SCHEDULE TO PART 3

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Documents for which E-mail may be used

1. Where possible, parties should file documents online using the Courts' e-filing system. Where that is not possible, save as set out in paragraphs 3 and 4 below, e-mail may be used to communicate with the Registry in relation to any matter.

1A. Should E-mail be used for the submission of inter alia, documents, materials and information that require the payment of an accompanying fee, the submitted email's contents and attachments will be considered incomplete and thus unprocessed by the Registry until the requisite fee has been paid and received by the Courts in full.

Restrictions

2. A party should not use e-mail to issue a claim unless the procedure set out at RDC 9.64 applies, although parties are encouraged to use the e-filing facilities available using www.difccourts.ae.

2A. A party should not use email to file bundles prepared for hearings. Email may be used to make minor additions (of 20 pages or less) to any bundles already lodged with the Court, but they must be accompanied by clear instructions as to where such additions are to be inserted.

3. A large document may not be sent by email. A large document is

(a) any document which, when scanned as a PDF file, exceeds 10MB in size; or,

(b) any document which is incapable of being scanned in accordance with paragraph 16 below.

4. Where a party sends or lodges a document by e-mail he should still comply with any Rule or Practice Direction requiring the document to be served on any other person.

5. Nothing in this Schedule shall affect or otherwise alter any obligation on a party or his legal representative to file any document or bundle of documents with the Court or to serve any document or bundle of documents on any other party, but only the manner in which documents are filed with the Court .

6. Nothing in this Section requires any person to accept service of a document by email.

Sending E-mails to the Court

7. For all correspondence for the Registry, the address is: registry@difccourts.ae

The subject line

8. The subject line of the e-mail should contain only the following information which should be in the following order:

(a) First, the claim number;

(b) Second, the proper title of the claim (abbreviated as necessary) with the claimant named first and the defendant named second.

Form and content of the E-mail

9. Any e-mail filing with the Court must include the following information in the covering e-mail itself:

(a) the name of the individual who has sent the e-mail and his firm;

(b) the fullest possible contact details for the individual and the firm of which he is a member, ordinarily to including—

(i) the full postal address;

(ii) a landline telephone number (and a direct number if possible);

(iii) a fax number (if applicable);

(iv) a professional e-mail address;

(v) a business mobile or cellular telephone number (if applicable);

(vi) the name of an alternative person who may be contacted if the originator of the e-mail is unavailable;

(c) a short description of each document which is being filed with the Court as an attachment to the e-mail;

(d) if appropriate, the name of the Judge before whom the e-mail and any attachment is intended to be placed.

10. Any e-mail message sent to the Court must be in plain text and not in rich text or HTML format.

11. Where a party files a document by e-mail, he should not send a hard copy in addition, unless there are good reasons for so doing or a Rule or the Court requires it.

12. Where a time limit applies, it remains the responsibility of the party to ensure that the document

is filed in time. Parties are advised to allow for delays or downtime on their server or the servers used by the Court .

Attachments

13. Any attachment must comply with the following technical requirements:

(a) in order to preserve the legibility and original pagination of documents filed by e-mail all documents filed electronically with the Court must be sent as a PDF file attachment (unless otherwise directed). Any document purporting to be filed by e-mail in any other format shall be treated by the Court as not having been received or filed; and

(b) all documents e-mailed to the Court must be scanned as A4 pages with margins of at least 1 inch. All documents prepared by the parties for filing with the Court electronically should be paginated. Documents prepared using Word, WordPerfect or other software packages should be converted to PDF format either by scanning a physical copy of the document, or by using a PDF printer driver.

Receipt of E-mail by the Court

14. A document is not filed until the e-mail is received by the Court at the addressee’s computer terminal, whatever time it is shown to have been sent.

15. The time of receipt of an e-mail at the addressee’s computer terminal will be recorded.

16. If an e-mail is received after 4 p.m. it will be treated as having been received on the next day the Court office is open.

17. Where a party makes an application by filing an application notice by email and that application attracts a fee, save in cases of extreme urgency, the application will not be considered filed until the fee is paid.

18. The Registry will ackowledge receipt of emails. If a response to the subject matter of the e-mail is not received within a reasonable period, the sender should assume that the Court has not received it and should send the e-mail again, or file the document by another means.

19. Parties should not telephone to enquire as to the receipt of an e-mail. They should observe the procedure set out in paragraph 18.

20. Exceptionally, if a document which is filed with the Court by email requires urgent attention, a party may contact the Court by telephone, but such contact should be rare.

Replies to E-mails sent to the Court

21. The Court will normally send any reply by e-mail to documents or correspondence sent by e-mail.

(a) All replies will be sent to the e-mail address from which the e-mail has been sent. If the sender wishes the reply to be copied to other parties or to another e-mail address used by the sender of the message, such e-mail addresses must be specified in the copy line.

(b) The Court will not send copies to clients or others not on the record; the copy line must therefore not contain the addresses of such persons.

(c) The e-mail should also contain in the body of the e-mail the name and telephone number of the sender.

22. It is important that legal representatives consider putting in place a system to deal with the absence of the individual who has sent the e-mail and to whom the Court will ordinarily reply. Two possible solutions are:

(a) a central mail box within each firm, either from which the e-mail is sent to the Court (and which will therefore receive the reply) or to which it is copied by the individual sender who sends it direct to the Court (and who will receive a copy of the reply);

(b) a second individual e-mail address within the firm to which the reply will be copied so that any reply can be monitored.