

PART 1 – Citation, commencement, application and the overriding objective

Citation

- 1.1 These Rules may be cited as **The Rules of the Dubai International Financial Centre Court 2007** and may be abbreviated to “RDC”.

Commencement

- 1.2 These Rules are made by the President of the Dubai International Financial Centre on the date specified in the Enactment Notice in respect of these Rules.
- 1.3 These Rules come into force on the date specified in the Enactment Notice in respect of these Rules.

Application

- 1.4 These Rules apply to all proceedings in:
- (1) the Court of First Instance; and
 - (2) the Court of Appeal
- established in accordance with Article 3 of the Law of the Judicial Authority at Dubai International Financial Centre, Law No.12 of 2004, and
- (3) tribunals established in accordance with Article 14(3) of the DIFC Court Law 2004
- which are collectively called the DIFC Court.

The Overriding Objective

- 1.5 These Rules have the overriding objective of enabling the Court to deal with cases justly. Dealing with a case justly includes, so far as is practicable:

- (1) ensuring that the parties are on an equal footing;
- (2) saving expense;
- (3) dealing with the case in ways which are proportionate –
 - (a) to the amount of money involved;
 - (b) to the importance of the case;
 - (c) to the complexity of the issues; and
 - (d) to the financial position of each party;
- (4) ensuring that it is dealt with expeditiously and fairly; and
- (5) allotting to it an appropriate share of the Court’s resources, while taking into account the need to allot resources to other cases.

Application by the Court of the overriding objective

- 1.6 The Court must seek to give effect to the overriding objective when it
- (1) exercises any power given to it by the Rules; or
 - (2) interprets any Rule or Practice Direction subject only to the public interest.

Duty of the parties

- 1.7 The parties are required to help the Court to further the overriding objective.

Court’s duty to manage cases

- 1.8 The Court must further the overriding objective by actively managing cases including:
- (1) encouraging the parties to co-operate with each other in the conduct of the proceedings;
 - (2) identifying the issues at an early stage;

- (3) deciding promptly which issues need full investigation and trial and accordingly disposing summarily of the others;
- (4) deciding the order in which issues are to be resolved;
- (5) encouraging the parties to use an alternative dispute resolution procedure if the Court considers that appropriate and facilitating the use of such procedure;
- (6) helping the parties to settle the whole or part of the case;
- (7) fixing timetables or otherwise controlling the progress of the case;
- (8) considering whether the likely benefits of taking a particular step justify the cost of taking it;
- (9) dealing with as many aspects of the case as it can on the same occasion;
- (10) dealing with the case without the parties needing to attend at Court;
- (11) making use of technology; and
- (12) giving directions to ensure that the trial of a case proceeds quickly and efficiently.