Complex tech and construction disputes can now turn to new specialised DIFC Courts division

Launches in same week as DIFC Courts’ new electronic case management system

Dubai, United Arab Emirates; 17 September 2017: The region’s technology and construction companies can now choose to have their most complex commercial disputes resolved by a specialised division within the Dubai International Financial Centre (DIFC) Courts.

The new Technology and Construction Division (TCD) draws on specialist judges and a new set of industry-specific rules to fast-track dispute resolution, providing greater certainty to businesses in court. The Division will only hear technically complex cases.

Examples in the construction sector might include complicated engineering disputes or claims arising out of fires. Technology-related cases could include liability for cybercrime incidents, disputes over the ownership and use of data, and issues relating to emerging technologies such as artificial intelligence or connected cars. Parties located anywhere in the world are able to opt-in to the DIFC Courts’ jurisdiction, if both parties agree in writing. Requests to have claims heard by the TCD are made as part of the initial filing, with the Courts’ decision based on the written evidence provided.

DIFC Courts Chief Justice Michael Hwang said: “The TCD has been designed around the particular characteristics of highly complex technology and construction disputes, which can be resolved much more speedily and efficiently with the oversight of specialist judicial expertise. This new division is another foundation stone in our work to build the courts of the future, and an important new service for businesses operating in two key sectors of the UAE economy.”

The TCD was established following a one-month consultation with the region’s legal community. Their feedback and suggestions have been reflected in the division’s rules, which are published today on the DIFC Courts website.

The construction and technology sectors are both key to the local and regional economies. According to a recent BMI study, the total value of building and construction contracts in the MENA region will touch $300 billion by 2019. Meanwhile, research from Gartner projected IT spending in the MENA region will reach $155.5 billion in 2017.

The TDC will be headed by Justice Sir Richard Field, who brings 20 years of experience handling complex disputes in the London courts. A British national, he joined the DIFC Courts in 2015 following his tenure as Judge in Charge of the Commercial Court in London.

Commenting on his appointment, Sir Richard Field said: “It is a privilege to be chosen to lead the TCD, which represents an important addition to the UAE’s dispute resolution infrastructure. By forming a specialist division to handle complex – and sometimes new – types of construction and technology disputes, the DIFC Courts are working to secure businesses both now and in the future.”

The Division launches in the same week as the DIFC Courts implement a new web-based case management system developed in-house. Building on existing e-registry capabilities, the new system enables users to access case management information from their mobile phones, tablets and other electronic devices in real time.

Specific features include the ability to upload heavy bundles of documents; an entirely electronic, easy-to-use Small Claims Tribunal (SCT) section; faster and easier searchability of PDF case documents; integration with Emirates Identity Authority enabling verification of court users through their Emirates ID; and an interactive case plan that is automatically updated when documents are filed.

The DIFC Courts are among the world’s leading courts for technological innovation. In 2016, they launched the Smart SCT, enabling parties to resolve disputes from any location by participating via smartphone. In July, this
was named among the world’s Top 10 Court Technology Solutions by the US-based National Association for Court Management.