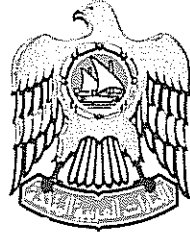


بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

UNITED ARAB EMIRATES  
RULER'S COURT  
AJMAN



الدولة العربية المتحدة  
ديوان حاكم عجمان

No. \_\_\_\_\_

الرقم: \_\_\_\_\_

Date \_\_\_\_\_

التاريخ: \_\_\_\_\_

**THE AMIRI DECREE NO. (2) 2006  
CONCERNING THE SEWERAGE DISPUTES' COMMITTEE**

**We, Humaid bin Rashid Al Nuaimi, Member of the Supreme Council,  
Ruler of the Emirate of Ajman;**

**After perusing** the provisions of the Sewer Law, as reenacted by the Amiri Decree No. (1) of 2006, Concerning the Sewerage System in Ajman, and the provisions of the Amiri Decree No. (16) of 2003 Concerning the Formation of the Sewerage Disputes' Committee;

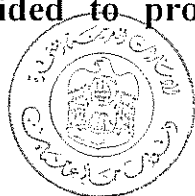
**Acceding to the** requests of several national property owners in the Emirate for introducing an appropriate forum, other than courts of law, which shall be enabled to resolve, amicably and promptly, all of the disputes that may arise between Ajman Sewerage Company (Private) Limited and its customers, in connection with the Sewerage System;

**Following** our desire to protect the rights of those who deal with the Company, on one side, and at the same time, to enable the said Company to complete the construction of the Sewerage System project on the agreed specified date and to efficiently operate the Sewerage System for the benefit of the Emirate and its national and expatriate residents ; and

**After perusing** the reports submitted to us concerning the performance of the Sewerage Disputes' Committee, during the past period, since its formation pursuant to Amiri Decree No. (16) of 2003, and the problems and difficulties that the said Disputes' Committee has faced and the recommendations made by the competent bodies for resolving those problems and difficulties;

**And for what we** have considered conducive to attain the Public Interest;

**Have now decided to promulgate this Amiri Decree with the following text :**



**Article (1)**

**Name of Decree and effective date**

This Decree shall be called “**The Amiri Decree No. (2) of 2006 Concerning the Sewerage Disputes' Committee**” and shall be effective as of the date of its signature.

**Article (2)**

**Definitions**

In this Decree, unless the context otherwise requires, the following phrases shall have the following meanings attributed to them as follows:

- “**Sewer Law**”:  
means the Sewer Law as incorporated in the Amiri Decree No. (1) of 2006, as amended, from time to time.
- “**Government**”:  
means the Government of the Emirate of Ajman.
- “**Municipality**”:  
means the Municipality and Planning Department in Ajman.
- “**Competent Court**”:  
means the Ajman Federal Court of First Instance.
- “**Company**”:  
means the Ajman Sewerage (Private) Company Limited and includes any substitute, replacement, successor, assign or transferee of this company.
- “**Disputes' Committee**”:  
means the Sewerage Disputes' Committee appointed pursuant to this Decree to exercise the authorities assigned thereto under the provisions of Article 22(3)(1) of the Sewer Law and this Decree.
- “**Secretary of the Disputes' Committee**”:  
means the employee having legal qualification who is appointed pursuant to the requirements of Article 5 hereof to perform the terms of reference set forth in that Article.
- “**Sewer Tariff Officer**”  
: means the employee appointed by the Municipality pursuant to the requirements of Article 14(1) of the Sewer Law.



- “Property”:** means any public or private property, within the Agreed Concession Area, used for residential, commercial, industrial, tourist, educational, health or any other similar purpose and includes any vacant or unused land or land with incomplete buildings on it.
- “Property Owner”:** means any individual, company, business entity, government entity, not-for-profit entity, association or other corporate or natural person which is the owner of a Property.
- “Property Registration Form”:** means the application form prescribed by the Company which each Property Owner, or his duly authorised agent, shall accurately complete and submit to the Company for the registration of his relevant Property with the Company and connection of the same to the Sewerage System and/or for the provision of relevant updated details to the Company so as to enable the Company to efficiently discharge its obligations under the Sewer Law and provide Wastewater services to the relevant Property.
- “Property User”:** means any individual, company, business entity, government entity, not-for-profit entity, association or other corporate or natural person which uses or occupies a Property, whether being a landlord or a tenant of such Property.
- “Property Eviction Form”:** means the official form prescribed by the Company which each Property User shall submit to the Company for recovering his deposit and stop the sending of Tariff invoices to him in accordance with the provisions of Article 12(15) of the Sewer Law.
- “Applicable Connection Fees”:** means the connection fees payable to the Company for connecting a Registered Property with the Sewerage System in Ajman, as such fees are detailed in the Appendix 1 to the Sewer Law.
- “Applicable Service Charges”:** means the charges payable monthly to the Company for the discharge into the Sewerage



System of Wastewater of a Registered Property or for making Wastewater services available to that Property, as detailed in Appendix (3) to the Sewer Law.

**“Tariffs” :** means the Applicable Connection Fees, Extra Connection Fees (wherever applicable), Applicable Service Charges, Wastewater Planning Review Fees and Septage Discharge and Disposal Fees.

**“Obliger”:** means a Registered Owner or Registered User (as applicable) obligated to pay any Tariffs under the Sewer Law.

**“Dispute”:** means any complaint or claim relating to the registration of a Property or the signing of a FEWA Customer Consent or the payment of an Outstanding Tariff, lodged by the Company or by an Obliger with the Sewerage Disputes’ Committee in accordance with Article 4.3.A.2(c) or 4.3.A.3 of the Sewer Law.

**“Dispute Form”:** means the statement containing the details of the Dispute which is filed by the plaintiff with the Disputes’ Committee pursuant to the provisions of this Decree in the form prescribed by the Disputes’ Committee, from time to time.

**“FEWA”:** means the Federal Electricity and Water Authority, or any successor thereof performing its tasks in the Emirate of Ajman, or any other governmental or quasi-governmental authority or private entity that supplies or sells electricity in the Emirate of Ajman.

**“FEWA Customer”:** means any consumer of electricity in the Emirate of Ajman (whether a Property Owner or a Property User) who is supplied with electricity by FEWA through serially-numbered electricity meter, pursuant to an electricity supply contract with FEWA.

**“FEWA Customer Consent”:** means the consent in writing given by a Property Owner, either as a part of the a Property Registration Form, or in another separate document or given by a Property User in a written document addressed to FEWA, or the consent deemed by a Competent Court to



have been given (pursuant to Article 4.3.A.2(c) of the Sewer Law), which permits electricity disconnection by FEWA from the Property of the relevant FEWA Customer in the event of his default to pay Tariffs.

**“ FEWA Customer Consent Date”:**

means the date on which FEWA Customer Consent is signed by the respective FEWA Customer or the date on which a Competent Court decides that such FEWA Customer Consent have been given by the relevant FEWA Customer in respect of his Property virtually by force of law pursuant to the requirements of the Sewer Law.

**“Special Cases Fund”:** means the special fund established by the Government for payment of any Outstanding Tariffs due from any Property Owner or Property User who, in the opinion of the Sewerage Disputes' Committee, is unable to pay such Outstanding Tariffs by reason of his special social circumstances.

**Article (3)**

**Formation and Authorities of the Disputes' Committee**

3.1 Pursuant to this Decree, a special committee shall be formed in the Emirate of Ajman to be known as **“the Sewerage Disputes' Committee”** which shall have all legal powers to carry out the terms of reference given to it in Article 22(3)(1) of the Sewer Law and under the provisions of this Decree including:

- (a) to hear and settle, as soon as possible, and in a final and conclusive manner, any Dispute submitted to the Disputes' Committee by the Company or by any Property Owner or Property User, in respect of any claim or complaint concerning the registration of any Property or the payment of any Outstanding Tariffs under the Sewer Law.
- (b) to order any Property Owner, Property User, the Municipality, the Lands and Properties Department or the Company to provide authentic information and complete details to the Disputes' Committee about any Property which is a subject matter of a Dispute before the Disputes' Committee and, particularly, in



respect of the ownership of the concerned Property, its components or the type of its use by any person occupying it. In its determination of the proper categorization of the relevant Property, the Disputes' Committee shall take into its account any official documents or records of and/or licences issued by the Land Department, the Municipality or other relevant Ajman Government Entities;

- (c) to order any Property Owner to complete and sign a Property Registration Form for connecting his Property with the Sewerage System in Ajman and to submit the same to the Company within a period not exceeding seven (7) days from the date of the order of the Disputes' Committee to that effect. The Property Registration Form shall be completed in accordance with the information and details verified by the Disputes' Committee and shall include the FEWA Customer Consent whereby the relevant Property Owner authorizes FEWA to disconnect electricity from his concerned Property in the event of his failure to pay the Applicable Tariffs;
- (d) to order any Property User (other than a Property Owner), who is a customer of FEWA, to sign a FEWA Customer Consent, in the prescribed form, whereby such Property User authorizes FEWA to disconnect electricity from the Property he occupies in the event of his failure to pay the Applicable Services Charges;
- (e) to order any Obliger to pay any Outstanding Tariff due from him within a period not exceeding seven (7) days, unless the Disputes' Committee decides to extend such period for reasonable causes to be mentioned in its decision;
- (f) to evaluate the ability of any Obliger to pay any Outstanding Tariff due from him. If the Disputes' Committee is of the opinion that the relevant Obliger is unable to pay the concerned Tariff, then, the Disputes' Committee shall order that the payment of such Tariffs shall be made by the Special Cases Fund, either wholly or partially, as the Disputes' Committee may deem appropriate but without prejudice to the provisions of Article 22.3.2(a) of the Sewer Law;
- (g) to impose any one or more of the penalties provided in Article 22.1 of the Sewer Law; and
- (h) to issue decisions concerning the application of any fines, fees or other moneys of paid by any Obliger to the Disputes' Committee pursuant to the provisions of the Sewer Law or of this Decree.



- 3.2 While exercising its authorities under Article 3.1.(b) hereof, the Disputes' Committee shall have full powers to issue orders and take all actions to obtain the information and details of the relevant Property by all legal means as the Disputes' Committee may deem fit in connection with the Dispute submitted to it. In particular the Disputes' Committee shall have the right to order any person to provide to the Disputes' Committee any information or to deliver copies of any documents or deeds concerning any Property, which is the subject matter of a Dispute, submitted to it. Any refusal or default to provide such information, documents or deeds to the Disputes' Committee shall constitute a misdemeanor punishable with a fine not less than five hundred U.A.E. Dirhams.
- 3.3 The Disputes' Committee may request the assistance of any employee of the Municipality or any policeman in the course of verifying the authenticity of any information or the execution of any order relating to any Dispute submitted to the Disputes' Committee. The concerned Municipality employee or policeman shall provide all assistance as may be required from him by the Disputes' Committee under this Article .

#### **Article (4)**

#### **Nomination of the Chairman and members of the Committee**

- 4.1 Pursuant to the requirements of Article 22(3)(1) of the Sewer Law, the Ruler of Ajman shall constitute the Disputes' Committee by an Amiri Resolution to be issued within two weeks from the effective date of this Decree. All sessions of the Disputes' Committee shall be presided by judges of U.A.E. Federal Courts. The membership of the Disputes' Committee shall include senior officers from the Municipality, the Land Department, General Administration of Ajman Police and Ajman Civil Defence Department in addition to representatives of the Sewerage Company and Property Owners. The number of the Members of the Disputes' Committee (other than its Chairman and Vice-Chairman) shall not exceed eight persons.
- 4.2 The term of membership in the Disputes' Committee is three years, subject to renewal.
- 4.3 The remunerations of the Chairman, Vice-Chairman and Members of the Disputes' Committee shall be determined by a subsequent resolution to be issued by His Highness, the Crown Prince of the Emirate of Ajman.



4.4 The Disputes' Committee may, whenever it deems fit, invite any legal advisor, engineer, expert or other witness to attend any of its sessions and assist in clarifying any information relating to any claim submitted to the Disputes' Committee.

#### **Article (5)**

#### **Secretary of the Disputes' Committee**

The Disputes Committee shall appoint a full time Secretary who shall have proper legal qualification and experience in order to do the following tasks:

- (a) to receive the claims and complaints whether filed by the Company or by one more of the Company's customers, as the case may be, at his office situated within the official offices of the Disputes' Committee and shall ensure that any such claim or complaint is submitted in the prescribed Dispute Form;
- (b) to complete the Dispute Form by entering therein the date and the amount of the registration fees and the date of his receipt thereof and the serial number of the Dispute. Thereafter, he shall sign such Registration Form and add it to any other Dispute Forms relating to the same defendant;
- (c) to fix a date for the hearing of the respective Dispute or for the hearing of all Disputes' relating to the same defendant on the same date and, then, to issue the legal summons to the parties of each Dispute to appear before the Disputes' Committee on the date fixed for the hearing of the respective Dispute;
- (d) to consult with the Chairman, or the Vice Chairman of the Disputes' Committee, about sending of any request to any governmental or private person for providing any information or submission of any documents relevant to the concerned Dispute and to endeavour to obtain the said information and documents before the date fixed for the hearing of the Dispute;
- (e) to submit the concerned Dispute Form and all information relating thereto, if any, to the Disputes' Committee on the date fixed for the hearing of the respective Dispute and to record the decision of the Disputes' Committee regarding the said Dispute, and ensure that such decision has been signed by the Chairman or by the Vice Chairman of the Disputes' Committee, as the case may be;
- (f) to deliver to the concerned parties of the Dispute photocopies of the Dispute Form containing the decision of the Disputes' Committee thereon, and bearing the stamp of the Disputes





Committee, whenever requested by any party to do so. In case of any decision involving payment of Tariffs by the Special Cases Fund, the Secretary of the Disputes' Committee shall send a copy of the decision of the Disputes' Committee to the party specified by the Government to execute such decision;

- (g) to follow up, seriously and diligently, the execution of the decisions of the Disputes' Committee after their issuance and to enter on the Dispute Form a written note regarding what has been done in respect of the execution of the decision of the Disputes' Committee; and
- (h) to carry out any other tasks, as may be assigned to him in writing by the Chairman or Vice-Chairman of the Disputes' Committee, as the case may be.

#### **Article (6)**

#### **Budget, Revenues and Expenses of the Disputes' Committee**

- 6.1 The Disputes' Committee shall have an annual budget to cover its expenses and to ensure proper performance of its functions. The said budget shall be provided from the following sources:
- (a) U.A.E. Dirhams Three Hundred Thousand to be provided by the Government during the month of January in every calendar year;
  - (b) U.A.E. Dirhams Three Hundred Thousand to be provided by the Company during the month of January in every calendar year;
  - (c) The total amount of fees collected by the Secretary of the Disputes' Committee for the registration of Disputes;
  - (d) The total amount of fines imposed by the Disputes' Committee on those who violate the provisions of the Sewer Law; and
  - (e) The annual interest accrued on the deposits paid by the Property Users pursuant to the provisions of Article 12(13) of the Sewer Law.
- 6.2 Notwithstanding the provisions of Article 6.1 above, the sources and the allocation of the annual budget of the Disputes' Committee shall, during the month of November in every calendar year, be revised and re-adjusted, or otherwise modified, for the forthcoming calendar year by special committee presided by His Highness the Crown Prince and membered by:
- (a) the Chairman of Disputes' Committee;
  - (b) The Deputy Director General of the Municipality for Financial and Administrative Affairs;
  - (c) the Director of Internal Audit Department of the Government;



- (d) the General Manager of the Company; and
  - (e) the Secretary of the Disputes' Committee, who shall act as a secretary of the said special committee.
- 6.3 The revenues of the Disputes' Committee shall be deposited in an account, in its name, with a bank operating in the Emirate. Withdrawals from such account shall be made only by the signature of the Chairman of the Disputes' Committee or, in the absence, of the Vice Chairman of the Disputes' Committee.
- 6.4 The Secretary of the Disputes' Committee shall, after consultation with the Director of Finance Department and the Director of the IT Department of the Government, devise and adopt a technical software which shall be capable of showing, quickly and accurately, all the details of the revenues and expenses of the Disputes' Committee, at any time, and shall provide the Chairman of the Disputes' Committee with a monthly statement about the status of the revenues and expenses and the bank account of the Disputes' Committee.
- 6.5 The budget of the Disputes' Committee and its bank account and financial statements of the revenues and expenses shall be subject to annual auditing, from time to time, by the Internal Audit Department of Ajman Government. The Disputes' Committee shall follow any directives or recommendations submitted to it by the said Internal Audit Department for rectifying or restructuring the financial status of the accounts of the Disputes' Committee and its financial entries.

#### Article (7)

#### Location and Sessions of the Disputes' Committee

- 7.1 The Municipality shall provide an appropriate offices at a convenient location to be used as the official offices of the Disputes' Committee and, after consultation with the Chairman of the Disputes' Committee, provide such offices with office requisites and furniture and a number of employees as may be necessary to enable the Disputes' Committee to hold its sessions and effectively perform its tasks hereunder.
- 7.2 The Disputes' Committee shall hold at least one session every week at the offices allocated to it by the Municipality for holding the said sessions. The Chairman of the Disputes' Committee may, whenever he thinks that necessary, divide the members of the Disputes' Committee into two branch committees. Each of such branch committees shall consist of a chairman and four members and shall be legally competent to hear and settle, in a final and conclusive manner, the Disputes submitted to it as if it is the only committee competent to do so in the manner set forth hereunder. The Chairman of the



Disputes' Committee, mentioned in Article 4(1), shall preside the sessions of one of the said branch committees and the Vice Chairman of the Disputes' Committee shall preside the sessions of the other branch committee. The quorum necessary for holding the sessions of each of the said two branch committees shall be the presence of two (2) members in addition to the chairman of the concerned branch committee.

- 7.3 The Chairman of the Disputes' Committee may, whenever he feels necessary, order in writing the holding of additional sessions in any week.
- 7.4 Regardless of any division of the Disputes' Committee in two branch committees, pursuant to Article 7(2) above, the Chairman of the Disputes' Committee shall personally sign all official correspondence issued by the Disputes' Committee to Competent Court or any governmental or quasi-governmental bodies in the Emirate and he may solely represent the Disputes' Committee before such bodies and other third parties.

#### **Article (8)**

#### **The Nature of the Sewerage Disputes**

- 8.1 The Sewerage Disputes shall be treated as civil claims of urgent nature. The Disputes' Committee may, for the sake of providing prompt justice, apply the rules of natural justice while considering the Disputes submitted to it without need to follow the pleadings procedures prevailing in the judicial courts of the Emirate. However, the Disputes' Committee must ensure the notification of the respective litigant parties to appear before the Disputes' Committee in the manner required by U.A.E. laws and shall enable such parties to submit their documents and hear their witnesses and defences.
- 8.2 No procedure of the Disputes' Committee shall be deemed invalid unless its invalidity is expressly stated in a rule of law, or where there has been a deficiency or substantial omission mingled with the respective procedure which prevented the achieving of justice or the realization of the objectives of the respective procedure. Whenever the Disputes' Committee becomes aware of the invalidity of any procedure it has adopted it shall, itself, correct the same and such procedure shall be deemed correct as of the date of its correction by the Disputes' Committee pursuant to the provisions of this Article.
- 8.3 Any decision issued by the Disputes' Committee on any Dispute submitted to it, pursuant to the provisions of the Sewer Law or the provisions of this Decree, shall be final and conclusive in respect of



the concerned Dispute as if the said decision was issued by a competent judicial court and such decision shall not be subject to appeal before any court of law.

**Article (9)**  
**Procedures of the Sewerage Disputes**

- 9.1 Every Sewerage Dispute shall be filed by completing a Dispute Form containing a summary of the respective Dispute and delivering of such Dispute Form to the Secretary of the Disputes' Committee. The Dispute Form must be signed by the concerned plaintiff (or by his duly authorized representative) and must be accompanied with the nominal Dispute registration fees in the amount of fifty (50) U.A.E. Dirhams only.
- 9.2 The Secretary of the Disputes' Committee shall, as promptly as possible, after receiving the Dispute registration fees, issue summons to the parties of the concerned Dispute stating therein the date fixed for hearing and deliver the same to the said parties.
- 9.3. The summons shall be made on the form prescribed by the Disputes' Committee for such purpose and the date of appearing before the Disputes' Committee shall be after a period not less than three days from the date of issuance of the summons. Such summons shall be served in accordance with the provisions of Paragraphs (1), (2) and (3) of Article 8 and the provisions of Article 9 of the U.A.E. Code of Civil Procedure (Federal Law No. 12 of the 1992). If none of the persons mentioned in Paragraphs (1),(2) and (3) of said Article 8, the officer severing the summons shall affix the second copy thereof on the door of the Property where the person required to be notified is residing or working or on the door of the Property where he was known to have resided in or used as his last place of work. The summons shall be legally effective as from the date of receipt by the person to be notified or from the date of affixation of the same on the door of such person, as aforesaid. The said officer shall enter a notation to that effect on the original copy of the summons and shall return such original copy to the Secretary of the Disputes' Committee.
- 9.4 On the date specified for hearing the Dispute, the Disputes' Committee shall begin the hearing by verifying the correctness of the information and details of the respective Property and/or the appropriate details of the Property Owner and Property User, if any. The Disputes' Committee may order the Property Owner to provide the said information or details. Otherwise, the Disputes' Committee



shall obtain such information or details by using all available legal means, as the Disputes' Committee may deem appropriate.

9.5 Unless the Disputes' Committee is satisfied, based upon sufficient legal evidence confirming that the concerned Property is not subject to the provisions of Article 4(2), of the Sewer Law, then, the Disputes' Committee shall order the registration of the concerned Property, based upon such information and details about such Property, as had been verified by the Disputes' Committee pursuant to the provisions of Article 9(4) above. In such case the Disputes' Committee shall:

- (a) order the respective Property Owner to sign the Registration Form of the concerned Property including the FEWA Customer Consent;
- (b) order the Company to register the concerned Property based on the information and details as verified by the Disputes' Committee, pursuant to the provisions of Article 9.4 above and, thereupon, all of the provisions of Paragraphs (a) to (f) inclusive of Article 4.3.A.1 of the Sewer Law shall apply in respect of the concerned Property and its Property Owner and Property User; and
- (c) subject to the provisions of Article 22(3)(2)(a) of the Sewer Law, determine the amount of the Tariffs payable in respect of the concerned Property.

9.6 If the Disputes' Committee has reasons to believe that the concerned Property Owner is capable of paying the prescribed Tariffs, the Disputes' Committee shall issue its order to the respective Property Owner to pay all installments of unpaid Connection Fees due from the respective Property Owner and shall determine the dates for paying such installments without need for future Disputes in respect of the payment of such installments. Alternatively, if the Disputes' Committee is of the opinion that the concerned Obliger is unable to pay the Outstanding Tariff, or future Applicable Connection Fees the Disputes' Committee shall order that such Outstanding Tariffs or future Applicable Connection Fees be paid to the Company, wholly or partially, from the Special Cases Fund as the Disputes' Committee may deem appropriate. A copy of such order shall be sent to the Government.

9.7 If the concerned Property Owner refuses to sign the Property Registration Form, including the FEWA Customer Consent within a



period of five (5) working days after the issuance of a decision to that effect by the Disputes' Committee, then, the Sewer Tariff Officer shall submit a request to the Chairman of the Disputes' Committee to refer the said decision of the Disputes' Committee to the Competent Court for the execution of the same pursuant to the provisions of Article 10 hereof.

- 9.8 Unless strong evidence is submitted to the Competent Court to convince it to the contrary, the said Competent Court shall order the concerned Property Owner to sign the Property Registration Form relating to his Property. If the Property Owner shall fail or refuse to sign the Property Registration Form within a period of seven (7) days after the date of the order of the Competent Court, the President of the said Competent Court shall uphold the decision of the Disputes' Committee to the effect that the said Registration Form is deemed to have been signed virtually by the force of law pursuant to the provisions of the Sewer Law and shall, consequently, order the concerned Property Owner to pay the Connection Fees of the said Property, as determined by the Disputes' Committee.

#### **Article (10)**

#### **Execution of the Decisions of the Disputes' Committee**

- 10.1 Any decision issued by the Disputes' Committee, pursuant to the provisions of this Decree, may be executed under the supervision of the Secretary of the Disputes' Committee who shall record a notation in the respective Dispute Form about what had been done, towards the execution of the concerned decision of the Disputes' Committee.
- 10.2 If the Disputes' Committee issues a decision including payment of any Outstanding Tariffs and the said Outstanding Tariffs have not been paid within fifteen (15) days from the date of the decision of the Disputes' Committee, then, the Sewer Tariff Officer may claim the execution of the said decision of the Disputes' Committee by the Competent Court. Based upon the Government contraction commitment to pay the relevant Outstanding Tariffs to the Company under Article 14.7 of the Sewer Law, the Competent Court shall treat the said Outstanding Tariffs as a government debt and shall, in the collection of the same, follow the procedures set forth in Articles 143 to 149 of the Code of Civil Procedure (Federal Law No. 12 of 1992).
- 10.3 Notwithstanding the contents of Article 10(1) above:
- (a) If, in the opinion of the Disputes' Committee, based upon any substantive reasons acceptable to it, that it would be impossible or extremely difficult to execute its decision by the Sewer Tariff



Officer and that it is necessary to execute such decision directly by the Execution Judge of the Competent Court, or

- (b) if the execution of the decision of the Disputes' Committee by the Sewer Tariffs Officer has, for any reason, whatsoever, not been accomplished within fifteen (15) days from the date of its issuance;

then, in either of the above two cases, the Chairman of the Disputes' Committee may, upon the request of the Sewer Tariffs Officer, deliver to him an original copy of the decision of the Disputes' Committee, bearing the stamp of the Disputes' Committee, and accompanied with a request signed by the Chairman of the Disputes' Committee addressed to the President of the Competent Court requesting him thereby to uphold the respective decision of the Disputes' Committee and to order its execution by the Execution Judge of the Competent Court.

10.4 The Sewer Tariff Officer of the Municipality shall submit to the President of the Competent Court a Complaint of Execution, in two identical copies, and shall attach with such copies the original copies of the decision of the Disputes' Committee and of the request signed by the Chairman of the Disputes' Committee, referred to in the Article 10.3 above.

10.5 As an exception from the general rules of execution applicable in the execution of judgments in the civil cases, the President of the Competent Court shall, within a period not exceeding seven (7) days after his receipt of the documents referred to in Article 10(3), hereof, uphold the decision of the Disputes' Committee in writing unless where he has valid legal objection that prevents the upholding of such decision. Then, he shall endorse the decision of the Disputes' Committee with the relevant execution notation and order that such decision be executed on priority basis. For such purpose, the President of the Competent Court shall refer the Execution Complaint and the attachments thereto to the Execution Judge of the Competent Court.

10.6 The Execution Judge shall execute the decision of the Disputes' Committee, as referred to him by the President of the Competent Court pursuant to Article 10.5. Such execution shall be made without need for reconsidering the contents of the said decision by the Execution Judge.

10.7 The application of the abovementioned provisions shall not constitute any prejudice to the right of the President of the Competent Court to correct by himself any typographical errors or arithmetical mistakes appearing in the decision of the Disputes'



Committee in the manner prescribed by law for the correction of judgments. Alternatively, the President of the Competent Court may return the concerned decision to the Disputes' Committee for explanation where the said decision is not specific to the extent required for its execution.

- 10.8 In the execution of the decisions of the Disputes' Committee hereunder the Execution Judge of the Competent Court shall adopt and follow the rules governing the execution of civil self-executing judgments on priority basis. In particular, the Execution Judge shall issue his order to execute the decision of the Disputes' Committee within twenty one (21) days as from the date of his receipt thereof from the President of the Competent Court and shall notify the judgment debtor of the said order and send to him a copy of the Execution Plaintiff. The right of the judgment debtor to object against the said execution order within fifteen (15) days as of the date of notification shall be preserved to such judgement debtor. Any objection by the respective judgement debtor shall be submitted to the Execution Judge and must be based upon satisfactory causes and the order of the Execution Judge, in respect of such objection, and all other demands or claims regarding the relevant execution, shall be final and conclusive.
- 10.9 Each execution order, issued by the Execution Judge, shall be delivered as a matter of top priority. The Execution Judge may order that copies of the said execution order be affixed at the entrance or exterior gate of the concerned Property or on the door of each FEWA Customer inside the concerned Property, as the Execution Judge may deem appropriate and may, whenever requested to do so, send a copy of the said execution order to FEWA for the purpose of implementing Article 14(4)-A of the Sewer Law.
- 10.10 The application of the above mentioned provisions shall not prejudice the right of any interested person to request the revocation of the decision of the Disputes' Committee where any of the events provided for in Article 216 of the U.A.E. Code of Civil Procedure is present.
- 10.11 In addition to the procedure mentioned in Article 10(4) above, the Sewer Tariff Officer may, in the case of commercial or industrial Obligers, obtain a letter from the President of the Municipality addressed to the relevant Ajman Government Entities to request them thereby to immediately stop all of the transactions of the respective Obliger until their receipt of another notice to the contrary from the Director General of the Municipality.





**Article (11)**

**Repeal of Amiri Decree No. (16) of 2003**

As of the effective date of this Decree, the Amiri Decree No. (16) of 2003 is hereby repealed without prejudice to the validity of any orders issued or procedures followed pursuant to the provisions of the said Decree up to the date of its repeal hereunder.

**Article (12)**

**Execution, Publication and Circulation of the Decree**

This Decree shall be published in the Official Gazette of the Emirate and shall be circulated to all the concerned bodies for executing it, each within its own jurisdiction.

**Issued by Us under Our signature at Our Amiri Diwan in Ajman on Monday 30<sup>th</sup> of Zil-Hijja, 1426 A.H corresponding to the 30<sup>th</sup> day of January, 2006 A.M.**

A handwritten signature in black ink, consisting of several fluid, connected strokes, is written over a circular official seal. The seal features a central emblem and Arabic calligraphy around its perimeter.

**Humaid bin Rashid Al Nuaimi  
Ruler of the Emirate of Ajman**