

Federal Law No . 6 of 2012

Issued on 10/10/2012

Corresponding to 24 Dhu al – Qi'dah 1433 AH

ON THE ORGANIZATION OF THE TRANSLATION PROFESSION

Abrogating

Federal Law no . 9/1981 dated 14/06/1981 AD

We , Khalifa bin Zayed Al Nahyan , President of the United Arab Emirates ,

After perusal of the Constitution ,

The Federal Law No . (1) of 1972 on the competencies of the Ministries and the powers of the Ministers , and its amending laws ,

The Federal Law No . (10) of 1973 on the Federal Supreme Court , and its amending laws ,

The Federal Law No . (8) of 1980 on the organization of labor relations , and its amending laws ,

The Federal Law No . (9) of 1981 on the organization of the translation profession ,

The Civil Transactions Law promulgated by Federal Law No . (5) of 1985 , and its amending laws ,

The Federal Law No . (3) of 1987 on the Penal Code , and its amending laws ,

The Law of Evidence in Civil Transactions promulgated by Federal Law No . (10) of 1992 , and its amending laws ,

The Civil Procedure Law promulgated by Federal Law No . (11) of 1992 , and its amending laws ,

The Criminal Procedure Law promulgated by Federal Law No . (35) of 1992 , and its amending laws ,

The Federal Law No . (29) of 2006 on the rights of persons with disabilities , and its amending laws ,

And the Federal Decree Law No . (11) of 2008 on the human resources in the Federal Government , and its amendments ,

According to the suggestion of the Minister of Justice , the approval of the Council of Ministers and the Federal National Council and the ratification of the Federal Supreme Council ,

Issued the following Law :

Article 1

In the application of the provisions of this Law , the following terms and expressions shall have the meanings stated beside them , unless the context requires otherwise :

State : United Arab Emirates

Ministry : Ministry of Justice

Minister : Minister of Justice

Committee : Translators Affairs Committee

Translator : Natural person registered in the list of translators

Translation Profession : Carry out , for the account of others and as a habitual practice , translation works by converting texts , words , ideas and signals from one language to another

List : Translators' registration list at the Ministry

Charter : Set of rules and regulations governing the translator's work

Competent Court of Appeal : The Court of Appeal determining the formation of the Disciplinary Board by the Minister's decision .

Article 2

None shall be allowed to practice the translation profession at the State before being registered at the list and before obtaining a license of the same from the competent authority at the concerned emirate .

Article 3

Whoever registered at the list shall :

1 – Be of good behavior and not previously convicted of a felony or misdemeanor involving moral turpitude or dishonesty , even if (s) he had been rehabilitated .

2 – Be fluent in reading , writing and speaking Arabic , in case the translation is from and into Arabic .

3 – Be holder of a certificate approved by a recognized university or institute , stating his / her specialization in the language (s) from and into which (s) he translates .

4 – Have a practical experience in the field of translation for not less than five years after graduation . The UAE citizen shall be exempted from the experience period .

5 – Pass the procedures and tests decided by the Ministry .

The implementing regulation shall set the appropriate conditions for the registration of the sign language interpreters .

Article 4

A translators' registration list shall be established at the Ministry and each translator shall have a file in which all matters pertaining to the exercise of the profession shall be deposited .

Article 5

1 – After being registered at the list , the translator shall swear the following oath before a Chamber of the Court of Appeal :

“ I swear by Almighty God that I will perform the works of my career with all accuracy , honesty and sincerity , in a way preserving its dignity and honor , taking into account the profession’s rules and traditions .”

2 – A protocol recording the taking of the oath shall be deposited in the translator’s file .

Article 6

The governmental and non – governmental agencies may require the Ministry to register translators among their employees , provided that they are restricted to the translation work at their employing agencies and they shall be subject to the provisions relating to the translators of the list set forth in this Law , its implementing regulation and the decisions issued in implementation thereof .

Article 7

No authority carrying out authentication or ratification works and no Court shall accept any document or instrument translated from a foreign language to Arabic , unless this translation was done by a licensed translator according to the provisions of this Law .

Article 8

1 – The registration application shall be submitted to the Ministry on the form prepared for the same .

2 – The translator shall not be registered at the list unless after paying the prescribed fee . (S) he shall also conclude an insurance contract with an insurance company

licensed at the State against liability for malpractice , according to the controls set forth in the implementing regulation of this Law .

3 – The Committee shall decide on the application within sixty days from the date of submittal of the latter meeting the requirements . The applicant shall be notified of the decision and all the applicants whose application was rejected may appeal the decision before the competent Court of Appeal within thirty days from the date of being notified or upon expiry of the decision period without any response and the judgment of the Court shall be considered conclusive .

Article 9

The registration of the translator at the list shall be of three years , renewable upon the translator’s request . The application for renewal shall be submitted thirty days at least before expiry of the registration period .

Article 10

The delay in renewal of the translator’s registration by ninety days shall entail the cancellation of his / her registration at the list .

Article 11

The translator shall notify the Committee of his / her suspension of the translation profession in case of an impediment and may apply for re – practicing this profession upon cessation of this impediment .

Article 12

1 – The translator shall practice the profession through an office licensed to commence the translation works .

2 – The office shall have a Manager among translators .

3 – The translator public service employee shall be exempted from paragraph 1 of this Article .

Article 13

The translator shall :

1 – Carry out the translation work in all accuracy , honesty and sincerity in a way preserving the profession’s dignity and honor , taking into account the profession’s rules and traditions according to the charter , and shall not change the content of the translated material .

2 – Carry out personally the translation tasks entrusted to him / her .

3 – Make necessary effort to update his / her skills and keep abreast of the developments in the field of the language (s) he is licensed to translate as determined by the implementing regulation .

4 – Not divulge the information (s) he may have known by virtue of his / her translation work .

5 – Adhere to the translation from and into the languages of his / her license .

6 – Associate his / her name , registration number and name of the office through which (s) he works in all his / her publications , correspondences , certificates and reports signed by him / her .

7 – Notify the Ministry of any change to the address of the office through which (s) he works within one month from the change .

Article 14

The Office Manager shall :

1 – Put the registration certificate and the office license at a prominent place .

2 – Notify the Ministry of the translators working through his / her office and of any change occurring to them within one month from the change .

3 – Notify the Ministry of any amendment or change occurring to the data of the license within one month from the date of change .

4 – Keep a special register stating the data of the translation works completed , along with their dates and names of clients .

5 – Adhere to the translation from and into the languages licensed for the translators .

Article 15

A Committee shall be formed by the Minister's decision , under the name (Translators' Affairs Committee) with not less than five members in addition to two specialized members , provided that the decision specifies the Committee's President and Vice – President . The Committee shall meet by convocation of its President and its meetings shall only be valid in the presence of its President and four of its members . Its discussions shall be confidential and its decisions shall be issued by absolute majority of the votes present . Upon equality , the side in favor of which the President voted shall prevail . The decisions issued for the rejection or deletion of the translator from the list shall be justified .

In case of absence of the President or an impediment thereof , he shall be replaced by the Vice – President .

Article 16

The Committee shall :

1 – Register the translator at the list and strike him / her off .

2 – Review the complaints related to translators and the reports submitted to it concerning translators and take the necessary action as determined by the implementing regulation of this Law .

3 – Carry out any other functions entrusted to it under this Law , its implementing regulation or the decisions issued in implementation thereof .

Article 17

The Public Prosecution shall notify the Committee of the penal issues brought against the translators and the judgments rendered against them .

Article 18

The Committee shall notify the translator and the entity for which (s) he works of any complaint submitted against him / her to respond to the same within fifteen days from the date of notification thereof . The complaint shall be submitted to the Committee accompanied with the response of the translator to decide upon its archiving or referral to investigation .

Article 19

1 – No disciplinary sanction shall be imposed on the translator unless after conducting a written investigation with him / her and hearing his / her testimony .

2 – The translator shall be investigated by one of the Public Prosecution members at the request of the Committee's President .

Article 20

A Disciplinary Board shall discipline the translators , formed by a decision from the Minister as follows :

1 – A chief from the Courts of Appeal shall be Chairman , with the membership of two judges selected by the Minister .

2 – The Disciplinary Board may appoint an employee at the Court of Appeal to carry out secretariat works .

Article 21

The disciplinary sanctions to be imposed on the translators are :

1 – Warning .

2 – Suspension of the registration for a period not exceeding one year .

3 – Final striking off the list .

Article 22

1 – Disciplinary proceedings shall be instituted before the Disciplinary Board by the Public Prosecution , with a petition including the accusation and the supporting evidence .

2 – The Public Prosecution shall request the translator to appear before the Board ten days at least before the date specified for the session and shall pursue disciplinary action until it is settled .

Article 23

The Disciplinary Board may itself conduct the necessary investigations and delegate one of its members for such task . It may temporarily suspend the translator's work until the end of his / her trial .

Article 24

The sessions and deliberations of the Disciplinary Board shall be confidential and its decisions shall be issued containing the causes thereof . The translator shall be notified of the decision within fifteen days from the date of issuance thereof .

Article 25

The translator may appeal the Disciplinary Board decision before the competent Court of Appeal within thirty days from the date of issuance thereof if issued in his / her presence and from the date of notification thereof if issued in his / her absence . The judgment of the Court of Appeal shall be conclusive .

Article 26

The translator's registration shall be deleted from the list by a decision from the Committee in any of the following cases :

- 1 – If (s) he suffers the loss of one of his / her registration conditions .
- 2 – If (s) he was convicted of a felony or misdemeanor involving moral turpitude or dishonesty .
- 3 – If his / her status does not enable him / her to carry out the work because of his / her health condition according to a report issued by the competent medical committee .

Article 27

The translator shall be notified of the delisting decision within ten days from the date of issuance thereof and the (s) he may appeal this decision before the competent Court of Appeal within thirty days from the date of notification and the Court's judgment shall be conclusive .

Article 28

The employees designated by a decision from the Minister shall have the capacity of judicial officers as per the crimes committed in violation of the provisions of this Law , its implementing regulation and the decisions issued in implementation thereof , within the jurisdiction of each of them .

Article 29

Shall be penalized by imprisonment for a period between three months and one year and by a fine between AED ten thousand and AED thirty thousand , or by either of these penalties , whoever prevents the performance of the work of the employees set forth in Article (28) hereof .

Article 30

Shall be penalized by imprisonment for a period between one year and two years and by a fine between AED fifty thousand and AED one hundred thousand , or by either of these penalties , whoever :

1 – Practices the translation profession while not being registered at the list or allows the same .

2 – Changes the truth deliberately through the translation , destroys or neglects the translated material deliberately or discloses a secret that (s) he became aware of during the practice of the profession .

Article 31

The Committee may impose any of the disciplinary sanctions set forth in Article (21) hereof on the Manager of the translation office licensed to practice the profession in case it violates any of the obligations stated in Article (14) hereof .

Article 32

The imposition of the penalties set forth in this Law does not violate any more severe penalty set forth in any other Law .

Article 33

The translator shall adjust his positions according to the provisions of this Law and its implementing regulation as well as the decisions issued in implementation thereof within one year from the date of their entry into effect .

Article 34

The Court or the Public Prosecution , as the case may be , shall bear the translator's fees if it decides to resort to him / her in penal cases .

Article 35

Without prejudice to Article (7) hereof , the Court and the Public Prosecution may resort to a translator not registered at the list after taking oath whenever necessary and may allow indirect translation from and into Arabic by engaging more than one translator .

Article 36

The payable fees shall be determined by the Council of Ministers' decision upon the Minister's suggestion , in implementation of the provisions of this Law and its implementing regulation .

Article 37

The Minister shall issue the translators' charter and the violation of any of the provisions thereof shall entail imposition of disciplinary sanctions set forth in Article (21) hereof . He shall also issue the decisions necessary for the implementation of the provisions of this Law .

Article 38

The Council of Ministers , upon the Minister's suggestion , shall issue the implementing regulation of this Law within six months from the date of its publication in the Official Gazette .

Article 39

1 – The above – mentioned Federal Law No . 9 of 1981 shall be cancelled , as well as any provision that is contrary to or inconsistent with the provisions of this Law .

2 – The implementing regulations and the decisions in force shall remain effective upon issuance of this Law , in a way not contradicting the provisions thereof until the issue of the implementing regulation of this Law and the decisions issued in implementation thereof .

Article 40

This Law shall be published in the Official Gazette and it shall enter into effect three months after the date of publication thereof .

Abu Dhabi :

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On 24 Dhu al – Qi'dah 1433 AH

Corresponding to : October 10,2012

AD

Khalifa bin Zayed Al Nahyan

President of the United Arab Emirates

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