic and if appropriate clinical experience in a healthcare setting culminating in certification, certificate, diploma or degree;

Design and Construction Guidelines means, as of the applicable time, (1) the then most current edition of the American Institute of Architects' Guidelines for Design and Construction of Hospital and Health Care Facilities, (2) DHCC Healthcare Facility Projects – The Planning, Design and Construction Guidelines and such other guidelines of general professional acceptance that apply to specific Business Categories, provided that any such additional guidelines have been specifically identified as applicable by the Registry of Companies and adequate advance notice is provided that such guidelines may no longer be applicable;

DHCA means the Dubai Healthcare City Authority established under Article (4) of the Law, and comprises the Chairperson, the DHCC Board of Directors and the Executive Body;

DHCA Services means the services provided by the DHCA in carrying out the objectives and functions of the DHCA and include the services provided by the Agencies, and any Entity established by the DHCA for the purposes of providing such services;

DHCC means the Dubai Healthcare City established in the Emirate of Dubai under Resolution No. (9) of 2003;

DHCC Board of Directors means the board established under Article (10) of the Law;

Document and Documentation means information stored in any form of writing, code or visual depiction and the manner in which such information is stored is irrelevant for the purpose of deeming the information to constitute a "document" for the purpose of this definition. A "document" includes summons, notice, order or other legal process and registers;

Education Permit means the authorization issued by the Registry of Companies to an Entity under the Education Regulation and the applicable Rules, Standards and Policies allowing it to conduct one or more Education Programs in DHCC;

Education Program means a program to educate or train persons in one or more areas, including a:

- (1) Post-Graduate Medical Education Program;
- (2) Post-Graduate Healthcare Education Program;
- (3) Continuing Medical Education Program;
- (4) Continuing Healthcare Education Program;
- (5) Degree Granting Healthcare Program;
- (6) Non-Degree Granting Healthcare Program;
- (7) High School Education Program; and
- (8) Pre-School Education Program;

Education Regulation means the DHCC Education Regulation No. (5) of 2013, as in force from time to time;

Effective Date means the date upon which a Provisional Approval Letter or a License becomes effective;

Electronic Record means a record generated, communicated, received or stored by electronic, magnetic, optical or other means in an information system or for transmission from one information system to another;

Electronic Signature means any letters, characters, numbers or other symbols in digital form attached to or logically associated with an Electronic Record, and executed or adopted with the intention of authenticating or approving the Electronic Record;

Entity means an organization, institution, or corporation other than a natural person;

Executive Body means the Executive Body of the DHCA established under Article (12) of the Law and is presently known as Dubai Healthcare City Regulatory Authority (“DHCR”);

Executive Director means the Executive Director of the Executive Body of the DHCA established under Article (12) of the Law;

Facilities Committee means the committee set up under the purview of the Registry of Companies to carry out the day-to-day administrative functions of the Registry of Companies;

Fit and Proper Person is a determination made under the Governing Regulation or any other applicable Regulation with respect to a natural person who is to serve as a Controller, director, Associated Person or Manager with regard to an Entity, with such determination being made by consideration of such person’s probity, competence and soundness of judgment for fulfilling the responsibilities of the particular position, the diligence with which he is fulfilling or likely to fulfil those responsibilities and whether the interests of patients, vendors, investors or the Agencies are, or are likely to be, in any way negatively impacted by his holding such position;

Governing Regulation means the DHCC Governing Regulation No. (1) of 2013, as in force from time to time;

Health and Safety Rules

Health Data Protection Regulation means the DHCC Health Data Protection Regulation No. (7) of 2013, as in force from time to time;

Health Safety and Environment Regulation

Healthcare Operators Regulation means the DHCC Healthcare Operators Regulation No. (4) of 2013, as in force from time to time;

Healthcare Professionals Regulation means the DHCC Healthcare Professionals Regulation No. (2) of 2013, as in force from time to time;

Healthcare Services means the healthcare and medical services provided by Licensed Healthcare Professionals, Licensed Complementary and Alternative Medicine Professionals and Licensed Healthcare Operators, and includes, but is not limited to, diagnosis, treatment, advice, service or goods provided in respect of the physical or mental health of a person;

High School Education Program means any high school education for children provided by qualified teachers and professionals, culminating in certification, certificate or diploma.

Home Regulator means the relevant supervisory authority in the country or territory in which an institution has its principal place of business;

Home Jurisdiction means the jurisdiction outside of DHCC in which the Parent of a Branch has been incorporated, established or formed;

Inspector means any person appointed by the DHCA under section 71 and section 177.

Law means Dubai Healthcare City Law No. (9) of 2011, issued by the Ruler of Dubai, establishing Dubai Healthcare City Authority, and any amendments or variations to that Law;

License means a license issued by the Licensing Board with regard to healthcare professionals and Complementary and Alternative Medicine professionals or a license or permit issued by the Registry of Companies with regard to companies, including Clinical Operating Permits, Non-Clinical Operating Permits, Research Permits and Education Permits;

Licensed Commercial Company means a company registered under the Company Regulation and licensed under the Commercial Services Licensing Regulation to provide Commercial Services within DHCC;

Licensed Complementary and Alternative Medicine Professional means a natural person engaged in the provision of Complementary and Alternative Medicine holding a License duly issued by the Licensing Board in accordance with the Complementary and Alternative Medicine Professionals Regulation and the applicable Rules, Standards and Policies;

Licensed Healthcare Operator means a hospital, clinic, laboratory, pharmacy or other Entity providing Healthcare Services in DHCC, holding a Clinical Operating Permit duly issued by the Registry of Companies in accordance with the Healthcare Operators Regulation and the applicable Rules, Standards and Policies;

Licensed Healthcare Professional means a natural person engaged in a Healthcare Profession holding a License duly issued by the Licensing Board in accordance with the Healthcare Professionals Regulation and the applicable Rules, Standards and Policies;

Licensee means a Licensed Healthcare Professional, Licensed Complementary and Alternative Medicine Professional, a Licensed Healthcare Operator, an Approved Education Operator, an Approved Research Operator, a Licensed Commercial Company, or a Non-Clinical Operating Permit Holder;

Licensing Board means the Licensing Board as established by Part Six of the Governing Regulation;

Location means the site within DHCC, including the physical facility or facilities associated therewith, at which a Licensed Healthcare Operator, an Approved Education Operator, an Approved Research Operator, or a Non-Clinical Operating Permit Holder conducts or proposes to conduct activities under its License;

Manager means the person who is appointed by a Licensee or Miscellaneous Permit Holder to be its principal representative in all dealings with external parties and authorities;

Medical Liability Regulation means the DHCC Medical Liability Regulation, Regulation No. (5) of 2005, as in force from time to time;

Miscellaneous Permit means the authorization issued by the Registry of Companies to an Entity or a person allowing it to conduct one or more activities that is not a Healthcare Service, research activity, or education activity on a short-term basis;

Miscellaneous Permit Holder means a person or Entity holding a Miscellaneous Permit;

Non-Clinical Operating Permit means the authorization issued by the Registry of Companies to a Licensed Commercial Company allowing it to conduct one or more activities that are not Healthcare Services, research activities, or education activities, and includes a public health permit;

Non-Clinical Operating Permit Holder means an Entity holding a Non-Clinical Operating Permit;

Non-Degree Granting Healthcare Program means an Education Program that refers to the period of didactic and if appropriate clinical experience in a healthcare setting which does not culminate in certification, certificate, diploma or degree, and includes a residency training program and a house-officer training program;

Parent means, with respect to a Branch, an Entity that has been legally formed outside DHCC, under the applicable law of the jurisdiction of formation, of which the Branch is a division, provided that a Branch is not a legal Entity separate from the Parent;

Penalty means the penalty imposed on a Licensee in accordance with the applicable Regulations;

Planning Council means the Planning Council as established by Part Five of the Governing Regulation;

Policy means a defined course of action determined by the DHCA and adopted in accordance with the provisions of the Governing Regulation, on the position, strategy or standing on a subject that shall be followed by those identified within the policy;

Post-Graduate Healthcare Education Program means the period of didactic and clinical training in a healthcare specialty that follows the completion of a recognized undergraduate healthcare education program and which prepares the Trainee for the independent practice of a healthcare specialty, but does not include a Post-Graduate Medical Education Program;

Post-Graduate Medical Education Program means the period of didactic and clinical training in a medical specialty that follows the completion of a recognized undergraduate medical education program and which prepares the Trainee for the independent practice of a medical specialty;

Pre-School Education Program means any non-compulsory pre-school education for children provided by qualified teachers and professionals with the primary objective of promoting structured educational experiences based on learning through play and social interaction;

Professionals Council means the Professionals Council as established by Part Five of the Governing Regulation;

Provisional Approval Letter means the approval issued to an Entity by the Registry of Companies to enable that Entity to:

- (1) commence the activities required to meet the requirements of the Commissioning; and
- (2) obtain a License in accordance with the specific Regulations;

Quality Council means the Quality Council as established by Part Five of the Governing Regulation;

Register means the register of Licensees maintained by the Registry of Companies under the Commercial Services Licensing Regulation or the register of companies maintained by the Registry of Companies under the Company Regulation, including the register of shareholders;

Registry of Companies means the Registry of Companies established by Part Seven of the Governing Regulation;

Regulation means any regulation approved by the Chairperson under the Law, including any amendments to any such regulation;

Renewal Application means an application to renew a License under the specific Regulation;

Renewal Date is the date as provided in the specific Regulations by which a Licensee shall renew its License, to enable it to continue operating within DHCC;

Research Permit means the authorization issued by the Registry of Companies to an Entity under the Research Regulation and the applicable Rules, Standards and Policies allowing it to conduct one or more research activities in DHCC;

Research Regulation means the DHCC Research Regulation No. (6) of 2013, as in force from time to time;

Rules means the rules approved by the Chairperson or DHCC Board of Directors as provided for under the Governing Regulation and any other Regulation, and include the rules as in force from time to time;

Standard means a specification that defines materials, methods, processes or practices and that is used to provide a basis for determining consistent and acceptable minimum levels of quality, performance, safety and reliability;

UAE means the United Arab Emirates;



Trainee means a person who is participating in an Approved Post-Graduate Medical Education Program, an Approved Post-Graduate Healthcare Education Program or an Approved Non-Degree Granting Healthcare Program;

Zoning Regulations means those laws, Regulations, Rules or Standards of general applicability to zoning and the use of real estate enforced in DHCC from time to time.

15 Regulations include amendments

References in this Commercial Services Licensing Regulation, or any other Regulations, to the Regulations are to be read as references to any of such Regulations as in force from time to time.

16 Headings

The headings used in this Commercial Services Licensing Regulation are included for convenience of reference only and shall be ignored in the construction or interpretation of this Commercial Services Licensing Regulation.

17 Time periods

References in Regulations to time periods are to be construed in accordance with the Gregorian calendar. Whenever Regulations reference a period of time, such period shall include every calendar day, except that:

- (1) when the last day of the period falls on a Friday or a Saturday, the period shall end instead on the next Sunday; and
- (2) subject to subsection (1), when the last day of the period falls on a UAE or Dubai public holiday, the period shall end instead on the next day that is not a UAE or Dubai public holiday.

18 Gender

Pronouns indicating male gender are used to refer to persons of both genders.

19 Documents in languages other than English

A person who wishes to submit an original document, a photocopy or an electronic version of a document written in a language other than English shall also submit a notarized translation into English of such document prepared by a legal translation service acceptable to the officer, employee or agent providing the DHCA Services to whom the document is submitted.

20 Documents in writing

- (1) Unless otherwise specifically stated, references in the Regulations to any requirement for a document or notice to be submitted to the Registry of Companies, the Licensing Board or any other Agency in writing shall be satisfied if such document or notice is submitted in the form of an Electronic Record.
- (2) Unless otherwise specifically stated, references in the Regulations to any requirement for a signature on any document or notice to be submitted to the Registry of Companies, the Licensing Board, or any other Agency is to be construed as being satisfied by an Electronic Signature that may be proved in a manner satisfactory to the Registry of Companies.

21 Meaning of Person

Unless the context otherwise requires, any reference in the Regulations to a “person” includes a reference to a natural person, and to a body corporate, limited liability company, association or partnership and to the legal or personal representatives, legal successors and lawful assigns of any such person.

22 Reference to sections

Unless otherwise specifically stated, references in the Regulations to a section and subsection mean the section and subsection of that Regulation.

Part Three General provisions relating to Applications for a License

23 Eligibility

Any Entity intending to conduct any activity or provide any service in DHCC may submit an Application to become a Licensed Commercial Company.

24 Categories of Business

- (1) The DHCA shall publish from time to time, the categories of business segments and activities for which a License may be issued in DHCC.
- (2) Any Licensed Commercial Company intending to conduct a Clinical Activity is required, following the issuance of its License, to obtain a Clinical Operating Permit in accordance with the Healthcare Operators Regulation prior to being able to conduct such activity within DHCC.
- (3) Any Licensed Commercial Company intending to conduct an Approved Research Activity or Approved Education Program is required, following the issuance of its License, to obtain a Research Permit or an Education Permit in accordance with the Research Regulation or the Education Regulation, as the case may be, prior to being able to conduct such activity within DHCC.
- (4) Any Licensed Commercial Company intending to conduct an activity that does not fall under subsections (2) and (3) is required, following the issuance of its License, to obtain a Non-Clinical Operating Permit in accordance with this Commercial Services Licensing Regulation prior to being able to conduct such activity within DHCC.

25 Exemptions

- (1) This Commercial Services Licensing Regulation does not apply in relation to:
 - (a) a person falling within a class prescribed by the DHCA from time to time to the extent that it carries on any Commercial Services within DHCC; or
 - (b) a transaction of a description specified by the DHCA from time to time and by reference to any matter appearing to the DHCA to be appropriate.
- (2) An exemption specified under subsection (1) may provide that such exemption shall be subject to one or more conditions or restrictions as may be specified by the DHCA from time to time.

26 Exceptions from requirement to obtain a License

- (1) A person or Entity who owns or leases land in DHCC or any building in DHCC in which Commercial Services is provided or intended to be provided, but does not himself conduct or manage such Commercial Services, shall not be required to obtain a License under this Commercial Services Licensing Regulation.
- (2) In such cases the person or Entity shall provide information to the Registry of Companies about:
 - (a) the Commercial Services that the building is to be used for, and
 - (b) the manager or operator of the Commercial Services.

27 Establishment of Appeals Unit

The Registry of Companies shall establish the Appeals Unit to hear all disputes relating to the licensing, renewals, suspension and revocation of the Licenses of Licensed Commercial Companies issued under this Commercial Services Licensing Regulation.

28 Fees

The DHCA shall publish from time to time the applicable fees that are to accompany all Applications, Renewal Applications and other submissions to the Registry of Companies provided for under this Commercial Services Licensing Regulation.

29 Fee to be paid at time Application for License is submitted

The Applicant shall pay the applicable fee at the time the Application is submitted to the Registry of Companies.

30 Withdrawal of Application

- (1) An Applicant may withdraw his Application at any time.
- (2) The Registry of Companies shall retain a record of the Applicant's withdrawal of the Application together with a copy of all the information provided by the Applicant or otherwise obtained during the course of consideration of the Application up until the time the Application is withdrawn.
- (3) Any fee submitted shall not be refunded.

31 Form of Application for License

- (1) An Applicant shall submit an Application for a License in the form and manner as required by the Registry of Companies.
- (2) An Application for a License shall be considered only if it meets the following requirements:
 - (a) it is in English;
 - (b) it is typewritten or written in a legible manner;
 - (c) all data, information, and signatures required under this Commercial Services Licensing Regulation and the applicable Rules, Standards and Policies are supplied; and
 - (d) the applicable fee is submitted.

32 Information to be provided with Application for License

- (1) The Applicant shall provide together with the completed Application form:
 - (a) a description of the types of activities proposed to be carried on;
 - (b) details of the Manager who is appointed by the Applicant to be the principal representative in dealings with the DHCA;
 - (c) details of any public health and safety requirements as required under the Rules, Standards and Policies made under section 72;
 - (d) a copy of the lease for the Location in such form as may be prescribed by Registry of Companies from time to time; and

- (e) any such other information or particulars as may be requested by the Registry of Companies from time to time, verified in such manner, as the Registry of Companies may require provision of further information.
- (2) In the case of an Applicant incorporated, established or formed outside DHCC, the Registry of Companies may take into account the Applicant's previous experience or track record outside DHCC. The Registry of Companies may request the Applicant to furnish such information or documents relating to the Applicant's previous experience or track record, as may be specified by the Registry of Companies from time to time.
- (3) At any time after receiving an Application and before determining it, the Registry of Companies may require the Applicant or any person who is or is to be a director, Controller or Manager of the Applicant to provide additional information or documents.
- (4) The Applicant shall furnish the Registry of Companies with such further information about the business to which the Application relates (being, if the Registry of Companies so requires, information verified in a specified manner) as the Registry of Companies may require for the purpose of determining the Application.

33 Declaration by Applicant

The Application shall be accompanied by:

- (1) a written declaration confirming the accuracy of the statements included in the Application and any accompanying documents;
- (2) an authorization for the Registry of Companies to verify the accuracy of any information provided and to conduct reference checks with any entity or authority that the Applicant has had dealings with, and, subject to the Governing Regulation, to share such information and documentation with any party as the Registry of Companies considers necessary for purposes of such verification or checks.

34 Provision of incomplete Application for License

- (1) It is the responsibility of the Applicant to submit a completed Application form and provide the required information.
- (2) In the case of incomplete Applications, the Registry of Companies shall notify the Applicant identifying the information that has not been provided.
- (3) The Registry of Companies shall specify a period of time within which the Application may be resubmitted with the required information, which time period shall be reasonable.
- (4) The Applicant shall not be required to pay an additional fee for resubmitting the Application within the specified timeframe.
- (5) If the Application is not submitted within the time specified, the Application shall be considered to be withdrawn and the Applicant shall need to submit a new Application together with the applicable fee.

35 All information to be provided before Application for License is reviewed

- (1) An Application shall not be considered complete until all information required under this Commercial Services Licensing Regulation has been submitted to the Registry of Companies for its review.

- (2) The Registry of Companies shall not review an Application until it has determined that the Application is complete based on the requirements set out in this Commercial Services Licensing Regulation and any applicable Rules, Standards and Policies.

36 Requirement to provide further information in Application for License

- (1) At any time after an Application is submitted to the Registry of Companies and before action on it is taken, the Registry of Companies may, by written notice to the Applicant, require the persons specified in subsections (1) and (2) to provide such additional information or documents as the Registry of Companies deems reasonable and necessary to review the Application, in such form and within such time period as the Registry of Companies may reasonably require:
- (a) the Applicant; or
- (b) any person who is identified in the Application as being a director, Controller or Manager of the Applicant, or identified in the Application as being intended to be a director, Controller or Manager of the Applicant.

37 Failure to provide further information in Application for License

- (1) It is the responsibility of the Applicant to provide further information within the specified timeframe.
- (2) Failure to provide the further information within the specified timeframe shall result in the Application being considered withdrawn.

38 Requirement to notify changes in Application for License

- (1) At any time during the review of an Application and prior to the Registry of Companies issuing a License, the Applicant shall promptly notify the Registry of Companies of any modification or change to the information or documentation contained in its Application.
- (2) Failure of an Applicant to notify the Registry of Companies within the specified timeframe of any such changes shall result in either:
- (a) the Application being considered incomplete and withdrawn in accordance with section 37; or
- (b) the Registry of Companies not including any modifications in the License, if it is issued.

39 Action on Application for License

Upon the completion of its review, the Registry of Companies may:

- (1) approve the Application;
- (2) approve the Application subject to conditions, or restrictions as it deems necessary and proper to be included in the License; or
- (3) deny the Application.

40 Approval of Application for License by the Registry of Companies

The Registry of Companies shall not approve an Application unless it determines that:



- (1) the Applicant satisfies all relevant criteria contained in this Commercial Services Licensing Regulation, and applicable Rules, Standards and Policies with regard to the type of Commercial Services or activities the Applicant proposes to provide or undertake;
- (2) all Controllers, directors, Associated Persons and Managers identified in the Application are Fit and Proper Persons; and
- (3) no facts have been found that would constitute grounds for the Registry of Companies to deny an Application for a License.

41 Grounds for denying Application for License

- (1) The Registry of Companies may deny an Application if it determines that:
 - (a) any statements, information or documents submitted by the Applicant are false, misleading or deceptive, or are likely to mislead or deceive;
 - (b) there has been a modification or change in the circumstances relating to the information or documentation contained in the Application subsequent to its filing and the Applicant has failed to notify the Registry of Companies of any such modification or change in a timely manner; or
 - (c) the Registry of Companies is not satisfied that the Applicant shall comply with the provisions of this Commercial Services Licensing Regulation, and/or the applicable Rules, Standards and Policies, if it were to hold a License.
- (2) The Registry of Companies may further refuse to grant a License on any other grounds it may, in its reasonable discretion, consider as constituting a valid reason to refuse the grant of License.

Part Four Provisions relating to granting or refusing Licenses

42 Registry of Companies' decision

The Registry of Companies shall notify the Applicant in writing of its decision to:

- (1) approve the Application and issue the License;
- (2) impose conditions or restrictions on the issue of such License; or
- (3) deny an Application for a License and the reasons for denying the Application.

43 Reasons for refusal or imposition of conditions

If the Registry of Companies refuses to grant a License, or imposes conditions or restrictions on the License, the Registry of Companies shall provide the Applicant with a written statement of reasons for its decision, and inform the Applicant of the details of its right to seek an appeal of the Registry of Companies' decision.

44 Right of appeal of Registry of Companies' decision

- (1) An Applicant that proposes to carry out Healthcare Services has a right to seek an appeal of the Registry of Companies' decision made pursuant to section 39.
- (2) An Applicant that proposes to carry out activities that are not Healthcare Services shall not have a right to seek an appeal of the Registry of Companies' decision made pursuant to section 39 save where it is alleged that the Registry of Companies' decision was made in bad faith and/or based on improper motives.
- (3) Any appeal shall be filed to the Appeals Unit within 30 days of receipt of the notification of the Registry of Companies' decision.
- (4) The decision of the Appeals Unit shall be final.

45 Details contained in License

A License issued under this Commercial Services Licensing Regulation shall contain the following details:

- (1) the name of the Licensee;
- (2) the date from which the License shall take effect and its expiry date;
- (3) the name of the Manager;
- (4) the category or categories of activities to be undertaken by the Licensee;
- (5) the address of the Licensee in DHCC; and
- (6) such other matters, including any conditions or restrictions attached to the License, as may be specified by the Registry of Companies.

46 Provisions relating to Licensed Commercial Company incorporated, established or formed outside DHCC

Where the Registry of Companies grants an Application for a License, the Licensee shall:

- (1) provide the Registry of Companies during the month of December of every year with a certificate issued by the Home Regulator in the country whose

where it was incorporated, established or formed that proves the continuation of the Licensed Commercial Company and the validity of its registration with such authority; and

- (2) notify the Registry of Companies in writing within a period not exceeding 20 days of any modifications to its registration statements made in the Application or the accompanied documentation and the date of its occurrence.

47 Term of License

Subject to this Commercial Services Licensing Regulation and the Company Regulation, the License shall be for the term specified in the License and shall be renewed in accordance with the provisions of Part Five of this Commercial Services Licensing Regulation.

Part Five Renewal of License

48 Renewal of License

- (1) Each Licensed Commercial Company shall renew its License every 1 year or as specified otherwise on the License, effective as of the anniversary of the issuance of its License.
- (2) Each date on which a Licensed Commercial Company's License is to be renewed is a "Renewal Date".

49 Submission of Renewal Application

- (1) A Licensed Commercial Company shall submit to the Registry of Companies a completed Renewal Application and the applicable fee no later than 60 days prior to each Renewal Date.
- (2) The Registry of Companies may, at its discretion, allow a Renewal Application to be filed later than the date provided for in subsection (1), but any such extension shall be for no longer than 60 days.
- (3) Any extension granted under this section is subject to any Penalty that may be imposed by the Registry of Companies pursuant to section 52.

50 Request for extension of term of License

- (1) If a Licensed Commercial Company is unable to file a Renewal Application in accordance with section 49, it may request in writing that the Registry of Companies extend the term of its License to allow it to file a Renewal Application after the expiry of the term.
- (2) The request shall specify:
 - (a) the period of extension required; and
 - (b) the reasons for the extension.
- (3) Any such request shall be made no later than 14 days prior to the Renewal Date together with the applicable fee.

51 Extension of term of License

- (1) The Registry of Companies shall consider the request to extend the term of the License and may, at its discretion, extend the term of the License for a period not exceeding 60 days.
- (2) The Registry of Companies shall notify the Licensed Commercial Company of its decision in writing prior to the expiry of the term of the License.
- (3) Any extension granted under this section is subject to any Penalty that may be imposed by the Registry of Companies pursuant to section 52.
- (4) The Licensed Commercial Company shall not have a right of appeal against a decision of the Registry of Companies under this section.

52 Penalty for late filing of Renewal Application

If a Licensed Commercial Company files a Renewal Application for its License later than is permitted in Part Five of this Commercial Services Licensing Regulation, the Registry of Companies may impose the applicable Penalty for the delay in filing as may be prescribed from time to time.

53 Information to be provided with the Renewal Application

The Renewal Application shall include such information as the Registry of Companies determines is reasonable and appropriate relating to the Licensed Commercial Company, including, but not limited to, the details of the following:

- (1) criminal charges or civil proceedings instituted against the Licensed Commercial Company; and
- (2) evidence that the Licensed Commercial Company meets any requirements as provided in the applicable Regulations, Rules, Standards and Policies.

54 Registry of Companies to review the Renewal Application

The Registry of Companies shall review the Application to renew the License after receipt of the Application.

55 Applicant to be notified of decision

The Registry of Companies shall notify the Applicant in writing of its decision to:

- (1) approve the Renewal Application;
- (2) approve the Renewal Application and impose conditions or restrictions on a License; or
- (3) deny the Renewal Application.

56 Reasons for denial or change of terms

If the Registry of Companies denies the Renewal Application, or grants a renewal of the License on terms other than those sought by the Applicant, the Registry of Companies shall provide the Applicant with a written statement of reasons for the denial or the terms of the License, and inform the Applicant of the details of its right to seek an appeal of the Registry of Companies' decision.

57 Right of appeal of Registry of Companies' decision

- (1) An Applicant that proposes to carry out Healthcare Services has a right to seek an appeal of the Registry of Companies' decision.
- (2) An Applicant that proposes to carry out activities that are not Healthcare Services shall not have a right to seek an appeal of the Registry of Companies' decision save where it is alleged that the Registry of Companies' decision was made in bad faith and/or based on improper motives.
- (3) Any appeal shall be filed to the Appeals Unit within 30 days of receipt of notification of the Registry of Companies' decision.

- (4) The decision of the Appeals Unit shall be final.

58 Failure to file a Renewal Application

- (1) If a Licensed Commercial Company fails to renew its License at the Renewal Date or at the expiry of the grace period granted by the Registry of Companies in accordance with section 51 (where applicable), the Registry of Companies may, at any time after notifying the Licensed Commercial Company in writing, revoke the License and strike off the Licensed Commercial Company from the Register.
- (2) A notice provided by the Registry of Companies under subsection (1) shall specify the period of time during which the Licensed Commercial Company is to complete an orderly winding down of the activities or parts of the activities it provides under its License, which time period the Registry of Companies may, in its discretion, extend.
- (3) Immediately after being notified by the Registry of Companies of its decision to revoke the License, the Licensed Commercial Company shall:
- immediately cease providing all activities allowed under its License;
 - proceed with the dissolution of the Licensed Commercial Company in accordance with the Company Regulation; and
 - ensure that the premises are fully vacated and that any furniture, equipment and goods are removed and the premises are restored to their original condition.
- (4) If the Licensed Commercial Company fails to lawfully dissolve the Licensed Commercial Company or to vacate the premises in accordance with subsection (3), the Registry of Companies shall be entitled, without any responsibility or liability on his part towards any third parties or creditors of the Licensed Commercial Company, to take any steps as may be permitted by law and/or the lease agreement entered into by the Licensed Commercial Company, including its right to re-enter the premises and to auction any furniture, equipment or goods found at the premises in order to vacate the premises and/or recover any outstanding dues.
- (5) Any costs incurred by the Registry of Companies in taking any action pursuant to subsection (4) shall constitute a claim against the Licensed Commercial Company.
- (6) The completion of the process described in subsection (3)(b) and (c) or subsection (4), whichever is applicable, shall give the Registry of Companies a right to re-possess the premises and to make them available for lease.



Part Six Obligations of Licensed Commercial Company

59 Role of the Manager

- (1) Every Company granted a License under this Commercial Services Licensing Regulation shall appoint a Manager, who shall be a natural person.
- (2) The Manager shall be the principle representative of the Licensed Commercial Company in all dealings with external parties and authorities.
- (3) The Licensed Commercial Company may, either under the Application for the License as set out in Part Three, regulate, limit or otherwise specify the extent of the powers of the Manager in representing the Licensed Commercial Company both inside and outside DHCC.
- (4) Subject to any limitations prescribed by the Licensed Commercial Company under subsection (3), the Manager is empowered to manage and conduct the day to day operations, business and affairs of the Licensed Commercial Company.

60 Imposition of conditions on Licenses

- (1) The Registry of Companies may at any time on or after issuing a License under Part Four by notice in writing served on the Licensed Commercial Company:
 - (a) impose such conditions or restrictions as appear to the Registry of Companies to be necessary or desirable in respect of a Licensed Commercial Company; and
 - (b) vary or revoke any condition or restriction so imposed.
- (2) Subsection (1) is subject to the Registry of Companies having reason to believe that it is appropriate to impose such conditions or restrictions.
- (3) If the Registry of Companies imposes a condition or restriction under subsection (1), the Registry of Companies may provide the Licensed Commercial Company with a written statement of reasons for imposing a condition or restriction on request from the Applicant.

61 Revocation or suspension of a License

- (1) The Registry of Companies may, if it thinks fit, revoke or suspend a License for a specified period until the occurrence of a specified event or until specified conditions are complied with.
- (2) Any revocation or suspension shall be given by notice in writing served on the Licensed Commercial Company.
- (3) The Registry of Companies may act under subsection (1):
 - (a) if the Licensed Commercial Company has:
 - (i) contravened a provision of this Commercial Services Licensing Regulation or its License and the provisions of any other applicable Regulation, Rule or Policy; or
 - (ii) failed to satisfy an obligation to which he is subject by virtue of this Commercial Services Licensing Regulation; or
 - (iii) no longer meets the relevant applicable minimum criteria under which it was licensed;



- (b) if the Licensed Commercial Company has furnished misleading or inaccurate information to the Registry of Companies under or for the purposes of any provision of this Commercial Services Licensing Regulation;
- (c) if the Licensed Commercial Company has not commenced to carry on in DHCC the activities to which its License relates within 90 days of its issue or within such other period as may be specified by the Registry of Companies;
- (d) if the Licensed Commercial Company has not paid any renewal or other applicable fee, including any Penalty due and payable in respect of a License or if the Licensed Commercial Company has not paid any other amounts due to the Registry of Companies;
- (e) if the Licensed Commercial Company has ceased to provide Commercial Services in DHCC;
- (f) if the Licensed Commercial Company is carrying on activities of a different category to that set out on the License;
- (g) if the Licensed Commercial Company, or the Controller of the Licensee has assigned the benefit and control of the Licensed Commercial Company's business to a third party without the approval of the Registry of Companies;
- (h) on the order of a court;
- (i) if the Registry of Companies considers it desirable to revoke, or suspend the License for the protection of the public or of the reputation of DHCC, Dubai and UAE; or
- (j) on any other ground, which the Registry of Companies may specify from time to time as a ground for the revocation, or suspension of a License.

62 Reasons for revocation or suspension

If the Registry of Companies revokes, or suspends a License pursuant to section 61(1), the Registry of Companies shall provide the Licensed Commercial Company with a written statement of reasons for its decision on request from the Licensed Commercial Company and inform the Applicant of the details of its right to seek an appeal of the Registry of Companies' decision.

63 Right of appeal of Registry of Companies' decision

- (1) An Applicant that proposes to carry out Healthcare Services has a right to seek an appeal of the Registry of Companies' decision.
- (2) An Applicant that proposes to carry out activities that are not Healthcare Services shall not have a right to seek an appeal of the Registry of Companies' decision save where it is alleged that the Registry of Companies' decision was made in bad faith and/or based on improper motives.
- (3) Any appeal shall be filed to the Appeals Unit within 30 days of receipt of notification of the Registry of Companies' decision.
- (4) The decision of the Appeals Unit shall be final.

64 Limitations of License

A Licensed Commercial Company shall not carry on (or purport to carry on) any business in the UAE outside DHCC solely on the basis of a License granted under this Commercial Services Licensing Regulation.

65 Dispute resolution

Disputes relating to the issuance of Licenses shall be decided in accordance with this Commercial Services Licensing Regulation.

Part Seven Provision of Information

66 Notification of change of Manager

- (1) A Licensee shall give notice in writing to the Registry of Companies of the fact that a person has become or has ceased to be the Manager of the Licensee, and shall arrange with the Registry of Companies to modify the License accordingly.
- (2) A notice required to be given under subsection (1) shall be given within a period of 14 days immediately following the day on which the Licensee becomes aware of the relevant fact.

67 Power to obtain information and documents

- (1) The Registry of Companies may serve a written notice on a Licensed Commercial Company, or its representative, requiring the Licensed Commercial Company to produce, within such reasonable time period as may be specified in the notice, such information and documentation as it may reasonably require for the performance of its functions under this Commercial Services Licensing Regulation.
- (2) Such notice shall not be required if the Registry of Companies has reasonable cause to believe that, if such notice were given, the information or documents being sought would be removed, tampered with or destroyed.
- (3) The DHCA may authorize any of its officers, servants or agents to have the like power under this section to require the production of information and documents from a Licensed Commercial Company.
- (4) The power conferred by this section to require a Licensed Commercial Company or other person to produce any information and documents includes the power:
 - (a) if the documents are produced, to take copies of them or extracts from them and to require that Licensed Commercial Company or person, to provide an explanation of them; and
 - (b) if the documents are not produced, to require the person who was required to produce them to state, to the best of his knowledge and belief, where they are.

68 Information about the Manager

The Registry of Companies may, by notice in writing served on any person who is or is to be a Manager of a Licensee, require him to furnish the Registry of Companies, within such time as may be specified in the notice, with such information or documents as the Registry of Companies may reasonably require for determining whether he is a Fit and Proper Person to hold the particular position which he holds or is to hold.

69 Former Licensed Commercial Company

Section 67 shall apply to a former Licensed Commercial Company.

70 Right of entry to obtain information and documents

The DHCA may authorize any of its officers, servants, or agents to enter any premises occupied by a person on whom a notice has been served under section 67 for the

purposes of obtaining the information or documents required by the notice.

71 Investigations on behalf of Registry of Companies

- (1) The Registry of Companies may appoint one or more Inspectors to investigate and report to the Registry of Companies on:
 - (a) the nature, conduct or state of the Licensed Commercial Company's business or any particular aspect of it; or
 - (b) the ownership or control of the Licensed Commercial Company,and the Registry of Companies shall give notice in writing to the Licensed Commercial Company concerned of the appointment.
- (2) An Inspector may also, if he thinks necessary to do so for the purposes of his investigation, investigate the business of any other body corporate which is Closely Linked to a Licensed Commercial Company.
- (3) An Inspector may, for the purposes of exercising his powers under this section, enter any premises occupied by a Licensed Commercial Company being investigated by him; but he shall not do so without prior notice in writing unless he has reasonable cause to believe that if such notice were given, any documents which production could be required under this section would be removed, tampered with or destroyed.
- (4) An Inspector shall, if so required, produce evidence of his authority.
- (5) The provisions of this section shall apply to a former Licensed Commercial Company.



Part Eight Conduct of Business

72 Conduct of business

- (1) The DHCA may make Rules, Standards and Policies regulating the conduct of activities carried on in DHCC by a Licensed Commercial Company.
- (2) Such Rules, Standards and Policies made under this section may in particular make provision for:
 - (a) restricting a Licensed Commercial Company from carrying on, or holding himself out as carrying on:
 - (i) activities of any kind specified in the Rules, Standard and Policies; or
 - (ii) activities of a kind or on a scale other than that notified by the Licensed Commercial Company to the DHCA and approved by the DHCA;
 - (b) restricting a person from providing activities in relation to persons other than those of a specified class or description;
 - (c) regulating the manner in which a person may hold himself out as providing any activities;
 - (d) the form and content of advertisements in respect of any business activities;
 - (e) naming of the activity to be provided;
 - (f) specifying any particular public health requirement that the Licensed Commercial Company shall comply with when carrying on its activities.
 - (g) requiring Licensed Commercial Companies to impose requirements and/or restrictions on the activities provided by their employees in relation thereto;
 - (h) for arrangements for the settlement of disputes; and
 - (i) requiring the keeping of accounts and other records, as to their form and content and for their inspection and/or assessment.
- (3) Subsection (2) is without prejudice to the generality of subsection (1) and accordingly Rules, Standards and Policies made under this section may make provision for matters other than those mentioned in subsection (2) or further provision as to any of the matters there mentioned.

73 Financial resources

- (1) The DHCA may require certain Licensed Commercial Companies to have and maintain in respect of their activities such financial resources as are required by the Rules, Standards and Policies.
- (2) Without prejudice to the generality of subsection (1), Rules, Standards and Policies under this section may:
 - (a) impose requirements which are absolute or which are to vary from time to time by reference to such factors as are specified in or determined in accordance with the Rules, Standards and Policies; and
 - (b) make provision as to the assets, liabilities and other matters to be taken into account in determining a Licensed Commercial Company's financial resources for the purposes of the Rules and the extent to which and the manner in which they are to be taken into account for that purpose.



74 Notification

- (1) The DHCA may make Rules, Standards and Policies requiring Licensed Commercial Companies to give it notice of the occurrence of such events as are specified in the Rules, Standards and Policies.
- (2) Without prejudice to the generality of this section, Rules, Standards and Policies made under this section may relate to:
 - (a) the nature of the activities being carried on;
 - (b) the nature of any other related business carried on with or for the purposes of the activities;
 - (c) any proposal of a Licensed Commercial Company to alter the nature or extent of any activities to be provided;
 - (d) changes in key personnel; and
 - (e) the financial position of a Licensed Commercial Company with respect to any activities being provided.
- (3) Rules, Standards and Policies made under this section may require information to be given in a specified form and to be verified in a specified manner.

75 Employment of prohibited persons

- (1) If it appears to the Registry of Companies that any individual is not a Fit and Proper Person to be employed by a Licensed Commercial Company, either generally or in relation to a particular activity, it may direct that he shall not, without the written consent of the Registry of Companies be employed by such Licensee.
- (2) The Registry of Companies may revoke a direction or approval made under this section.
- (3) In this section, references to "employment" include references to employment other than under a contract of service.

Part Nine Information

76 Register of Licensees

- (1) The Registry of Companies shall maintain a Register or Registers of Licenses granted under this Commercial Services Licensing Regulation and such a Register may be held in electronic form or in any other permanent manner.
- (2) The Registry of Companies may in the manner prescribed by it, provide a copy of any entry (and may certify the same) in the Register to any person who asks for it on payment of the applicable fee prescribed by the DHCA.
- (3) The Register shall include the name of the Licensed Commercial Company and any such particulars of the Licensed Commercial Company or its License as the Registry of Companies may consider appropriate.

77 Restrictions on disclosure of information

Subject to the provisions of section 78 and the provisions contained in other applicable laws or Regulations:

- (1) no person who receives information relating to the activities or other affairs of any Entity under or for the purposes of this Commercial Services Licensing Regulation; and
- (2) no person who obtains any such information directly or indirectly from a person who has so received it;

shall disclose the information without the consent of the person to whom it relates and (if different) the person from whom it was so obtained.

78 Cases where disclosure is permitted

Section 77 does not preclude:

- (1) the disclosure of information which at the time of disclosure is or has already been made available to the public from other sources or information in the form of a summary or collection of information so framed as not to enable information relating to any particular person to be ascertained from it;
- (2) the disclosure of information strictly for the purpose of enabling the Registry of Companies to discharge its functions conferred upon it by this Commercial Services Licensing Regulation;
- (3) the disclosure of information by the Registry of Companies to the auditor of a Licensed Commercial Company if it appears to the Registry of Companies that the disclosure would enable or assist the Registry of Companies to discharge its functions under this Commercial Services Licensing Regulation or would otherwise be in the public interest;
- (4) Where the Registry of Companies considers it necessary in order to enable or assist it to discharge its functions under this Commercial Services Licensing Regulation to seek advice from a qualified person on any matter of law, accountancy or valuation or any other matter requiring the exercise of professional skill, the disclosure by the Registry of Companies to that person of such information as appears to the Registry of Companies to be necessary to ensure that he is properly informed as to the matters on which his advice is sought;
- (5) the disclosure by the Registry of Companies of limited information in the interests of customers, investors, counterparties or other persons;
- (6) the disclosure of information for the purpose of enabling or assisting a Home

- Regulator or any other relevant supervisory authority outside DHCC to exercise its supervisory functions;
- (7) the disclosure of information in compliance with, or for the purposes of enabling or assisting a person to comply with, any requirement imposed by or under this Commercial Services Licensing Regulation or any order, Rule, Standard or Policy made under it;
 - (8) the disclosure of information with a view to the instigation of, or otherwise for the purposes of, any criminal proceedings; or
 - (9) the disclosure of information in connection with any other proceedings arising out of this Commercial Services Licensing Regulation.

79 Information supplied by the Home Regulator

Section 77 also applies in relation to information supplied to the Registry of Companies for the purposes of its functions under this Commercial Services Licensing Regulation by a Home Regulator or any other relevant supervisory authority outside DHCC.

Part Ten Provisions relating to Non-Clinical Operating Permits

80 Eligibility

- (1) Only an Entity which is registered or intending to be registered under the Company Regulation and this Commercial Services Licensing Regulation may submit an Application for a Non-Clinical Operating Permit.
- (2) The Entity submitting an Application for a Non-Clinical Operating Permit under this Commercial Services Licensing Regulation shall be the eventual Non-Clinical Operating Permit Holder conducting the activity for which the said Application is filed.

81 Requirement

Only an Entity which is registered under the Company Regulation and this Commercial Services Licensing Regulation may become a Non-Clinical Operating Permit Holder.

82 Requirement for Non-Clinical Operating Permit Holders to comply with Regulations

Non-Clinical Operating Permit Holders shall comply with all of the applicable requirements of this Commercial Services Licensing Regulation and any other applicable Regulations, Rules, Standards and Policies.

83 Responsibilities of Non-Clinical Operating Permit Holders

Each Non-Clinical Operating Permit Holder shall ensure that when undertaking the design and construction of its facilities under its Non-Clinical Operating Permit, that the Location at which it proposes to provide its activities complies with all applicable provisions of the:

- (1) Building Regulations and Zoning Regulations;
- (2) Design and Construction Guidelines; and
- (3) Health Safety and Environment Regulation; and
- (4) Applicable Rules, Standards and Policies.

84 Exceptions from requirement to hold a Non-Clinical Operating Permit

- (1) A person or Entity who is not an Applicant or expected to be a Non-Clinical Operating Permit Holder who owns or leases land in DHCC or any building in DHCC in which activities other than Clinical Activities, education activities, and research activities are conducted or intended to be conducted, but does not himself conduct or manage such activities on that land or in that building, shall not be required to obtain a Non-Clinical Operating Permit under this Commercial Services Licensing Regulation.
- (2) In such cases the person shall provide information to the Registry of Companies about:
 - (a) the activities that the building is to be used for, and
 - (b) the manager or operator of the activities.

85 Jurisdiction of Non-Clinical Operating Permit Holder

- (1) A Non-Clinical Operating Permit Holder is only permitted to provide within DHCC those activities for which its Non-Clinical Operating Permit has been issued.

- (2) Except as specifically provided in this Commercial Services Licensing Regulation, any Non-Clinical Operating Permit Holder intending to provide services outside of DHCC shall be solely responsible for meeting any standards or other requirements of that other jurisdiction.

86 No assignment or transfer of Non-Clinical Operating Permit

- (1) A Non-Clinical Operating Permit Holder shall not transfer or assign its Non-Clinical Operating Permit.
- (2) For the avoidance of doubt, where there is a change of Controller, this shall be considered to be an assignment or transfer and subject to subsection (1).

87 Compliance with requirements of Agencies

Each Non-Clinical Operating Permit Holder shall comply with all requirements that any of the Agencies may from time to time establish regarding data, and public health and safety requirements.

88 Exemption from certain requirements

- (1) The Registry of Companies, upon the recommendation of the relevant Agency, may provide a waiver (under such terms and conditions as it deems appropriate) to an Applicant, a Non-Clinical Operating Permit Holder for otherwise applicable requirements, including but not limited to the:
 - (a) Building Regulations; or
 - (b) Design and Construction Guidelines,insofar as this is permitted under the applicable laws.
- (2) Such a waiver may only be granted if the Registry of Companies, together with the relevant Agency, both agree that:
 - (a) doing so is in the public interest;
 - (b) requiring compliance with the particular provision would create undue hardship on the Applicant; and
 - (c) granting such waiver or waivers would not impair or endanger the health, safety or welfare of any person.

89 Fees

The DHCA shall publish from time to time the applicable fees that are to accompany all Applications for Non-Clinical Operating Permits, Renewal Applications and other submissions to the Registry of Companies provided for under this Commercial Services Licensing Regulation.

90 Fee to be paid at time Application for Non-Clinical Operating Permit is submitted

The Applicant shall pay the applicable fee at the time the Application is submitted to the Registry of Companies.

91 Withdrawal of Application for Non-Clinical Operating Permit

- (1) An Applicant may withdraw his Application at any time.
- (2) The Registry of Companies shall retain a record of the Applicant's withdrawal of the Application together with a copy of all the information provided by the

Applicant or otherwise obtained during the course of consideration of the Application up until the time the Application is withdrawn.

- (3) Any fee submitted shall not be refunded.

92 Role of Applicant's Manager in Application process

The Applicant's Manager shall be the first point of contact with regard to any matters that arise during the Application process.

93 Form of Application for Non-Clinical Operating Permit

- (1) An Applicant shall submit an Application for a Non-Clinical Operating Permit in the form and manner as may be required by the Registry of Companies.
- (2) An Application for a Non-Clinical Operating Permit shall be considered only if it meets the following requirements:
- (a) it is in English;
 - (b) it is typewritten or written in a legible manner;
 - (c) all data, information, and signatures required under this Commercial Services Licensing Regulation and the applicable Rules, Standards and Policies are supplied;
 - (d) the appropriate application form is utilized; and
 - (e) the applicable fee is submitted.

94 Information to be provided with Application for Non-Clinical Operating Permit

The Applicant shall provide together with the completed application form:

- (1) documentation indicating that the Applicant is registered to carry on business or is intending to be registered in DHCC under the Company Regulation and this Commercial Services Licensing Regulation;
- (2) a description of the activity for which the Applicant is seeking a Non-Clinical Operating Permit and the activities that it shall undertake;
- (3) a detailed business plan and functional brief and space utilization plan as per the requirements of the Design and Construction Guidelines for the activities that the Applicant shall undertake;
- (4) the intended Location or Locations of where the activities is to be carried out, including, unless otherwise agreed by the Registry of Companies, evidence of the Applicant's legal right to the use of such Location as of the Effective Date;
- (5) a proposed space utilization plan;
- (6) information regarding any disciplinary action or adverse action taken in any jurisdiction against any Associated Person or Controller of the Applicant, including, if the Applicant is a Branch, of the Applicant's Parent;
- (7) details of all Controllers, directors and Associated Persons relating to the Applicant;
- (8) details of the Manager;
- (9) sufficient documentation, to the satisfaction of the Registry of Companies, that the Applicant is capable of satisfying all requirements established under this



Commercial Services Licensing Regulation and all applicable public health and safety requirements;

- (10) a written declaration that the Applicant shall promptly notify the Registry of Companies of any modifications or changes to the information or documentation contained in its Application that occur subsequent to the filing; and
- (11) any such other information or particulars, and verified in such manner, as the Registry of Companies or the relevant Agencies may require.

95 Declaration by Applicant

The Application shall be accompanied by:

- (1) a written declaration confirming the accuracy of the statements included in the Application and any accompanying documents;
- (2) an authorization for the Registry of Companies to verify the accuracy of any information provided and to conduct reference checks with any Entity or authority that the Applicant has had dealings with,

and, subject to the Governing Regulation, to share such information and documentation with any party as the Registry of Companies considers necessary for purposes of such verification or checks.

96 Provision of incomplete Application for Non-Clinical Operating Permit

- (1) It is the responsibility of the Applicant to submit a completed application form and to ensure the accuracy of all information provided.
- (2) In the case of incomplete Applications, the Registry of Companies shall notify the Entity identifying the information that has not been provided and the timeframe within which the Application may be resubmitted.
- (3) The Registry of Companies shall specify a reasonable period of time within which the Application may be resubmitted with the required information.
- (4) The Applicant shall not be required to pay an additional fee for resubmitting the Application within the specified timeframe.
- (5) If the Application is not submitted within the time specified, the Application shall be considered to be withdrawn and the Applicant shall need to submit a new Application together with the applicable fee.

97 Requirement to provide further information in Application for Non-Clinical Operating Permit

- (1) At any time after an Application is submitted to the Registry of Companies and before action on it is taken, the Registry of Companies and/or any relevant Agency may, by written notice to the Applicant and/or relevant party, require the provision of such additional information or documents as the Registry of Companies and/or any relevant Agency deems reasonable and necessary to review the Application, in such form and within such time period as required.
- (2) Such additional information may include:-
 - (a) financial information regarding the Applicant and any Associated Person or Controller of the Applicant sufficient to assess the Applicant's financial capability to undertake the activities proposed; and/or
 - (b) details of all Controllers, directors and Associated Persons relating to the Applicant Entity.
- (3) Subsection (1) also applies to any person who is:

- (a) identified in the Application as a director, Controller or Manager of the Applicant;
- (b) identified in the Application as being intended to be a director, Controller or Manager of the Applicant; or
- (c) identified as the key personnel of the Applicant as may be stipulated by the Registry of Companies from time to time.

98 Failure to provide further information in Application for Non-Clinical Operating Permit

- (1) If the Applicant fails to comply with the requirement to resubmit the Application or provide further information or in accordance with sections 96 and 97, the Registry of Companies may consider the Application withdrawn on the basis of insufficient information.
- (2) If the Registry of Companies considers an Application withdrawn, in accordance with subsection (1) on the basis of insufficient information, the Registry of Companies shall notify the Applicant and any fee paid by the Applicant shall not be refunded to the Applicant.

99 All information to be provided before Application for Non-Clinical Operating Permit reviewed

- (1) An Application shall not be considered complete until all information required has been submitted to the Registry of Companies for its review.
- (2) The Registry of Companies shall not take any action on an Application until it has determined that the Application is complete based on the requirements set out in this Commercial Services Licensing Regulation and any applicable Rules, Standards and Policies.

100 Requirement to notify changes in Application for Non-Clinical Operating Permit

- (1) At any time during the review of an Application and prior to the Registry of Companies issuing a Non-Clinical Operating Permit, the Applicant shall promptly notify the Registry of Companies of any modification or change to the information or documentation contained in its Application.
- (2) Failure of an Applicant to notify the Registry of Companies of any such changes in accordance with subsection (1) shall result in the Application being considered incomplete and withdrawn in accordance with section 98.
- (3) If the notification of changes is received after the Registry of Companies has completed its review of the Application, the Applicant shall pay the applicable fee before the Registry of Companies undertakes a further review of the revised Application.

101 Information from other sources

At any time during the process of reviewing an Application, the Registry of Companies may inquire of the DHCA as to the information that the DHCA holds with regard to the capability of the Applicant to provide the activities proposed in the Application.

Part Eleven Review of Applications for Non-Clinical Operating Permits

102 Evaluation of facilities by Registry of Companies

In preparation for a review of the Application, the Registry of Companies may arrange for:

- (1) a review of the final versions of all of the Non-Clinical Operating Permit Holder's written policies then required to be in place;
- (2) a comprehensive on-site inspection and/or assessment of the Location at which the Non-Clinical Operating Permit Holder proposes to conduct its activities;
- (3) the review of information that supports the conclusion that the Non-Clinical Operating Permit Holder shall be able to satisfy all provisions of this Regulation and the applicable Rules, Standards and Policies; and
- (4) the provision of documented evidence that the Non-Clinical Operating Permit Holder has received all approvals required under the applicable Building Regulations and Zoning Regulations.

103 Matters Registry of Companies takes into account

In considering an Application, the Registry of Companies may take into account any matters relating to:

- (1) the need to protect the public and the reputation of DHCC, Dubai and UAE;
- (2) any other factors identified in the applicable Regulations and Rules, Standards and Policies as appropriate to consider;
- (3) any person who is or shall be employed by or associated with the Applicant for the purposes of any of the Applicant's activities if a Non-Clinical Operating Permit is issued to the Applicant;
- (4) any person who is an Associated Person, director, Controller or proposed Manager of the Applicant;
- (5) the financial resources available to the Applicant to undertake and maintain the proposed activities;
- (6) in the case of an Applicant that is a Branch, the length of time the Branch's Parent has been conducting these activities prior to the Branch submitting its Application under this Commercial Services Licensing Regulation;
- (7) the likelihood that the Applicant shall be capable of complying with the requirements of this Commercial Services Licensing Regulation and the applicable Rules, Standards and Policies;
- (8) the likelihood that the Applicant shall be capable of complying with all the applicable public health and safety requirements; and
- (9) the proposed name of the facility and whether it reflects the Applicant's activities.

104 Action on Applications for Non-Clinical Operating Permit

Upon the completion of its review, the Registry of Companies may:

- (1) approve the Application;
- (2) approve the Application subject to conditions, or restrictions, as it deems necessary and proper to be included in the Non-Clinical Operating Permit; or



- (3) deny the Application.

105 Approval of Application for Non-Clinical Operating Permit by the Registry of Companies

The Registry of Companies shall not approve an Application unless it determines that:

- (1) the Applicant satisfies all relevant criteria contained in this Commercial Services Licensing Regulation and the applicable Rules, Standards and Policies with regard to the activities the Applicant proposes to undertake;
- (2) all Controllers, directors, Associated Persons and Managers identified in the Application are Fit and Proper Persons; and
- (3) no facts have been found that would constitute grounds for the Registry of Companies to deny an Application for a Non-Clinical Operating Permit.

106 Grounds for denying Application for Non-Clinical Operating Permit

The Registry of Companies may, based on credible evidence, deny an Application if it determines that:

- (1) any statements, information or documents submitted by the Applicant are false, misleading or deceptive or are likely to mislead or deceive;
- (2) there has been a modification or change in the circumstances relating to the information or documentation contained in the Application subsequent to its filing, and the Applicant has failed to notify the Registry of Companies of any such modification or change in a timely manner;
- (3) the Applicant has failed to satisfy any of the requirements in section 105; and
- (4) the Registry of Companies is not satisfied that the Applicant shall comply with the provisions of this Commercial Services Licensing Regulation and the applicable Rules, Standards and Policies, if it were to hold a Non-Clinical Operating Permit.

107 Applicant to be notified of Registry of Companies' decision

- (1) The Registry of Companies shall notify the Applicant in writing of its decision to:
 - (a) approve the Application and issue the Non-Clinical Operating Permit;
 - (b) impose conditions or restrictions on the issue of such Non-Clinical Operating Permit ; or
 - (c) deny an Application for a Non-Clinical Operating Permit and the reasons for denying the Application.
- (2) The Registry of Companies shall also notify the Applicant of:
 - (a) the details of the activities covered by the Non-Clinical Operating Permit and any conditions and restrictions imposed; and
 - (b) the Effective Date.

108 Right of appeal of Registry of Companies' Decision

- (1) An Applicant shall not have a right to seek an appeal of the Registry of Companies' decision save where it is alleged that the Registry of Companies' decision was made in bad faith and/or based on improper motives.
- (2) Any appeal shall be filed to the Appeals Unit within 30 days of receipt of notification of the Registry of Companies' decision.

- (3) The decision of the Appeals Unit shall be final.

109 Details contained in Non-Clinical Operating Permit

A Non-Clinical Operating Permit shall contain the following details:

- (1) the name of the Non-Clinical Operating Permit Holder;
- (2) the name and Location of the facility;
- (3) the Effective Date of the Non-Clinical Operating Permit;
- (4) the term of the Non-Clinical Operating Permit;
- (5) the name of the Non-Clinical Operating Permit Holder's Manager;
- (6) the activities proposed to be undertaken under a Non-Clinical Operating Permit; and
- (7) such other matters, including but not limited to any conditions or restrictions included in the Non-Clinical Operating Permit, as may be specified by the Registry of Companies.

110 Display of Non-Clinical Operating Permit

A Non-Clinical Operating Permit Holder shall at all times prominently post a copy of its Non-Clinical Operating Permit at each Location at which it is conducting an activity under its Non-Clinical Operating Permit, in such a manner that the Non-Clinical Operating Permit is visible to clients and patients receiving services at such Location.

111 Term of Non-Clinical Operating Permit

- (1) The term of the Non-Clinical Operating Permit shall be specified in accordance with this Commercial Services Licensing Regulation and applicable Rules, Standards and Policies except to the extent limited by a condition or restriction imposed on the Non-Clinical Operating Permit.
- (2) Unless otherwise provided in a specific Rule, Standard or Policy or as required by the Registry of Companies:
 - (a) The term of the initial Non-Clinical Operating Permit issued to a Non-Clinical Operating Permit Holder shall be 2 years thereafter, expiring on the anniversary date of its issue;
 - (b) Each Non-Clinical Operating Permit Holder shall renew its Non-Clinical Operating Permit in accordance with the provisions of Part Thirteen of this Regulation on the expiration of the initial term and then every 2 years, effective in each case as of the anniversary date of the initial issue of the Non-Clinical Operating Permit; and
 - (c) Each second anniversary date shall be the Renewal Date.

112 Details of Non-Clinical Operating Permit to be recorded on register

At the time the Non-Clinical Operating Permit is issued, the details of the Non-Clinical Operating Permit, including any conditions, or restrictions being included in the Non-Clinical Operating Permit, shall be added to the Registry of Companies' Register in accordance with the Governing Regulation.



Part Twelve Obligations and Roles of Non-Clinical Operating Permit Holders

- 113 Compliance with Regulations and applicable public health and safety requirements**
- Each Non-Clinical Operating Permit Holder shall comply with all applicable requirements of this Commercial Services Licensing Regulation, all other applicable Regulations, all applicable public health and safety requirements, and the applicable Rules, Standards and Policies.
- 114 Change of name, address and other details**
- (1) A Non-Clinical Operating Permit Holder shall ensure that the information contained in the Register is up to date and shall notify the Registry of Companies of any changes as soon as practicable after the date of change.
 - (2) The Registry of Companies may require the Non-Clinical Operating Permit Holder to provide evidence to support any such change.
- 115 No addition or change of activities**
- (1) No Non-Clinical Operating Permit Holder may conduct an activity not encompassed within its already issued Non-Clinical Operating Permit or substantially change an activity encompassed within its already issued Non-Clinical Operating Permit without first obtaining the Registry of Companies' approval.
 - (2) Where a Non-Clinical Operating Permit Holder intends to change the activities that have been approved within its Non-Clinical Operating Permit, the Non-Clinical Operating Permit Holder shall submit a new application for a Non-Clinical Operating Permit before it is able to provide such activities.
- 116 Restrictions on Non-Clinical Operating Permit Holder**
- No Non-Clinical Operating Permit Holder may, without first obtaining the Registry of Companies' approval:
- (1) substantially modify the physical facilities at its Location; or
 - (2) acquire major capital equipment.
- 117 Cooperation with regard to on-site inspection and/or assessment**
- (1) The Non-Clinical Operating Permit Holder Operator shall comply with any reasonable requirements identified by the Registry of Companies in the notice under subsection (2) related to an on-site inspection and/or assessment.
 - (2) The Facilities Committee may, at any time during the term of a Non-Clinical Operating Permit, serve on a Non-Clinical Operating Permit Holder a written notice to undertake an on-site inspection and/or assessment which includes:
 - (a) an on-site inspection and/or assessment of the Location that is subject to the Non-Clinical Operating Permit and the manner in which the Non-Clinical Operating Permit Holder is providing the activity for which it has received its Non-Clinical Operating Permit;
 - (b) a review of all of the Non-Clinical Operating Permit Holder's policies and procedures then in effect, to ensure that they remain in compliance with the requirements of this Commercial Services Licensing Regulation and all other applicable Regulations, Rules, Standards and Policies.

- (3) Following an on-site inspection and/or assessment, the Registry of Companies shall notify the Non-Clinical Operating Permit Holder if it finds non-compliance with any of the requirements of the:
 - (a) Non-Clinical Operating Permit;
 - (b) any of the applicable requirements of this Commercial Services Licensing Regulation;
 - (c) any other applicable Regulations, Rules or Standards and Policies; and
 - (d) all applicable public health and safety requirements.
- (4) Where a Non-Clinical Operating Permit Holder is found to be non-compliant under subsection (3), it shall comply with any requirements as directed by the Facilities Committee to rectify the breaches within such period of time as the Registry of Companies may require.

118 Provision of information

Each Non-Clinical Operating Permit Holder that is a Branch shall:

- (1) provide the Registry of Companies, on each anniversary of the issuance of the Branch's Non-Clinical Operating Permit, a certificate issued by the Home Jurisdiction of the Parent that proves the continuation of the legal existence in such Jurisdiction of the Parent and the validity of its licensure, registration or equivalent authorization with such authority; and
- (2) notify the Registry of Companies in writing of any modification or change to its Parent's licensure, registration or equivalent authorization that it reported in its Application for a Non-Clinical Operating Permit, together with the date of the occurrence of such modification or change, no later than 20 days following any such modification or change.

119 Notification of termination of activities

- (1) A Non-Clinical Operating Permit Holder shall promptly notify the Registry of Companies if it decides not to proceed with implementation of any of the activities for which its Non-Clinical Operating Permit has been issued;
- (2) Immediately upon the submission of a notification required by subsection (1), the Non-Clinical Operating Permit issued to such Non-Clinical Operating Permit Holder shall become null and void as it relates to any such activity and the Registry of Companies may issue a revised Non-Clinical Operating Permit.

120 Notification of changes to business

In addition to the information that a Non-Clinical Operating Permit Holder is otherwise required to provide under this Commercial Services Licensing Regulation or any other applicable Rules, Standards or Policies, each Non-Clinical Operating Permit Holder shall provide notice to the Registry of Companies of the occurrence of any of the following:

- (1) changes in the nature of any other business it carries on in conjunction with any of its activities;
- (2) any proposal of the Non-Clinical Operating Permit Holder to alter the nature or extent of any other business that it carries on;
- (3) changes to its Manager, Controllers, directors and Associated Persons; and/or
- (4) changes to the facility and medical equipments requiring design approvals and fit-out permits to be issued in accordance with the Design and Construction Guidelines.



Part Thirteen Renewal of Non-Clinical Operating Permit

121 Renewal of Non-Clinical Operating Permit

- (1) Each Non-Clinical Operating Permit Holder shall renew its Non-Clinical Operating Permit every 2 years, effective as of the anniversary of the issuance of its Non-Clinical Operating Permit.
- (2) Each date on which a Non-Clinical Operating Permit Holder's Non-Clinical Operating Permit is to be renewed is the "Renewal Date".

122 Submission of Renewal Application

- (1) A Non-Clinical Operating Permit Holder shall submit to the Registry of Companies a completed Renewal Application and the applicable fee no later than 60 days prior to each Renewal Date.
- (2) The Registry of Companies may, at its discretion, allow a Renewal Application to be filed later than the date provided for in subsection (1), but any such extension shall be for no longer than 60 days.
- (3) Any extension granted under this section is subject to any Penalty that may be imposed by the Registry of Companies pursuant to section 130.

123 Information to be provided with Renewal Application for Non-Clinical Operating Permit

The Renewal Application shall include such information as the Registry of Companies determines is reasonable and appropriate relating to the Non-Clinical Operating Permit Holder, including, but not limited to, the details of the following:

- (1) disciplinary action taken or proposed to be taken by another licensing body or governmental agency against the Non-Clinical Operating Permit Holder;
- (2) criminal charges or civil proceedings instituted against the Non-Clinical Operating Permit Holder;
- (3) evidence that the Non-Clinical Operating Permit Holder has otherwise satisfied a quality survey periodically undertaken; or
- (4) any other information that the Registry of Companies requires.

124 Registry of Companies to review the Renewal Application for Non-Clinical Operating Permit

- (1) The Registry of Companies shall review the Renewal Application at its next scheduled meeting provided that such meeting is more than 7 days after receipt of the Renewal Application.
- (2) If the next scheduled meeting of the Registry of Companies is less than 7 days after receipt of the Renewal Application, the Renewal Application shall be considered at the meeting following the next meeting.

125 Notification of Registry of Companies' decision



- (1) The Registry of Companies shall notify the Non-Clinical Operating Permit Holder in writing of its decision to:
 - (a) approve the Renewal Application;
 - (b) approve the Renewal Application and impose conditions or restrictions on a Non-Clinical Operating Permit; or
 - (c) deny the Renewal Application.
- (2) The Registry of Companies shall also provide the Non-Clinical Operating Permit Holder with:
 - (a) a written statement of reasons for its decision; and
 - (b) details of its right to seek an appeal of the decision.

126 Right of appeal of decision of Registry of Companies

The Non-Clinical Operating Permit Holder has no right to seek an appeal of the Registry of Companies' decision to deny the Renewal Application or place conditions or restrictions on the Non-Clinical Operating Permit.

127 Request for extension of term of Non-Clinical Operating Permit

- (1) If a Non-Clinical Operating Permit Holder is unable to file a Renewal Application for its Non-Clinical Operating Permit in accordance with section 122, the Non-Clinical Operating Permit Holder may request in writing for the Registry of Companies to extend the term of its Non-Clinical Operating Permit.
- (2) The request shall specify:
 - (a) the period of time for the extension of the term of the Non-Clinical Operating Permit; and
 - (b) the reasons for the extension of the term of the Non-Clinical Operating Permit.
- (3) Any such request shall be made no later than 14 days prior to the Renewal Date together with the applicable fee.

128 Extension of term of Non-Clinical Operating Permit

- (1) The Registry of Companies shall consider the request to extend the term of the Non-Clinical Operating Permit and may, at its discretion, extend the term of the Non-Clinical Operating Permit for a period not exceeding 60 days.
- (2) The Registry of Companies shall notify the Non-Clinical Operating Permit Holder of its decision in writing prior to the expiry of the term of the Non-Clinical Operating Permit.
- (3) Any extension granted under this section is subject to any Penalty that may be imposed by the Registry of Companies pursuant to section 130.
- (4) The Non-Clinical Operating Permit Holder has no right of appeal from a decision of the Registry of Companies under this section.

129 Failure to file a Renewal Application

If a Non-Clinical Operating Permit Holder fails to file a Renewal Application for its Non-Clinical Operating Permit in accordance with section 121 or within the extended term granted in accordance with section 128, its Non-Clinical Operating Permit shall automatically terminate upon the expiry of its term or extended term as the case may be, and the Non-Clinical Operating Permit Holder shall immediately cease providing any or all activities under the Non-Clinical Operating Permit.

130 Penalty for late filing of Renewal Application

If a Non-Clinical Operating Permit Holder files a Renewal Application for its Non-Clinical Operating Permit later than what is permitted in this Part of the Commercial Services Licensing Regulation, the Registry of Companies may impose the applicable Penalty for the delay in filing.



Part Fourteen Revocation and Suspension of Non-Clinical Operating Permit

131 Revocation or suspension of a Non-Clinical Operating Permit

- (1) The Registry of Companies may, if it thinks fit, revoke or suspend a Non-Clinical Operating Permit for a specified period until the occurrence of a specified event or until specified conditions are complied with.
- (2) Any revocation or suspension shall be given by notice in writing served on the Non-Clinical Operating Permit Holder.
- (3) The Registry of Companies may act under subsection (1):
 - (a) if the Non-Clinical Operating Permit Holder has:
 - (i) contravened a provision of this Commercial Services Licensing Regulation or its Non-Clinical Operating Permit and the provisions of any other applicable Regulation, Rule, Standard or Policy; or
 - (ii) failed to satisfy an obligation to which he is subject by virtue of this Commercial Services Licensing Regulation; or
 - (iii) no longer meets the relevant applicable minimum criteria under which it was granted the Non-Clinical Operating Permit;
 - (b) if the Non-Clinical Operating Permit Holder has furnished misleading or inaccurate information to the Registry of Companies under or for the purposes of any provision of this Commercial Services Licensing Regulation;
 - (c) if the Non-Clinical Operating Permit Holder has not paid any renewal fee or other applicable fee, including any Penalty due and payable in respect of a Non-Clinical Operating Permit or if the Non-Clinical Operating Permit Holder has not paid any other amounts due to the Registry of Companies;
 - (d) if the Non-Clinical Operating Permit Holder has ceased to provide Commercial Services in DHCC;
 - (e) if the Non-Clinical Operating Permit Holder is carrying on activities of a different category to that set out in the Non-Clinical Operating Permit;
 - (f) if the Non-Clinical Operating Permit Holder, or the Controller of the Non-Clinical Operating Permit Holder has assigned the benefit and control of the Non-Clinical Operating Permit Holder's business to a third party without the approval of the Registry of Companies;
 - (g) on the order of a court;
 - (h) if the Registry of Companies considers it desirable to revoke, or suspend the Non-Clinical Operating Permit for the protection of the public or of the reputation of DHCC, Dubai and the UAE; or
 - (i) on any other ground, which the Registry of Companies may specify from time to time as a ground for the revocation or suspension of a Non-Clinical Operating Permit.

132 Opportunity to rectify breach

Prior to suspending or revoking the Non-Clinical Operating Permit, the Registry of Companies shall give the Non-Clinical Operating Permit Holder an opportunity to rectify any breach of its obligations within a period stipulated by the Registry of Companies.

133 Non-Clinical Operating Permit Holder to be notified of suspension or revocation

- (1) The Registry of Companies shall notify the Non-Clinical Operating Permit Holder in writing of:
 - (a) its decision to suspend or revoke the Non-Clinical Operating Permit;
 - (b) the reasons for its decision; and
 - (c) in the case of suspension, any requirements that the Non-Clinical Operating Permit Holder is required to meet before the suspension shall be lifted.
- (2) The Registry of Companies shall also provide the Non-Clinical Operating Permit Holder with:
 - (a) a written statement of the reasons for its decision; and
 - (b) details of its right to seek an appeal of the decision.

134 Right of appeal of decision of Registry of Companies

- (1) A Non-Clinical Operating Permit Holder shall not have a right to seek an appeal of the Registry of Companies' decision save where it is alleged that the Registry of Companies' decision was made in bad faith and/or based on improper motives.
- (2) Any appeal shall be filed to the Appeals Unit within 30 days of receipt of notification of the Registry of Companies' decision.
- (3) The decision of the Appeals Unit shall be final.

135 Suspension of Non-Clinical Operating Permit

Where the Registry of Companies suspends or revokes the Non-Clinical Operating Permit, the affected Non-Clinical Operating Permit Holder's Non-Clinical Operating Permit shall be suspended until the Registry of Companies' appeal process under this Commercial Services Licensing Regulation is completed.

136 Lifting of suspension

- (1) Where the Non-Clinical Operating Permit has been suspended subject to the meeting of certain requirements, the Non-Clinical Operating Permit Holder may request the Registry of Companies to lift the suspension when those requirements have been met.
- (2) The Registry of Companies may request any information it considers necessary from the Non-Clinical Operating Permit Holder to enable it to consider the request to lift the suspension.

Part Fifteen Termination of Activities

137 Actions following refusal to renew or revocation of Non-Clinical Operating Permit

- (1) Following a refusal by the Registry of Companies to renew the Non-Clinical Operating Permit Holder's Non-Clinical Operating Permit, the Registry of Companies shall determine the duration of an orderly wind down period for the activities provided by the Non-Clinical Operating Permit Holder under the Non-Clinical Operating Permit.
- (2) In the situation described in subsection (1), the Registry of Companies may also disclose the revocation, refusal to renew, or the interim suspension or revocation of the Non-Clinical Operating Permit Holder's Non-Clinical Operating Permit to the relevant authority.

138 Ceasing activities

Upon the completion of the orderly winding down of the Non-Clinical Operating Permit Holder's activities, the affected Non-Clinical Operating Permit Holder shall immediately cease providing all activities under its Non-Clinical Operating Permit and shall no longer be entitled to refer to itself as a Non-Clinical Operating Permit Holder.



Part Sixteen Voluntary Termination of Activities

139 Written notice to be provided

A Non-Clinical Operating Permit Holder may, at any time, provide written notice to the Registry of Companies that it intends to cease providing one or more activities under its Non-Clinical Operating Permit as of a date or dates specified in the notice.

140 Information to be provided

The Non-Clinical Operating Permit Holder shall include with the written notice under section 139, a plan for the orderly winding down of the activities that it proposes to cease providing including the date that the Non-Clinical Operating Permit Holder expects to complete the winding down of the activities.

141 Advice from Registry of Companies and other Agencies

The Registry of Companies may seek the advice of the other Agencies with regard to the voluntary termination of activities on a permanent and temporary basis and in particular the adequacy of the plan submitted under section 140.

142 Sufficient time required to wind down activities

The date or dates specified in a notice provided under section 139 shall be sufficient to provide such time as is reasonable for the Non-Clinical Operating Permit Holder to provide for the orderly winding down of each activity identified in such notice.

143 Registry of Companies may require extension of time

Following a review of the information under section 140, the Registry of Companies may require that any date specified in a notice under section 139 be extended if it determines that more time is required in order to ensure that the activities are terminated in an orderly fashion.

144 Facilities Committee may direct winding down

If the Registry of Companies considers a plan submitted under section 140 to be insufficient, or otherwise determines that the affected Non-Clinical Operating Permit Holder is not itself able to adequately arrange for the orderly closure of any of the affected activities, it may direct the Facilities Committee or an organization appointed by the Facilities Committee to enter the Location at which the Non-Clinical Operating Permit Holder has been conducting such activities solely to provide for an orderly winding down of all such activities.

145 Termination of Non-Clinical Operating Permit

Upon the date specified in the notice under section 139 or any other date that may be stipulated by the Registry of Companies, the Non-Clinical Operating Permit shall be terminated and the Registry of Companies shall issue a revised Non-Clinical Operating Permit if necessary.

Part Seventeen

General provisions relating to Applications for a Miscellaneous Permit

146 Conduct of business by Miscellaneous Permit Holder

- (1) The DHCA may make Rules, Standard and Policies regulating the conduct of activities carried out on a short-term basis in DHCC by a Miscellaneous Permit Holder.
- (2) Such Rules, Standards and Policies made under this section may in particular make provision for:
 - (a) restricting a Miscellaneous Permit Holder from carrying on, or holding himself out as carrying on:
 - (i) activities of any kind specified in the Rules, Standard and Policies; or
 - (ii) activities of a kind or on a scale other than that notified by the Miscellaneous Permit Holder to the DHCA and approved by the DHCA;
 - (b) restricting a person from providing activities in relation to persons other than those of a specified class or description;
 - (c) regulating the manner in which a person may hold himself out as providing any activities;
 - (d) the form and content of advertisements in respect of any business activities;
 - (e) naming of the activity to be provided;
 - (f) specifying any particular public health requirement that the Miscellaneous Permit Holder shall comply with when carrying on its activities;
 - (g) requiring the Miscellaneous Permit Holder to impose requirements and/or restrictions on the activities provided by their employees in relation thereto;
 - (h) arrangements for the settlement of disputes; and
 - (i) requiring the keeping of accounts and other records, as to their form and content and for their inspection and/or assessment.
- (3) Subsection (2) is without prejudice to the generality of subsection (1) and accordingly Rules, Standards and Policies made under this section may make provision for matters other than those mentioned in subsection (2) or further provision as to any of the matters there mentioned.

147 Financial resources

- (1) The DHCA may require certain Miscellaneous Permit Holders to have and maintain in respect of their activities such financial resources as are required by the Rules, Standards and Policies.
- (2) Without prejudice to the generality of subsection (1), Rules, Standards and Policies under this section may:
 - (a) impose requirements which are absolute or which are to vary from time to time by reference to such factors as are specified in or determined in accordance with the Rules, Standards and Policies; and
 - (b)
 - (c) make provision as to the assets, liabilities and other matters to be taken

into account in determining a Miscellaneous Permit Holder's financial resources for the purposes of the Rules and the extent to which and the manner in which they are to be taken into account for that purpose.

148 Notification

- (1) The DHCA may make Rules, Standards and Policies requiring Miscellaneous Permit Holders to give it notice of the occurrence of such events as are specified in the Rules, Standards and Policies.
- (2) Without prejudice to the generality of this section, Rules, Standards and Policies made under this section may relate to:
 - (a) the nature of the activities being carried on;
 - (b) the nature of any other related business carried on with or for the purposes of the activities;
 - (c) any proposal of a Miscellaneous Permit Holder to alter the nature or extent of any activities to be provided;
 - (d) changes in key personnel; and
 - (e) the financial position of a Miscellaneous Permit Holder with respect to any activities to be provided.
- (3) Rules, Standards and Policies made under this section may require information to be given in a specified form and to be verified in a specified manner.

149 Employment of prohibited persons

- (1) If it appears to the Registry of Companies that any individual is not a Fit and Proper Person to be employed by a Miscellaneous Permit Holder, either generally or in relation to a particular activity, it may direct that he shall not, without the written consent of the Registry of Companies be employed by such Miscellaneous Permit Holder.
- (2) The Registry of Companies may revoke a direction or approval made under this section.
- (3) In this section, references to "employment" include references to employment other than under a contract of service.

150 Eligibility

Any person or Entity intending to conduct any activity or provide any service in DHCC on a short-term basis may submit an Application to become a Miscellaneous Permit Holder.

151 Fee to be paid at time the Application for Miscellaneous Permit submitted

The Applicant shall pay the applicable fee at the time the Application is submitted to the Registry of Companies.

152 Withdrawal of Application for Miscellaneous Permit

- (1) An Applicant may withdraw his Application at any time.
- (2) The Registry of Companies shall retain a record of the Applicant's withdrawal of the Application together with a copy of all the information provided by the Applicant or otherwise obtained during the course of consideration of the Application up until the time the Application is withdrawn.
- (3) Any fee submitted shall not be refunded.

153 Form of Application for Miscellaneous Permit

- (1) An Applicant shall submit an Application for a Miscellaneous Permit in such form and manner as the Registry of Companies may require.
- (2) An Application for a Miscellaneous Permit shall be considered only if it meets the following requirements:
 - (a) it is in English;
 - (b) it is typewritten or written in a legible manner;
 - (c) all data, information, and signatures required under this Commercial Services Licensing Regulation and the applicable Rules, Standards and Policies are supplied; and
 - (d) the applicable fee is submitted.

154 Information to be provided with Application for Miscellaneous Permit

- (1) The Applicant shall provide together with the completed Application form:
 - (a) a description of the types of activities proposed to be carried on;
 - (b) if the Applicant is an Entity, the person appointed as Manager;
 - (c) details of any public health and safety requirements as required under the Rules, Standards and Policies made under section 146;
 - (d) a copy of the lease for the Location in such form as may be prescribed by Registry of Companies from time to time;
 - (e) any such other information or particulars as may be requested by the Registry of Companies from time to time, verified in such manner, as the Registry of Companies may require provision of further information.
- (2) At any time after receiving an Application and before determining it, the Registry of Companies may require the Applicant or the Manager of the Applicant to provide additional information or documents.
- (3) The Applicant shall furnish the Registry of Companies with such further information about the business to which the Application relates (being, if the Registry of Companies so requires, information verified in a specified manner) as the Registry of Companies may require for the purpose of determining the Application.

155 Declaration by Applicant

The Application shall be accompanied by:

- (1) a written declaration confirming the accuracy of the statements included in the Application and any accompanying documents;
- (2) an authorization for the Registry of Companies to verify the accuracy of any information provided and to conduct reference checks with any Agency that the Applicant has had dealings with, and, subject to the Governing Regulation, to share such information and documentation with any party as the Registry of Companies considers necessary for purposes of such verification or checks.

156 Provision of incomplete Application

- (1) It is the responsibility of the Applicant to submit a completed Application form and provide the required information.
- (2) In the case of incomplete Applications, the Registry of Companies shall notify the



Applicant identifying the information that has not been provided.

- (3) The Registry of Companies shall specify a period of time within which the Application may be resubmitted with the required information, which time period shall be reasonable.
- (4) The Applicant shall not be required to pay an additional fee for resubmitting the Application within the specified timeframe.
- (5) If the Application is not submitted within the time specified, the Application shall be considered to be withdrawn and the Applicant shall submit a new Application together with the applicable fee.

157 All information required before Application reviewed

- (1) An Application shall not be considered complete until all information required under this Commercial Services Licensing Regulation has been submitted to the Registry of Companies.
- (2) The Registry of Companies shall not review an Application until it has determined that the Application is complete based on the requirements set out in this Commercial Services Licensing Regulation and any applicable Rules, Standards and Policies.

158 Requirement for Applicant to ensure information is up to date

Following the submission of an Application but prior to the issuance of a Miscellaneous Permit, the Applicant shall promptly notify the Registry of Companies of any substantial modification or change to the information or documentation contained in its Application.

159 Requirement to provide further information

At any time after an Application is submitted to the Registry of Companies and before action on it is taken, the Registry of Companies may, by written notice to the Applicant, require the persons specified in subsections (1) and (2) to provide such additional information or documents as the Registry of Companies deems reasonable and necessary to review the Application, in such form and within such time period as the Registry of Companies may reasonably require:

- (1) the Applicant; or
- (2) any person who is identified in the Application as being a Manager of the Applicant, or identified in the Application as being intended to be a Manager of the Applicant.

160 Failure to provide further information

- (1) It is the responsibility of the Applicant to provide further information within the specified timeframe.
- (2) Failure to provide the further information within the specified timeframe shall result in the Application being considered withdrawn.

161 Requirement to notify changes

- (1) At any time during the review of an Application and prior to the Registry of Companies issuing a Miscellaneous Permit, the Applicant shall promptly notify the Registry of Companies of any modification or change to the information or documentation contained in its Application.
- (2) Failure of an Applicant to notify the Registry of Companies of any such changes shall result in either:

- (a) the Application being considered incomplete and withdrawn in accordance with section 156; or
- (b) the Registry of Companies not including any modifications in the Miscellaneous Permit, if it is issued.

162 Approval of Application

- (1) The Registry of Companies shall not approve an Application unless it determines that:
 - (a) the Applicant satisfies all relevant criteria contained in this Regulation, and applicable Rules, Standards and Policies with regard to the type of Commercial Service the Applicant proposes to provide;
 - (b) all Controllers, directors, Associated Persons and Managers identified in the Application are Fit and Proper Persons;
 - (c) the Registry of Companies is not satisfied that the Applicant shall comply with the provisions of this Commercial Services Licensing Regulation, and/or the applicable Rules, Standards and Policies, if it were to hold a Miscellaneous Permit.

163 Grounds for denying Application

The Registry of Companies may deny an Application if it determines that:

- (1) any statements, information or documents submitted by the Applicant are false, misleading or deceptive, or are likely to mislead or deceive;
- (2) there has been a modification or change in the circumstances relating to the information or documentation contained in the Application subsequent to its filing and the Applicant has failed to notify the Registry of Companies of any such modification or change in a timely manner;
- (3) the Registry of Companies is not satisfied that the Applicant shall comply with the provisions of this Regulation, and/or the applicable Rules, Standards and Policies; and/or
- (4) The Registry of Companies may further refuse to grant a Miscellaneous Permit on any other grounds it may, in its absolute discretion, consider as constituting a valid reason to refuse the grant of the Miscellaneous Permit.



Part Eighteen

Provisions relating to granting or refusing Miscellaneous Permits

164 Registry of Companies' decision

- (1) The Registry of Companies shall notify the Applicant in writing of its decision to:
 - (a) approve the Application and issue the Miscellaneous Permit;
 - (b) impose conditions or restrictions on the issue of such Miscellaneous Permit; or
 - (c) deny an Application for a Miscellaneous Permit and the reasons for denying the Application.
- (2) The Registry of Companies may further refuse to grant a Miscellaneous Permit on any other grounds it may, in its absolute discretion, consider as constituting a valid reason to refuse the grant of the Miscellaneous Permit.
- (3) The Applicant has no right of appeal from a decision of the Registry of Companies in refusing to grant a Miscellaneous Permit under this section.

165 Term of Miscellaneous Permit

Subject to this Commercial Services Licensing Regulation, the Miscellaneous Permit shall be for the term as specified in the Miscellaneous Permit.

166 Details to appear on Miscellaneous Permit

A Miscellaneous Permit issued under this Commercial Services Licensing Regulation shall state:

- (1) the name of the Miscellaneous Permit Holder
- (2) the date from which the Miscellaneous Permit shall take effect and its expiry date;
- (3) in the case of an Entity, the name of the Manager;
- (4) the category or categories of activities to be undertaken by the Miscellaneous Permit Holder;
- (5) the address of the Miscellaneous Permit Holder in DHCC; and
- (6) such other matters, including any conditions or restrictions attached to the Miscellaneous Permit, as may be specified by the Registry of Companies.

Part Nineteen Obligations of Miscellaneous Permit Holder

167 Role of the Manager

- (1) Every Entity granted a Miscellaneous Permit under this Commercial Services Licensing Regulation shall appoint a Manager, who shall be a natural person.
- (2) The Manager shall be the principle representative of the Miscellaneous Permit Holder in all dealings with external parties and authorities.
- (3) The Miscellaneous Permit Holder may, either under the Application for the Miscellaneous Permit as set out in Part Seventeen of this Commercial Services Licensing Regulation, regulate, limit or otherwise specify the extent of the powers of the Manager in representing the Miscellaneous Permit Holder both inside and outside DHCC.
- (4) Subject to any limitations prescribed by the Miscellaneous Permit Holder under subsection (3), the Manager is empowered to manage and conduct the day to day operations, business and affairs of the Miscellaneous Permit Holder.

168 Imposition of conditions on Miscellaneous Permits

- (1) The Registry of Companies may at any time on or after issuing a Miscellaneous Permit under Part Four of this Commercial Services Licensing Regulation by notice in writing served on the Miscellaneous Permit Holder:
 - (a) impose such conditions or restrictions as appear to the Registry of Companies to be necessary or desirable in respect of a Miscellaneous Permit Holder; and
 - (b) vary or revoke any condition or restriction so imposed.
- (2) Subsection (1) is subject to the Registry of Companies having reason to believe that it is appropriate to impose such conditions or restrictions.
- (3) If the Registry of Companies imposes a condition or restriction under subsection (1), the Registry of Companies may provide the Miscellaneous Permit Holder with a written statement of reasons for imposing a condition or restriction on request from the applicant.

169 Revocation, or suspension of a Miscellaneous Permit

- (1) The Registry of Companies may, if it thinks fit, revoke or suspend a Miscellaneous Permit for a specified period until the occurrence of a specified event or until specified conditions are complied with.
- (2) Any revocation, or suspension shall be given by notice in writing served on the Miscellaneous Permit Holder
- (3) The Registry of Companies may act under subsection (1):
 - (a) if the Miscellaneous Permit Holder has:
 - (i) contravened a provision of this Commercial Services Licensing Regulation or its Miscellaneous Permit and the provisions of any other applicable Regulation, Rule, Policy; or
 - (ii) failed to satisfy an obligation to which he is subject by virtue of these this Commercial Services Licensing Regulation; or
 - (iii) no longer meets the relevant applicable minimum criteria under which it was granted the Miscellaneous Permit;
 - (b) if the Miscellaneous Permit Holder has furnished misleading or inaccurate information to the Registry of Companies under or for the

purposes of any provision of this Commercial Services Licensing Regulation;

- (c) if the Miscellaneous Permit Holder has not commenced to carry on in DHCC the activities to which its Miscellaneous Permit relates within 90 days of its issue or within such other period as may be specified by the Registry of Companies;
- (d) if the Miscellaneous Permit Holder has not paid any Renewal Fee or other applicable fee, including any Penalty due and payable in respect of a Miscellaneous Permit or if the Miscellaneous Permit Holder has not paid any other amounts due to the Registry of Companies;
- (e) if the Miscellaneous Permit Holder is carrying on activities of a different category to that set out on the Miscellaneous Permit;
- (f) in the case of an Entity, if the Miscellaneous Permit Holder, or the Controller of the Miscellaneous Permit Holder has assigned the benefit and control of the Miscellaneous Permit Holder's business to a third party without the approval of the Registry of Companies;
- (g) on the order of a court;
- (h) if the Registry of Companies considers it desirable to revoke, or suspend the Miscellaneous Permit for the protection of the public or of the reputation of DHCC, Dubai and UAE; or
- (i) on any other ground, which the Registry of Companies may specify from time to time as a ground for the revocation, or suspension of a Miscellaneous Permit.

170 Reasons for revocation or suspension

- (1) If the Registry of Companies revokes, or suspends a Miscellaneous Permit pursuant to section 169, the Registry of Companies may provide the Miscellaneous Permit Holder with a written statement of reasons for its decision on request from the Miscellaneous Permit Holder.
- (2) The Miscellaneous Permit Holder has no right of appeal from a decision of the Registry of Companies under this section.

171 Limitations of Miscellaneous Permit

A Miscellaneous Permit Holder shall not carry on (or purport to carry on) any business in the UAE outside DHCC solely on the basis of a Miscellaneous Permit granted under this Commercial Services Licensing Regulation.



Part Twenty Provision of Information

172 Notification of change of Manager

- (1) A Miscellaneous Permit Holder shall give notice in writing to the Registry of Companies of the fact that a person has become or has ceased to be the Manager of the Miscellaneous Permit Holder, and shall arrange with the Registry of Companies to modify the Miscellaneous Permit accordingly.
- (2) A notice required to be given under subsection (1) shall be given within a period of 14 days immediately following the day on which the Miscellaneous Permit Holder becomes aware of the relevant fact.

173 Power to obtain information and documents

- (1) The Registry of Companies may, serve a written notice on a Miscellaneous Permit Holder, or its representative, requiring the Miscellaneous Permit Holder to produce, within such reasonable time period as may be specified in the notice, such information and documentation as it may reasonably require for the performance of its functions under this Commercial Services Licensing Regulation.
- (2) Such notice shall not be required if the Registry of Companies has reasonable cause to believe that, if such notice were given, the information or documents being sought would be removed, tampered with or destroyed.
- (3) The DHCA may authorize any of its officers, servants or agents to have the like power under this section to require the production of information and documents from a Miscellaneous Permit Holder.
- (4) The power conferred by this section to require a Miscellaneous Permit Holder or other person to produce any information and documents includes the power:
 - (a) if the documents are produced, to take copies of them or extracts from them and to require that Miscellaneous Permit Holder, to provide an explanation of them; and
 - (b) if the documents are not produced, to require the person who was required to produce them to state, to the best of his knowledge and belief, where they are.

174 Information about the Manager

The Registry of Companies may, by notice in writing served on any person who is or is to be a Manager of a Miscellaneous Permit Holder, require him to furnish the Registry of Companies, within such time as may be specified in the notice, with such information or documents as the Registry of Companies may reasonably require for determining whether he is a Fit and Proper Person to hold the particular position which he holds or is to hold.

175 Former Miscellaneous Permit Holder

The provisions of section 173 shall apply to a former Miscellaneous Permit Holder.

176 Right of entry to obtain information and documents

The DHCA may authorize any of its officers, servants, or agents to enter any premises occupied by a person on whom a notice has been served under section 172 for the purposes of obtaining the information or documents required by the notice.

177 Investigations on behalf of Registry of Companies

- (1) The Registry of Companies may appoint one or Inspectors to investigate and

report to the Registry of Companies on:

- (a) the nature, conduct or state of the Miscellaneous Permit Holder's business or any particular aspect of it; or
- (b) the ownership or control of the Miscellaneous Permit Holder, where applicable.

and the Registry of Companies shall give notice in writing to the Miscellaneous Permit Holder concerned of the appointment.

- (2) An Inspector may also, if he thinks necessary to do so for the purposes of his investigation, investigate the business of any other body corporate which is Closely Linked to a Miscellaneous Permit Holder, where applicable.
- (3) An Inspector may, for the purposes of exercising his powers under this section, enter any premises occupied by a Miscellaneous Permit Holder being investigated by him; but he shall not do so without prior notice in writing unless he has reasonable cause to believe that if such notice were given any documents whose production could be required under this section would be removed, tampered with or destroyed.
- (4) An Inspector shall, if so required, produce evidence of his authority.
- (5) The provisions of this section shall apply to a former Miscellaneous Permit Holder.