

DIFC Courts Order No. 1 of 2025 in Respect of Issuing and Conducting Proceedings, Rights of Audience and Registration in Part I and Part II of the DIFC Courts' Register of Legal Practitioners

I, Wayne Stewart Martin, Chief Justice of the DIFC Courts

After having reviewed:

- Dubai Law No. 5 of 2021, concerning the DIFC which repealed Dubai Law No. 9 of 2004
- DIFC Courts Law No. 2 of 2025

And having considered:

- DIFC Courts Order No. 1 of 2005 with respect to Rights to Conduct Proceedings and Rights of Audience;
- DIFC Courts Order No. 1 of 2012 in respect of Rights to Conduct Proceedings and Rights of Audience before the DIFC Courts;
- Registrar's Direction No 2 of 2013 Issuing and Conducting Proceedings;
- DIFC Courts Order No. 1 of 2015 in Respect of Rights of Audience and Registration in Part II of the Courts' Register of Practitioners;
- DIFC Courts Order No. 1 of 2016 in Respect of Rights of Audience and Registration in Part II of the Courts' Register of Practitioners;

Hereby, pursuant to the powers vested in me by Article 10(B)(9) of DIFC Courts Law No. 2 of 2025, issue the following Order:

1. This Order may be cited as DIFC Courts Order No. 1 of 2025 in Respect of Issuing and Conducting Proceedings, Rights of Audience and Registration in Part I and Part II of the DIFC Courts' Register of Legal Practitioners (the 'Register') which amends the Academy of Law's Register of Practitioners.

2. The DIFC Courts maintain a Register of those persons authorised to issue and conduct proceedings and/or to appear before the DIFC Courts on behalf of others. The registration requirements are set out in the Guidelines for the DIFC Courts' Register of Legal Practitioners (the 'Guidelines'), as amended from time to time at the discretion of the Chief Justice of the DIFC Courts.
3. The fees in respect of entry in the Register will be published on the DIFC Courts' website, as amended from time to time at the discretion of the DIFC Courts.
4. The DIFC Courts' Register of Practitioners is in two parts:
 - a. Part I: Law firms
 - b. Part II: Individuals with rights of audience before the DIFC Courts
5. Entry in Part I is in the name of a law firm and the law firm shall provide a list of practitioners employed by the firm (the branch which is being registered) who are authorised to issue and conduct proceedings on behalf of the law firm.
6. Entry in Part II is in the name of an individual. Qualifying lawyers may register under Part II in order to conduct oral advocacy in front of the DIFC Courts.
7. The review, acceptance, and refusal of a Part I and Part II application is conducted by the Register of Legal Practitioners Committee (the 'Committee').
8. The review and assessment of any Part I and Part II confirmed and/or provisional acceptances on the Register will also be conducted by the Committee.
9. The Committee may initiate an investigation or review of any of the Part I and/or Part II registrants, confirmed or provisional, at any time, based on the feedback received from a Judge or Registrar of the DIFC Courts following an individual's conduct within and/or outside the courtroom.

10. In the event of refusal of a Part I and/or Part II application or registration, or de-registration of a confirmed or provisional Part I and/or Part II registration, the individual concerned may lodge a written and reasoned appeal with the Committee via email to RoPCommittee@difccourts.ae within fourteen (14) calendar days. The Committee shall deliberate on the individual's appeal and provide a decision within twenty-one (21) calendar days of receiving the appeal.
11. If an Individual is still not satisfied with the Committee's decision and reasoning, he/she may lodge a written and reasoned appeal, within sixty (60) calendar days, with the Chief Justice. The letter must be addressed to the Chief Justice, emailed to RoPCommittee@difccourts.ae, which will be shared with the Chief Justice internally.
12. The decision of the Chief Justice will be final and there will be no further avenues to appeal the decision.
13. With respect to an individual applying for registration in Part II of the Register, the procedure will be as follows:
 - a. Registration in Part II of the Register will be provisional¹ until the individual concerned appears before a judge, save for qualified lawyers from the UK, New Zealand, Australia, Singapore, Hong Kong, Republic of Ireland, and Canada who are appointed as King's Counsel/Queen's Counsel or Senior Counsel, who are exempt from the Part II interview and observation during the first appearance.
 - b. The Committee shall review the first hearing and shall either: (i) confirm the applicant's registration as permanent; (ii) refuse the registration, or (iii) request that the applicant considers further training on DIFC Courts' laws and procedures and/or advocacy training provided by the DIFC Courts or other recognised training

¹ "Provisional" in this context shall be taken to mean that Part II registration will only take full effect following confirmation in accordance with paragraph 13(b) of this Order.

provider(s) in which case the individual's registration shall remain provisional until the next hearing.

- c. If the Committee refuses registration, reasons for refusal must be provided in writing.
- d. In the event of refusal of registration following the first hearing, the individual concerned may lodge a written and reasoned appeal, within sixty (60) calendar days, with the Chief Justice if he/she is not satisfied with the decision of the Committee.
- e. Where an appeal has been lodged with the Chief Justice in accordance with subparagraph 13(d) above, the Chief Justice may take any further steps which he/she deems appropriate in the circumstances, including: (i) extending the concerned individual's provisional registration for such period as he/she deems fit and subject to such conditions as are considered appropriate; (ii) maintaining the decision of the Committee which formed the basis of the appeal, or (iii) allowing the appeal and confirming the applicant's registration as permanent. The Chief Justice may decide such appeal on paper and no evidence will be permitted for the purposes of the appeal other than the transcript and/or video recording of the relevant hearing². The Chief Justice's decision shall be final, from which there shall be no further avenue of appeal or review.
- f. An applicant whose application has been refused, or a Practitioner whose registration has been cancelled based on their conduct in the courtroom, may lodge a fresh Part II application not less than twelve (12) months after the refusal/de-registration provided they are able to demonstrate changed circumstances and/or relevant training.

14. An individual with provisional registration in Part II of the Register should give the DIFC Courts not less than seven (7) days' notice of their intention to appear before a Judge, so that the

² The hearing attended or observed by the Committee.

necessary arrangements can be made to ensure the presence of the Committee during the hearing. In instances where the Committee is unable to attend the hearing, a video recording of the hearing may be reviewed by the Committee to observe the Practitioner's appearance in Court. If it is not possible to give sufficient notice, or if the Committee is not available to attend the first hearing, the individual will need to seek permission of the hearing Judge to proceed with the hearing in the absence of the Committee and the individual's registration in the Register shall remain provisional until the next hearing, or until the Committee has reviewed the recording of the hearing, at which time the Committee shall either: (i) confirm the applicant's registration as permanent; (ii) refuse the registration; or (iii) request that the applicant considers further training on DIFC Courts' laws and procedures and/or advocacy training provided by the DIFC Courts or other recognised training provider in which case the individual's registration shall remain provisional until the next hearing.

15. This Order shall come into force with effect from the date of issue.

Wayne Stewart Martin

Chief Justice of the DIFC Courts

Issued: 30 July 2025